

# CABINET

**7.30 p.m.**

Wednesday  
28 March 2007

Council Chamber  
Town Hall

Members 10: Quorum 5

## **Councillor Michael White**

Councillor Steven Kelly (Deputy Leader)

Councillor Michael Armstrong

Councillor Peter Gardner

Councillor Andrew Curtin

Councillor Barry Tebbutt

Councillor Paul Rochford

Councillor Eric Munday

Councillor Roger Ramsey

Councillor Geoffrey Starns

## **Leader of the Council (Chairman)**

Sustainable Communities

Housing & Regeneration

Public Safety

Public Realm

StreetCare & Parking

Environmental & Technical Services

Performance & Corporate

Resources

Children's Services

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



Cabinet, 28 March 2007

## 1. HEALTH AND SAFETY

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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 Cabinet 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 Cabinet, they have no right to speak at them.**

**The Chairman has discretion, however, to invite members of the public to ask questions or to respond to points raised by Members. Those who wish to do that may find it helpful to advise the Committee Officer before the meeting so that the Chairman is aware that someone wishes to ask a question.**

**PLEASE REMEMBER THAT THE CHAIRMAN 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 meeting room.**

Cabinet, 28 March 2007

## **AGENDA**

### **1 ANNOUNCEMENTS**

On behalf of the Chairman, there will be an announcement about the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### **2 APOLOGIES FOR ABSENCE (if any) - receive.**

### **3 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.

### **4 MINUTES**

To approve as a correct record the minutes of the meeting held on 14 February 2007, and to authorise the Chairman to sign them

### **5 SCHOOL UNIFORM GRANTS – requisition of previous decision upheld – further consideration**

### **6 ADMISSION ARRANGEMENTS FOR 2008 FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS IN HAVERING**

### **7 GENDER EQUALITY SCHEME**

### **8 ROMFORD MARKET STRATEGY**

### **9 EXCLUSION OF THE PUBLIC**

To consider whether the public should now be excluded from the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during the following item there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 which it is not in the public interest to publish; and, if it is decided to exclude the public on those grounds, Cabinet to resolve accordingly on the motion of the Chairman.

**Cabinet, 28 March 2007**

**10 CHIEF EXECUTIVE'S REPORT CONTAINING EXEMPT INFORMATION**

Cheryl Coppel  
Chief Executive



**MINUTES OF A CABINET MEETING**  
**Havering Town Hall, Romford**  
**Wednesday, 14 February 2007 (7.30pm – 8.10pm)**

**Present:**

Councillor Michael White, Leader of the Council, in the Chair

**Cabinet Member responsibility:**

Councillor Steven Kelly (Deputy Leader)	Sustainable Communities
Councillor Michael Armstrong	Housing & Regeneration
Councillor Andrew Curtin	Public Realm
Councillor Peter Gardner	Public Safety
Councillor Eric Munday	Performance & Corporate
Councillor Roger Ramsey	Resources
Councillor Paul Rochford	Environmental & Technical Services
Councillor Geoffrey Starns	Children's Services
Councillor Barry Tebbutt	StreetCare & Parking

Councillors June Alexander, Clarence Barrett, David Charles, Keith Darvill, Linda Hawthorn, Andrew Mann, Barbara Matthews, Jeffery Tucker and Melvin Wallace were present

Four members of the public and a representative of the press were also present.

All decisions were agreed with no vote against.

Councillors Andrew Curtin and Michael White declared personal interests in the matters referred to in minute 68 and in minute 72 respectively.

On behalf of the Chairman, those present were reminded of the action to be taken in the event of an emergency.

**66 MINUTES**

The minutes of the meeting held on 17 January 2007 were agreed as a correct record and were signed by the Chairman.

**67 CORPORATE PLAN INCLUDING 2007/08 BUDGET AND ASSOCIATED MATTERS**

*Councillor Roger Ramsey, Cabinet Member for Resources, introduced the report.*

The report outlined the context within which the 2007/08 budget was being set and identified the Council's overall policy direction, statutory duties and financial strategy.

Cabinet was reminded that effective Councils had robust medium term corporate planning processes that allocated resources to priorities and drove performance. The Council's MTFs provided the resources to support the delivery of its Corporate Plan, setting out priorities and high level actions. The Corporate Plan was underpinned by directorate and service plans, specifying action in more detail, and ultimately individual work plans for staff set through Personal Development and Performance Appraisals.

The Council's corporate planning process had been successful with the Audit Commission scoring the Council 3 out of a maximum 4 for the provision of value for money services. The Audit Commission's corporate assessment had also scored the Council 3 out of a maximum of 4, concluding "it has an integrated and robust approach to ensure that its expenditure is aligned to priorities." Those priorities were set after full consultation with residents, and savings and reprioritisation made to support them. The process in the previous year had identified £15m of savings to invest in the public's priorities, including £8.8m for street and highway improvements, £2.9m for parks, libraries and sports centres, and £1.4m for community safety. These investments had delivered, with the latest Ipsos MORI survey of public satisfaction showing marked improvement between 2003/04 and 2006:

- satisfaction with the Council overall up from 37% to 45%
- satisfaction with sports and leisure facilities up from 40% to 53%
- satisfaction with libraries up from 63% to 70%
- satisfaction with parks and open spaces up from 60% to 67%
- satisfaction with street cleanliness up from 42% to 63%
- satisfaction with recycling up from 59% to 70%
- satisfaction with the local tip up from 62% to 82%

Information in respect of budget pressures and savings proposals had been released for formal consultation in January and, as part of this process, had been submitted to the Overview and Scrutiny Committees and a series of presentations had been made to the public at Area Committees. The results of this consultation were set out in the report, which also set out the factors being recommended for inclusion within the 2007/08 budget.

The current position was that the Havering element of the Council Tax would increase by 3.5% (including the agreed ELWA levy) and the GLA precept (also now agreed) would increase by 5.3%.

#### **Reasons for the decision:**

The Council was required to set a budget for 2007/08 and, as part of that process, to undertake relevant consultation in respect of the proposals included within that budget.

#### **Alternative options considered:**

There were no other options insofar as setting a budget was concerned. However, there were options in respect of the various elements of the budget that had been considered in preparing the

budget and cover such things as alternative savings proposals, the totality of budgetary pressures and the different levels of Council Tax.

Cabinet noted that the opposition groups wished to reserve their positions on the budget proposals at this stage.

**Cabinet agreed:**

**A In view of the need to balance the Council's policies, statutory requirements, government initiatives, inspection regimes and Council Tax levels:**

- 1. To take account of the advice of the Chief Finance Officer as set out in Appendix K when recommending the Council budget.**
- 2. To take account of the comments received:**
  - during the consultation exercise (Appendix N)**
  - from the Overview and Scrutiny Committees (Appendix O) when recommending the total Council budget.**
- 3. To approve the Council's draft budget as set out in Appendix D, formulated on the basis of:**
  - the agreed ELWA levy**
  - the agreed GLA precept**
  - the budget pressures/investment and savings proposals shown at Appendices F and G**
  - the schedule of LPSA funded items in Appendix H**
  - the other assumptions set out in this report.**
- 4. To approve the broad expansion to the 2007/08 and 2008/09 Capital Programme set out in Appendix L along with the funding proposals and for the detailed allocation to be agreed with the relevant Cabinet Member and Cabinet Member Resources, unless a full Cabinet report is required as stated in the Appendix.**
- 5. To note that a separate report would be provided in respect of the Education Capital Programme.**
- 6. To authorise the Chief Executive and Group Directors to implement the capital and revenue proposals once approved by Council unless further reports are required as detailed.**
- 7. To authorise Cabinet Members to approve expenditure plans on specific grants as set out in Appendix B.**
- 8. To note the virement and contingency rules set out in Appendix J.**
- 9. To agree that the final Greater London Authority precept and levies be incorporated, by making an appropriate adjustment to the contingency provision, subject to any changes being minor, to enable the band D Council Tax to be levied in round**

pounds and that, if necessary, the Chief Executive report the revised recommended resolutions needed to give effect to this to Council on 28 February 2007.

10. To agree that information be made available to members of the public, staff, trade unions, etc., explaining the decisions made by Cabinet, and the final decision on the Council Tax setting.
11. To authorise the Group Director Finance and Commercial to amend 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 Resources.
12. To authorise the Chief Executive to make any necessary changes and additions to the Corporate Plan during its finalisation.
13. To authorise the Leader and Cabinet Member Resources to allocate funds from the specific provision set aside for matters still being resolved.
14. To authorise the Leader and Cabinet Member Resources to agree the release of funds from LPSA monies in consultation with the Havering Strategic Partnership.
15. To delegate responsibility to the Cabinet Member Resources to approve the set of key financial health performance indicators that will be used to monitor the Council's performance during 2007/08.
16. To note that a detailed review of Fees and Charges is underway and the conclusions will be considered as part of the Medium Term Financial Strategy for 2008/11, with any recommended changes in year being implemented under Cabinet Member delegation.

**B. To RECOMMEND to the Council:**

1. That, subject to decision A.3 above, the Council Tax for Band D properties, and for other Bands of properties, as set out in Appendix D.
2. That a resolution be passed based on the proposals as set out in this report in order to set the Council Tax.
3. That a resolution be passed as set out in paragraph 8.4 of the report, to enable Council Tax discounts to be given at the existing level.
4. That, in respect of Treasury Management and the Prudential Code, Council:
  - (i) Re-affirms the Treasury Policy Statement set out in Section 2 of Appendix M.



- (ii) Approves the Treasury Management Strategy set out in Section 3 of Appendix M together with the Prudential Indicators for Treasury Management and External Debt.
- (iii) Approves the Annual Investment Strategy set out in Section 4 of Appendix M.
- (iv) Notes the Treasury Management budget for 2007/08 set out in Section 5 of Appendix M, included in the overall Council budget.
- (v) Approves the prudential indicators for capital finance set out in Section 6 of Appendix M, as required under the Regulations.

- 5. That Council adopt the Corporate Plan, having regard to decision A.12 above.
- 6. That the Council adopt the proposed Capital Programme as set out in Appendix L

**C. To note:**

- 1. The monitoring arrangements for 2007/08 and the prospects for 2008/09 and beyond.
- 2. That the Government had provisionally set the multiplier for National Non Domestic Rate at 44.4p in the pound standard and 44.1p in the pound for small businesses.
- 3. The effect of Council Procedure with regard to the moving of any amendment to the Council Tax Setting report.
- 4. That consultation with the Trades Unions will continue in respect of any proposals within the Budget that have an impact on staff.

**68 HOUSING REVENUE ACCOUNT MTFS 2007-2010**

*Councillor Andrew Curtin declared a personal interest as Chairman of the Board of Homes in Havering.*

*Councillor Mike Armstrong, Lead Member for Housing & Regeneration, introduced the report*

Cabinet was invited to agree a Housing Revenue Account (HRA) budget for the financial year commencing 1 April 2007.

An estimate of the budget position for the HRA in the two years commencing the 1 April 2008 was provide, and a strategy was suggested to balance the HRA in the 2008/09 financial year.

**Reasons for the decision:**

The Council had a statutory obligation to produce an annual HRA for a local authority that still has its own stock .

**Other options considered:**

The budget strategy was built upon preserving balances to steer the Council through 2008/09 and to assisting HiH in getting two stars. Alternatives would be to build-up balances further but that would be at the possible loss of the two star or, giving HiH more cash, as they request but leaving balances dangerously low.

Neither option was recommended.

**Cabinet agreed:**

1. To approve the draft 2007/08 budget and forward strategy, including savings and pressures.
2. That, in principle, the Homes in Havering Management Fee be increased as set out in paragraph 9.9 of the report with effect from 1 April 2007 and that the Cabinet Member for Resources and the Lead Member for Housing and Regeneration be authorised, in consultation with the Heads of Financial Services and Housing and Environmental Health, to agree the final detail.
3. That a stock options budget of £324,070 be created from balances, as a one-off allocation in 2007/08, on the assumption that the Mardyke Estate transfers with effect on 2 October 2007.
4. That, subject to there being a brought forward reserves balance at 1 April 2007 of at least £1.930 million, £150,000 be used to assist Homes in Havering with inspection, £50,000 be used for renewal of the Housing Strategy and £30,000 be used for Anite data cleansing.
5. That it be agreed in principle that the projected deficit, £625,000 for 2008/09, be met from balances and any surplus from 2009/10 be used to restore balances.
6. That the long term strategy to achieve an optimum level of reserves of £1.6 million be adopted.

69 **REVIEW OF PRIMARY SCHOOLING IN HAVERING – Vision and future organisation**

*Councillor Geoff Starns, Cabinet Member for Children's Services, introduced the report*

Cabinet noted the outcome of Stage 1 of the Consultation Process on the Future Vision of Primary schooling in Havering and as now invited to consider a proposed approach for developing specific proposals in Stage 2. The report explained the purpose, content and scope of the Stage 1 consultation, including who was consulted and how. For Stage 2, it gave an outline of the timescale for concluding and reporting back on area based options.

**Reasons for the decision:**

The rationale for the review has been previously set out and agreed. The decisions set out in this report seek to take the process onto the next stage of development and ultimately further consultation.

**Other options considered:**

The process by its nature is about reviewing options and consulting upon them with the community and partners, with the objective of securing decisions to implement those options that are preferred.

**Cabinet:**

1. **Noted the key outcomes and issues arising from the Stage 1 consultation process.**
2. **Approved the move to Stage 2 of the process, involving the conducting of internal area reviews and options appraisals for change, including an outline long-term investment programme for primary schools.**
3. **Agreed the suggested approach to Stage 2 of the Review Process, including confirmation of the planning principles to be used (as set out in paragraph 4.1 of the report) and the planning range of between 5% and 8% surplus places (as set out in paragraph 5.2).**
4. **Noted the timescale for concluding and reporting back on the area based options.**
5. **Subject to approval of the draft MTFs, approved the commitment of resources involved in developing Stage 2 proposals.**

**70 SCHOOL UNIFORM GRANTS**

*Councillor Geoff Starns, Cabinet Member for Children's Services, introduced the report*

In November 2003, Cabinet had decided to reduce the frequency of uniform grants and to fix the cash value. In preparing the Medium Term Financial Strategy for 2006/09, a review was included of benefits paid to or on behalf of children in order to prioritise those in greatest need and to review any overlap of provision.

That review had concluded that uniform grant was the only benefit of its kind and there was no internal overlap: less well off families received Child Tax Credit, so there was a degree of overlap between agencies. The carers of looked after children received financial support for uniform purchase at more advantageous rates than the policy allowed, without a means test. School governing bodies had a responsibility not to disadvantage pupils by requiring the purchase of high cost uniforms.

On examining the relative priorities with the Children and Young People's Plan 2006/09 it had become clear that this was of a lower priority than others and that resources should shift to deliver the highest priorities in the plan.

Consultation had focused on those affected and the outcome had been little enthusiasm for ceasing the grant. The option of transferring the cost of the grants from the local authority to schools had been explored through the Schools Forum but it was thought inappropriate to shift social responsibility costs to schools and that ceasing the grant would affect the most vulnerable.

Cabinet noted that a survey of other local authorities showed that there was a mixed pattern of provision for uniform grants, with significant numbers making no provision.

**Reasons for the decision:**

A decision was necessary as the review was proposed as part of the 2006/07 MTFS. The Council had constantly to review the discretionary services it offered relative to other pressures and come to a view about the merits of each activity.

**Other options considered:**

- Not to review: this was considered as part of MTFS 2006/07 and the decision to review was confirmed
- To phase grants out over a period and to make smaller savings or transfers to higher priority services: the current value of award was fixed in cash terms, so in effect reduced in value each year in line with inflation
- To reduce the frequency of the award
- To cease the award and ask other providers to consider offering support instead: in effect, what was proposed in the consultation with the Schools Forum

**Cabinet decided that, with effect from 1 April 2007, the school uniform grants policy change to providing for a grant only when exceptional circumstances apply.**

**71 EXCLUSION OF THE PUBLIC**

**Cabinet decided on the motion of the Chairman that the public should be excluded from the remainder of the meeting on the ground that it was likely that, in view of the nature of the business to be transacted, if members of the public were present there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 and it was not in the public interest to publish the information.**

72     **FERRY LANE NORTH UPGRADE – APPROVAL OF APPOINTMENT OF MAIN CONTRACTOR**

*Councillor Michael White declared a personal interest as a Member of the London Thames Gateway Development Corporation.*

*Councillor Mike Armstrong, Lead Member for Housing & Regeneration, introduced the report*

Cabinet was reminded that Ferry Lane was the only access to a wide range of businesses in the Ferry Lane, area employing approximately 1,000 people, many of them local. Its upgrade was a critical part of the regeneration of the Ferry Lane Industrial Area and an important step in allowing bus access for the local community to those businesses, would have significant economic benefits improving access to jobs, had long been an objective of local businesses and would improve public access to Rainham Marshes and the conservation park.

The Council had secured funding from the London Thames Gateway Development Corporation and other grants in order to implement the improvement of Ferry Lane North. This follows the successful completion of the grant funded upgrade of Ferry Lane South.

Cabinet was now invited to agree the appointment of a main contractor for the construction and upgrade of Ferry Lane North.

**Reasons for the decision:**

The tender process had generated a lot of interest from renowned engineering companies. The decision now sought would allow the Council to achieve its regeneration objectives along with regional partners including the London Thames Gateway Development Corporation (LTGDC), the London Development Agency and the Greater London Authority, in facilitating regeneration of the industrial area.

Upgrading the Ferry Lane North road would encourage new inward investment in advanced logistics and manufacturing. Presently, the road was not accessible to buses and public transport access would widen the market for occupiers and employees.

**Other options considered:**

There was an option of not pursuing this work. There were no financial risks directly resulting from this option but, should the road not be upgraded no outputs would be achieved, priority regeneration projects of the LTGDC and Transport for London would not be achieved and the Ferry Lane Industrial area would remain largely inaccessible to visitors from London Riverside communities, undermining its success for the foreseeable future. There were therefore economic risks to the future sustainability of businesses in the Ferry Lane area should the scheme not proceed and there was no guarantee of future funding.

**Cabinet agreed:**

1. **That Jackson Civil Engineering be appointed as the main contractor for the construction and upgrade of Ferry Lane North.**
2. **That the contract be not let until full funding, including the spending profile, is confirmed.**

**73 AWARD OF PHOTOCOPIER CONTRACTS**

*Councillor Roger Ramsey, Cabinet Member for Resources, introduced the report.*

The Contract for the supply of photocopiers was a joint Contract with members of the London Contracts Supplies Group (LCSG), which includes representatives of most of the London Boroughs, the Metropolitan Police and London Universities. The aim of the LCSG was to work in partnership to place joint consortia contracts to obtain the best value for the supply of various goods and services.

The existing contracts for the supply of photocopiers were awarded in June 2002 and would expire on 31 May 2007: these contracts were awarded to Annodata, Konica/Minolta and NRG/Ricoh.

Each participating LCSG member managed its own contracts independently, selecting their own equipment against their own criteria and managing their own contractual/supplier relationship.

The Council was the lead authority for the contract and on behalf of the LCSG managed the contracts remotely, chairing annual performance review meetings with suppliers and members of the LCSG.

**Reasons for the decision:**

To ensure that the Council and other members of the LCSG had cost effective and value for money contracts awarded for the provision of photocopiers from 1 June 2007.

**Other options considered:**

Not to award contracts: leaving each LCSG partner to enter into individual arrangements with suppliers. Corporate contracts provide a framework for fixed costs and agreed levels of service, repair and response, and advantageous the target responses to attend all faults

That service users source their own equipment in the wider marketplace: this would create a situation whereby the less reputable companies in this market would be provided with an opportunity to sell to the Council and/or the LCSG. A number of companies approached Councils to provide equipment but past experiences have shown that the true cost of sourcing equipment via this route is more expensive than a corporate contract

There was no option to extend the existing contracts.

**Cabinet agreed:**

1. That three framework contracts for the provision of photocopiers be awarded as detailed in the report.
2. To note that these contracts will be framework contracts, both with respect to the LCSG and corporately.
3. That no commitment will be made by either the London Borough of Havering or any member of the LCSG as to the value of the contract or the number of orders that may subsequently be placed.

**Cabinet, 14 February 2007**





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**MEETING**

**DATE**

**ITEM**

**CABINET**

**28 MARCH 2007**

**5**

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**Cabinet Member:  
Councillor Geoff Starns**

**Relevant Overview & Scrutiny Committee:  
Children's Services**

## **REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: SCHOOL UNIFORM GRANTS – requisition of previous decision upheld – further consideration**

### **SUMMARY**

This report advises the outcome of the consideration by the Children's Overview and Scrutiny Committee of the requisition of the decision of the Cabinet at its meeting on 14 February in relation to the proposal to cease school uniform grants other than in exceptional circumstances.

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

### **RECOMMENDATION**

That Cabinet reviews its decision of 14 February in the light of the decision of the Children's Overview and Scrutiny Committee to uphold the requisition of it.

<b>REPORT DETAIL</b>
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- 1.1 At its meeting of 14 February, Cabinet received a report about school uniform grants.
- 1.2 In November 2003, Cabinet had decided to reduce the frequency of uniform grants and to fix the cash value. In preparing the Medium Term Financial Strategy for 2006/09, a review was included of benefits paid to or on behalf of children in order to prioritise those in greatest need and to review any overlap of provision.
- 1.3 That review had concluded that uniform grant was the only benefit of its kind and there was no internal overlap: less well off families received Child Tax Credit, so there was a degree of overlap between agencies. The carers of looked after children received financial support for uniform purchase at more advantageous rates than the policy allowed, without a means test. School governing bodies had a responsibility not to disadvantage pupils by requiring the purchase of high cost uniforms.
- 1.4 On examining the relative priorities with the Children and Young People's Plan 2006/09 it had become clear that this was of a lower priority than others and that resources should shift to deliver the highest priorities in the plan.
- 1.5 Consultation had focused on those affected and the outcome had been little enthusiasm for ceasing the grant. The option of transferring the cost of the grants from the local authority to schools had been explored through the Schools Forum but it was thought inappropriate to shift social responsibility costs to schools and that ceasing the grant would affect the most vulnerable.
- 1.6 Cabinet noted that a survey of other local authorities showed that there was a mixed pattern of provision for uniform grants, with significant numbers making no provision.
- 2.1 **Cabinet decided that, with effect from 1 April 2007, the school uniform grants policy change to providing for a grant only when exceptional circumstances apply.**
- 3.1 Subsequently, in accordance with paragraph 16 of the Overview & Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Keith Darvill and Gillian Ford) called in that decision. The reasons for the requisition were stated as:
  1. To re-examine the suggested financial benefits from the change of policy.
  2. To give further consideration to the outcomes of the consultation which showed that the overwhelming number of the consultees who responded did not agree with the proposed changes.

3. To give further consideration to the proposals which may lead to hardship to families who currently benefit from the policy.
  4. To examine the staff implications of the change in policy, including the impact of exercising a discretion based on “very exceptional circumstances”.
  5. To consider examples of exceptional circumstances, including those set out in paragraph 8 of the report to Cabinet dated 14 February 2007.
  6. Further consideration should be given to the financial implications this could have for our schools in clothing their students appropriately.
  7. Further consideration should be given to the suggested availability of specific school uniform on the High Street.
- 4.1. The Education Overview and Scrutiny Committee met on Wednesday, 7 March to consider the requisition.
- 4.2. In the course of discussion at the Committee the following points were made:
- Outrage was expressed at an example of exceptional circumstances quoted from the Essex Model: “an enforced move of school through bullying generally with evidence of physical harm”;
  - In response, the Cabinet Member for Children’s Services (Councillor Starns), indicated that he shared the Committee’s concern. Officers stressed that the Essex model could be adapted for use in Havering;
  - Several members were concerned that the proposal might impact on the most vulnerable. Examples of this were that the proposal could affect pupils’ self esteem, as school uniform helped them to “fit in” and uniform sometimes helped to identify bullies.
  - Concerns were also expressed that schools might also suffer, as they might be under pressure to provide grants from their own budgets. It was untrue that all items of school uniform could be obtained from the High Street and the proposal would impact unequally on some schools located in relatively more deprived areas.
  - One member expressed a doubt about the accuracy of the table showing the range of grants provided by other boroughs.
  - Councillor Starns responded that the consultation was on the basis that school uniform grants would cease. Cabinet had responded to this and had proposed the Essex model to provide for a grant in exceptional circumstances. It was accepted that some items were not available from High Streets and that some schools made a small profit from

selling some items of uniform. Nevertheless Government guidance stressed that uniform should be available cheaply in local shops. £80,000 savings had been proposed, but this figure had been based upon the scheme ceasing. The revised scheme agreed by Cabinet would have a cost.

- 4.3 Having considered the report to Cabinet of 14 February and officers' responses to the reasons for the requisition (reported orally at the meeting), and following debate, the Committee agreed (by 4 votes to 3) to **UPHOLD** the requisition.

- 5.1 **Cabinet is now invited in response to the requisition to review its decision of 14 February in the light of that decision of the Children's Overview and Scrutiny Committee.**

**A copy of the report to the meeting on 14 February is appended (but with appendix omitted, for economy).**

**The financial, environmental and equalities issues were addressed in the report to Cabinet of 14 February, in which the background papers list was also set out.**

**Overview and Scrutiny**

<b>Staff Contact:</b>	<b>Ian Buckmaster</b>	<b>Title:</b>	<b>Manager of Committee and Overview &amp; Scrutiny Support</b>
	<b>Alison Maybin</b>	<b>Title:</b>	<b>Committee Officer</b>

**Telephone: 01708 432439**

**Children's Services**

<b>Staff Contact:</b>	<b>David Tomlinson</b>	<b>Title:</b>	<b>Head of Strategy &amp; Resources</b>
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**Telephone: 01708 433852**

Cheryl Coppel  
Chief Executive

## **Appendix A**

**SUBJECT: School Uniform Grants**

**WARD: All**

### **SUMMARY**

In November 2003 cabinet decided to reduce the frequency of uniform grants and to fix the cash value. In preparing the Medium Term Financial Strategy for 2006-09 an item was included to review benefits paid to or on behalf of children in order to prioritise those in greatest need and to review any overlap of provision.

That review has been concluded with the result that this is the only benefit of its kind and there is no internal overlap. Less well off families receive Child Tax Credit so there is a degree of overlap between agencies. The carers of looked after children do receive financial support for uniform purchase at more advantageous rates than this policy allows without a means test. School governing bodies have responsibility for not disadvantaging pupils by requiring the purchase of high cost uniforms.

On examining the relative priorities with the Children and Young People's Plan 2006-09 it is clear that this is of a lower priority than others and resources should shift to deliver the highest priorities in the plan.

In deciding who to consult we focused on those who are affected or who speak for those affected. This has the expected outcome of little enthusiasm for ceasing the grant. The option of transferring the cost of the grants from the local authority to schools has been explored through the Schools Forum. The Forum considered it inappropriate to shift social responsibility costs to schools and that ceasing the grant would affect the most vulnerable.

### **RECOMMENDATION**

With effect from 1 April the school uniform grants policy change to providing for a grant only when exceptional circumstances apply.

### **REPORT DETAIL**

1. In November 2003 cabinet decided to reduce the frequency of uniform grants and to fix the cash value. In preparing the Medium Term Financial Strategy for 2006-09 an item was included to review benefits paid to or on behalf of children in order to prioritise those in greatest need and to review any overlap of provision.
2. Other grants and payments are made, such as for free school meals and the same assessment gives entitlement to the uniform grant. Payments can be made to families for children who are in need to safeguard and promote their welfare or to prevent reception into care (S17 Children Act 1989) but it is difficult to see how grants for school uniforms would be payable though this provision unless the circumstances were exceptional. Child tax credit is paid to families through central government.
3. The current scheme allows for two grants of £72 to be paid during secondary school. Parents have some choice about when these grants will be taken. The eligibility criteria is as follows:  
  
Income Support, or Income-based Jobseeker's Allowance, Child Tax Credit or Working Tax Credit where annual income does not exceed £14,155 or supported by the National Asylum Support Service or Local Authority Social Services Department.

4. The total grants issued in the last three years are as follows:

2004/05	922
2005/06	910
2006/07	933 (projection)

5. Costs of uniforms, when available through supermarkets and other large providers, are low compared to other clothing and much lower than uniforms from specialist providers.

Governing bodies of schools are required to ensure that their uniforms are affordable and do not act to prevent poorer families from applying for a place. The following is an extract from the DfES parents centre website.

### Cost of School Uniform

"In deciding the format of their school uniform, school governing bodies are expected to give high priority to cost considerations. No school uniform should be so expensive as to leave pupils or their families feeling socially excluded. This applies both to existing and prospective pupils. It is not acceptable for parents of prospective pupils to be deterred from applying to the school of their choice because they are unable to meet the cost of its school uniform. This situation cuts across the Government's aims of supporting parental preference and preventing social exclusion.

"Existing school uniform policies may require families to purchase designer items, particularly high-cost garments such as blazers that are only available from one supplier. It is much better practice, and just as effective, to have a policy that incorporates items that are readily available off the peg from a number of retail outlets. This enables parents to shop around for the most cost effective options, whilst ensuring their child adheres to their school's uniform code.

"When setting a uniform policy, school governing bodies must behave reasonably, considering the impact of their policies on parents and pupils. Governing bodies should consult parents for their views and concerns before deciding on the introduction of a new uniform policy/dress code, or amending an existing one. Governors are expected to be receptive to parents' complaints, and handle them respectfully, considering fully the issues they raise. Governors should aim to work with parents to arrive at a mutually acceptable outcome".

The cost of sports equipment can be unavoidably high and many schools run second hand sales for some items.

6. Provision for uniform grants is a mixed pattern with significant numbers of authorities making no provision, as the following table illustrates:

<b>Borough</b>	<b>Primary</b>	<b>Secondary</b>
Havering	No	Year 7 or 8 - £70 Year 9 or 10 - £70
Barking and Dagenham	Reception - £25	Year 5 - £55 Year 7 - £55 Year 9 - £55
Redbridge	£74 Yearly	£74 Every 2 years
Newham	No	No
Tower Hamlets	No	Year 7 - £77
Hackney	No	No
Waltham Forest	No	No
Westminster	No	No
Camden	No	No

Bexley	Once in each Key Stage KS1 - £37.50 KS2 - £37.50	Once in each Key Stage KS3 - £62.50 KS4 - £37.50
Islington	Exceptional Circumstances £30	Exceptional Circumstances £77
Haringay	One off payment of £50 Either in primary or in secondary	One off payment of £50 Either in primary or in secondary
Enfield	Reception - £27 Year 3 - £27 Year 5 - £27	Year 7 - £90 Year 9 - £40
Greenwich	Reception - £40 Year 3 - £40	Year 7 - £100 Year 9 - £70
Lewisham	Reception to Year 6 One grant of £40	Year 7 - £91 Year 9 or 10 - £50
Bromley	£27.90 per year	£55.80 per year
City of London	No	Year 7 - £110
Southwark	No	Year 7 - £45
Lambeth	No	No
Barnet	No	No
Brent	No	No
Croydon	No	No
Wandsworth	No	No
Merton	No	No
Sutton	No	Year 7 - £55
Kensington & Chelsea	No	No
Hammersmith & Fulham	Reception - £31 Year 4 - £31	Year 7 and Year 10 £79
Harrow	No	No
Hillingdon	No	Year 7 or Year 9 - £60
Ealing	Reception, Year 3 and Year 5 - £40	Year 7 and Year 9 - £60
Hounslow	No	£106 every 2 years
Richmond	No	Year 7 - £70
Kingston	Reception - £35	Year 7 - £70
Thurrock	No	£65 twice
Essex	Very exceptional circumstances - £60	Very exceptional circumstances - £60
Hillingdon	No	Year 7 or Year 9 - £60
Gloucestershire	No	Year 7 - £80

7. On examining the relative priorities with the Children and Young People's Plan 2006-09 it is clear that this is of a lower priority than others and resources should shift to deliver the highest priorities in the plan.

Those consulted have little enthusiasm for ceasing the grant. Appended are the consultation materials and an analysis of the outcome of consultation. **[Note: not reproduced here]**

8. The option of transferring the cost of the grants from the local authority to schools has been explored through the Schools Forum which resolved as follows "Forum members would not be happy with a Council decision to cease uniform awards as it would present difficulties for parents and would mostly affect vulnerable children. It was also argued that the local authority is shifting social pressures to schools and it was maintained that the centrally retained budget should be used for the education of children".
9. The consultation was on the basis that uniform grants would cease. There are other options, such as reducing the award to once only, changing the value of the award or adopting a special
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circumstances policy such as that in Essex. The advantage of the Essex model is that it is sensitive to circumstances. It responds to situations as presented rather than applying to a specific year group or amount of cash so it is considered more flexible. This more restrictive policy achieves the shift of resources, and offers support when it is most needed.

The Essex model, by definition, is not criteria based.

In very exceptional circumstances parents or guardians can claim for help with the cost of buying a school uniform for pupils attending a secondary school or necessitous clothing for pupils attending primary school.

Examples of exceptional circumstances might include:

- 1) Enforced re-housing and an associated move of school
- 2) Parent and children in a refuge necessitating a change of school
- 3) Enforced move of school through bullying, generally with evidence of physical harm
- 4) Exceptional circumstances requiring the replacement of a uniform or need for necessitous clothing.

A letter from the school education welfare officer, a social worker, a GP, a hospital doctor, a police officer or other professional body must be supplied in support of the application.

Maximum Value of £60

10. To adapt such a scheme for Havering it is suggested that the Essex model be adopted with the following variation:

The maximum cash value be set at the current Havering award level of £72.

That the letter of support be provided by, for example, an education welfare officer or a social worker. This variation is to avoid the possibility of parents or carers being charged for such a letter, as happens in some professional groups.

Such claims would be determined by the third tier manager responsible for this area, with any appeal going to their Head of Service.

#### **Financial Implications and risks:**

If members agree the recommendation then a saving of £80k will be secured which has already been proposed through the MTFS planning cycles. This report is to feedback the results of consultation and obtain the necessary approval for the recommended action.

The original budget of £80,000 comprises £10,000 for staff and £70,000 for the awards. As part of the MTFS process for 2006/07, the budget for awards was reduced to £50,000. There is a forecast overspend of £20,000 for 2006/07 which has been covered by a one-off virement from underspends identified elsewhere in the directorate's budget.

A total fund of £10,000 is considered sufficient to meet the costs of the proposed scheme from 2007/08 which the Director of Children's Services confirms will be identified from directorate resources and the plans and virements to achieve this agreed with Corporate Finance.

It is considered that the number of awards arising from the proposed scheme would be such that the administrative task could be contained within the existing structure and would not require the 0.41FTE staffing of the current arrangements.

In the event of the current 0.41 FTE deciding not to retire (see HR implications) the service would obviously have to seek a redeployment or redistribution of other work and there maybe a need to adjust current staffing structures to accommodate this. This is not thought to be a major issue given the partial FTE involved.

#### **Human Resources Implications and risks:**

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The current part time postholder plans to retire in May 2007 so there are no redundancy or redeployment issues.

**Legal Implications and risks:**

There is no absolute duty to make grants for uniforms and therefore the council has a discretion which it ought to exercise reasonably. As the Council is considering reducing the scope of a benefit which may affect a number of residents of the Borough it should only do so having seriously considered the results of the consultation exercise. Failure to do so could result in a successful legal challenge.

**Equalities and Social Inclusion implications:**

This change could affect a relatively small proportion of low income families. The extent to which this happens is partially dependant on how schools deal with their own responsibilities as described above.

**Reasons for the decision:**

This decision is necessary because the review was proposed as part of the 2006/07 MTFS. The local authority has constantly to review what discretionary services it offers relative to other pressures and come to a view about the merits of each activity.

**Alternative options considered:**

Alternatives include these options.

Not to review. This was considered as part of MTFS 2006/07 and the decision to review was confirmed.

To phase out over a period and make smaller savings or transfers to higher priority services. The current value of award is fixed in cash terms so in effect reduces in value each year in line with inflation.

To reduce the frequency of the award.

To cease the award and ask other providers to consider offering support instead. This, in effect, is what was proposed in the consultation with the Schools Forum.





MEETING	DATE	ITEM
CABINET	28 March 2007	6

**Cabinet Member: Councillor Geoff Starns**

**Relevant Overview & Scrutiny Committee: Children's Services**

**This is a Key Decision**

#### **REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: ADMISSION ARRANGEMENTS FOR 2008 FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS IN HAVERING**

#### **SUMMARY**

At the Cabinet Meeting on 17 January 2007 a report set out full details of the outcome of the consultation on the proposed admission arrangements for community and voluntary controlled primary schools in Havering. Cabinet noted that the vast majority of respondents agreed with the proposals to move to the same criteria for both primary and secondary community and voluntary controlled schools. Cabinet agreed that the next stage of consultation, the annual and statutory consultative process, should include these proposals. This stage commenced on 22 January and was completed on 26 February 2007. In addition the Admission Forum met on 13 March 2007 to consider admission arrangements generally, including these proposals. The consultative exercise produced no objections and the Admission Forum supported the proposals.

## **RECOMMENDATION**

To agree the admissions over-subscription criteria for community and voluntary controlled primary schools in Havering for September 2008. These are detailed in Appendix A.

### **REPORT DETAIL**

#### **1.0 Background and Context**

- 1.1 There is a legal requirement for the local authority to consult annually on its admission arrangements and to complete such consultation by 1 March. The arrangements must be determined by 15 April.
- 1.2 The Council's Constitution gives the Head of Pupil and Student Services delegated powers to determine admission arrangements. These proposals relating to community and voluntary controlled primary schools represent a significant change to the current arrangements and it is considered appropriate that Cabinet should make this determination. Cabinet is asked to approve the over-subscription criteria for community and voluntary controlled primary schools. (Appendix A).
- 1.3 The Admission Forum fully supports the proposed arrangements. No comments have been received through the statutory consultation processes that suggest the proposals should be changed. The proposals are fully compliant with the new Department of Education and Skills Code of Practice.
- 1.4 The most significant change is that living in a neighbourhood area would no longer be used as an admissions criterion; it is replaced by how far you live from school. This would bring the criteria into line with those used for secondary school admissions. (See Appendix A)
- 1.5 There were a number of developments and factors which will be addressed by the proposed changes to the admission arrangements:
  - 1.5.1 The government has introduced a requirement that children in public care are given the highest priority for admission. This is because of the long-standing and entrenched low levels of educational achievement amongst this vulnerable group. They are subject to placement moves and this can disrupt their education. They have also been disadvantaged in gaining admission to schools.
  - 1.5.2 The neighbourhood areas were drawn up prior to the requirement that parents must be able to express preferences relating to admission to school. Places were simply allocated by the Local Authority at the time when the neighbourhood areas were established. These neighbourhood areas do not take account of changes in residential developments which are increasing due

to schemes such as Thames Gateway. It is also not always clear to local families which neighbourhood area applies to their address.

- 1.5.3 There are increasing requirements that admission arrangements must be objective, fair and easily understood. This is reflected in the changes to the Code of Practice on admissions, as well as decisions by the Schools Adjudicator relating to other Local Authorities' admission arrangements.
- 1.5.4 Applying the same criteria for both primary and secondary admissions will make the process easier and simpler for families. Admission to school is often perceived to be a stressful experience and these proposed changes could reduce the complexity and potential for confusion.
- 1.5.5 Experience in operating the admission arrangements for secondary schools in Havering has not raised concerns that these are complex and/or difficult to understand.
- 1.6 Over-subscription criteria which are detailed in Appendix A are as follows:

Children will be able to go to any school if there are places available at that school. There are some schools that are over-subscribed because more children apply than there are places. When this happens the following over-subscription criteria will be applied: i.e. children will be given a place in the following order:

- 1. Children in public care.
- 2. Children with exceptional medical or exceptional social grounds(supporting medical or other evidence must be provided at the time of application in the form of a letter from a registered health professional such as a doctor or social worker. This evidence should set out the particular reason why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school).
- 3. Children who have an older brother or sister at the school in September 2008 (this includes junior partner schools).
- 4. Children who live nearest to the school. Proximity of residence will be determined by the distance of the home address from the school, as measured by a straight line.

## **2.0 Financial Implications and risks**

- 2.1 There are no specific financial implications arising from this report as it relates only to the admission arrangements in respect of over subscribed places in community and voluntary- controlled primary schools in Havering for academic year 2008/09.

## **3.0 Legal Implications and risks**

- 3. The local authority has a duty to consult upon and determine admission arrangements every year. There is a risk of successful legal challenge in the event that consultation has not been conducted meaningfully , which means

that the consultees should have included all those affected by the proposals, and they should have been provided with sufficient information and time to respond. Their comments should be conscientiously taken into account before the final decision is taken. Comments arising during the earlier consultation exercise were analysed in detail and responses were set out in the January report to Cabinet. Cabinet Members must refresh their memories from the previous Cabinet Report of all of the responses arising from the consultation exercise before making a determination.

- 3.2 Admission criteria should be objective, clear and easy to understand. The proposed arrangements have the advantage of consistency across both community and voluntary controlled primary and secondary schools, which will assist parents' understanding of the process. From officer's recollection there has been no successful challenge to the criteria applied in respect of the secondary schools so it appears extremely unlikely that the proposed criteria for primary admissions would be challengeable on the grounds of lack of clarity or fairness .

#### **4.0 Human Resources Implications and risks**

- 4.1 There are no human resources implications arising from this report as it relates to the admission arrangements.

#### **5.0 Reasons for the decision**

- 5.1 There is a duty upon the Council to consult upon and determine the admission arrangements for community schools. Parents will have only one set of admissions criteria to understand and these will apply to their children at both the primary and secondary admissions times. The individual variations of the neighbourhood areas will be removed.

#### **6.0 Alternative options considered**

- 6.1 The existing admissions over subscription criteria could be left unchanged. This has the disadvantage that parents experience two different sets of criteria depending upon the age of their children. The neighbourhood areas do not take account of the changes in residential developments and are not easily understood by local families.

#### **7.0 Equalities and Social Inclusion implications**

- 7.1 The move to a distance model for pupil admissions will ensure that the arrangements are clear and transparent, fair and objective. The criteria to be used will benefit all children including those with special educational needs, disabilities or those in public care.

**Cabinet, 28 March 2007**

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**Cheryl Coppel  
Chief Executive**

**Background Papers List**

DfES Code of Practice on admissions  
Consultation papers relating to the statutory consultation exercise





## APPENDIX A

### LONDON BOROUGH OF HAVERING

#### CHILDREN'S SERVICES

#### OVER-SUBSCRIPTION CRITERIA 2008/2009

**Important Considerations** - no distinction can be made between applicants living in Havering and those living outside the borough where these criteria are applied. Children with statements of Special Educational Needs are dealt with under the terms of The Education Act 1996 and are not referred to in the criteria below.

##### **A. Community and Voluntary Controlled Primary Schools**

When the demand exceeds the number of places available in a school, children will be given a place in the following order:

- (i) Children who are looked after\* (children in public care).
- (ii) Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application).
- (iii) The attendance in September 2008 at the school of an older brother or sister (this includes attendance at a partner junior school).
- (iv) The distance of the home address from the school, as measured by a straight line from the school, those pupils living nearer the school being given higher priority. \*\*

##### **B. Community Secondary Schools**

When the demand exceeds the number of places available in a school, children will be given a place in the following order:

- (i) Children who are looked after\* (children in public care).
- (ii) Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application).
- (iii) The attendance in September 2008 at the school of an older brother or sister.
- (iv) The distance of the home address from the school, as measured by a straight line from the school, those pupils living nearer the school being given higher priority. \*\*

**Notes:** \* It is now a legal requirement to give children looked after the highest priority.

\*\* IT software (capscan) is used to calculate the shortest distance between home and school





MEETING	DATE	ITEM
CABINET	28 March 2007	7

**Cabinet Member: Councillor Eric Munday**

**Relevant Overview & Scrutiny Committee: Corporate**

**This is a Key Decision**

## **REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: Gender Equality Scheme**

### **SUMMARY**

The Equality Act 2006 places statutory duties on public bodies to promote gender equality through the execution of their public functions. The Council has produced a draft Gender Equality Scheme which outlines our journey towards gender equality in Havering for the years 2007-2010.

### **RECOMMENDATION**

1. That the Havering Gender Equality Scheme 2007/2010 be approved for publication.

### **REPORT DETAIL**

1. The Equality Act 2006 places a general and specific duty on all public authorities to promote gender equality, in order to increase the pace of change in the journey towards equality between women and men

2. The general duty requires authorities, when carrying out their functions, to have due regard to the need to:
  - eliminate unlawful discrimination and harassment
  - promote equality of opportunity between men and women
3. The requirements placed on public authorities by the specific duty are to:
  - produce a Gender Equality Scheme demonstrating how the general and specific duties will be met, and setting out its objectives for gender equality
  - to consider the need to include objectives to address the causes of any gender pay gap
  - include within the Scheme the Authorities arrangements for gathering information in relation to employment, and the delivery of its functions, and its arrangements for putting that information into use in reviewing the effectiveness of the action plan
  - to consult stakeholders, and to take account of the results of that consultation in determining its gender equality objectives
  - to assess the impact of its current and proposed policies and functions on gender equality
  - include within the Scheme an action plan, outlining the steps the Authority intends to take in order to fulfil the general duty
  - carry out the actions referred to in the action plan, and put into effect the arrangements for gathering and making use of information
  - publish an annual report on the progress of the Scheme, and to review the Scheme at least every three years
4. The general duty comes into force from April 6<sup>th</sup>, 2007 and Havering's Gender Equality Scheme must be published by April 30<sup>th</sup>, 2007.
5. The Authority has carried out consultation with local community groups, and with key services that have a focus on gender specific issues within the Council. Further consultation will be carried out in the form of a questionnaire, which will be distributed alongside the completed Scheme. The Scheme will be sent to a range of stakeholders including local community and voluntary groups, local statutory bodies, neighbouring Authorities and the Trade Unions, as well as to local residents on request. The data received from returned questionnaires will be used to identify perceived areas of concern to stakeholders, and will inform future updates and improvements to the Scheme. This work will be reflected in the annual report and updated action plan, which is to be published by April 2008.

### **Financial Implications and risks:**

The costs of administering the scheme, with regard to consultation, impact assessment, production and monitoring of action plans, production of the annual report and triennial review of the scheme, can be met from the prioritisation of existing resources.

The costs of publication and circulation can also be met from existing resources.

The action plans will evolve as circumstances and further information becomes available. This means that the associated financial implications will also change as the process develops.

The cost of implementing the action plans are expected to be principally met from existing budgets, which may require some prioritisation of existing resources within groups. Where this is not possible, this will have to be dealt with through the MTFS process.

**Legal Implications and risks:**

In order to be compliant with the Equality Act, all public bodies are legally required to produce a Gender Equality Scheme and action plan.

**Human Resources Implications and risks:**

The Authority is required under the Equality Act to promote gender equality through its role as an employer, and to gather information to monitor its success at providing equality for its employees.

**Reasons for the decision:**

The production of a Gender Equality Scheme is a legal requirement under the Equality Act.

**Alternative options considered:**

No alternative options have been considered, as the production of a Gender Equality Scheme is a legal requirement.

**Equalities and Social Inclusion implications:**

The Gender Equality Scheme will provide the Authority with a framework for promoting gender equality, and proactively tackling areas of discrimination in employment, community leadership, and the provision of goods and services.

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**Cheryl Coppel  
Chief Executive**

**Background Papers List**

None

**Cabinet, 28 March 2007**

## **Appendix A**

### **Foreword**

Thirty years after the introduction of the Sex Discrimination Act, gender discrimination is still rife in our society. The average pay of women is significantly lower than that of men, and two hundred thousand women per year experience dismissal or disadvantageous treatment at work because of their pregnancy. In schools, the educational achievement of boys does not match up with that of girls. One in four women, and one in six men are victims of domestic violence at some point in their lives, with women suffering higher rates of repeat victimisation and higher risk of serious injury.

The Gender Equality Duty is designed to help public bodies focus on tackling gender discrimination and work towards equality between women and men. Havering Council is constantly working towards full equality for all who live, work and study in our Borough, and as such welcomes the new responsibilities for gender equality placed upon it.

This Gender Equality Scheme provides a framework which will allow us to build the differing needs of women and men into our services from the outset; to ensure that we are constantly working to remove institutionalised discrimination, and to promote better outcomes for women and men alike. The end result can only be improved services for the whole community.

Stephen Evans

Councillor Michael White

Chief Executive

Leader of the Council



## **The Council's vision and priorities**

Havering's Vision, set out in the Community Strategy, is shared and supported by the Council:

"To create a safe, welcoming, healthier and more prosperous place where people choose to live, work and visit."

Priority 1: To promote financial efficiency and value for money

- To increase resident satisfaction with overall council performance, currently at 46% as of Jan 2006, to the London average by 2010 and to ten percent above the London average by 2020.
- To keep council tax increases in the lowest third in London.
- To reduce staff sickness levels to an average of 7 days by 2008.

Priority 2: To improve the quality of our services

- To reduce the number of Best Value Performance Indicators in the bottom quartile to 10% by 2010 and none by 2020.
- To support our Children's Services to maintain their level of performance through the significant changes required by the Every Child Matters agenda and the Children Act.
- To make our Housing service one of the best in London by raising the overall block CPA score from 1 to 4 by 2020.

Priority 3: To make Havering a better place in which to live and work

- To regenerate our town centres and South Havering.
- To increase resident satisfaction with standards of street cleanliness to 65% by 2010 and 75% by 2020.
- To improve the condition of our roads and pavements so that more than 80% are acceptable by 2010 and more than 95% are acceptable by 2020.
- To increase the percentage of residents who feel safe on the streets at night to 65% in 2009 and 75% in 2015.

## **The population of Havering**

Havering is located on the northeast boundary of Greater London. It is the third largest London borough, covering some 43 square miles. To the north and east the Borough is bordered by the Essex countryside, to the south by a three mile River Thames frontage, and to the west by the neighbouring boroughs of Redbridge and Barking & Dagenham.

The latest mid-year estimate of population produced by the Office for National Statistics gave Havering a figure of 225,000 in 2004. This is about average for a London Borough and ranked the borough 16th out of the 33 London authorities in terms of population size. 19,800 were of primary school age (5-

11 years), which at 8.8% of total population was similar to the average 8.3% for Greater London and 8.5% for England and Wales. 15,100 were of secondary school age (12-16 years), which at 6.7% was also similar to the London average of 5.8% and the England and Wales average of 6.6%. 135,300 were of working age (16 to 64 years for men and 16 to 59 years for women), which at 60.1% was the lowest proportion in London and compared to the London average of 66.7% and the England and Wales average of 61.9%. 46,000 were of retirement age (65 years plus for men and 60 years plus for women), which at 20.4% was the highest proportion in London and compared to the London average of 13.9% and the England and Wales average of 18.5%.

In line with national trends, the number of households in Havering continues to increase as a result of the growth in one-person households. Average household size in the borough has declined from 3.03 persons per household in 1971 to 2.43 persons per household in 2001.

The 2001 census found that 38,500 (17.2%) people living within Havering had a long term illness, health problem or disability which limited their daily activities or the work they could do. Whilst lower than the national average (18.2%), this was the 7th highest disabled population in London, and is expected to rise as Havering has an older, and ageing population. 10.4 % of the population were acting as unpaid carers.

The census also found that the Black and Minority Ethnic (BME) population in Havering was 10,800 (4.8%). This was the lowest BME population in London, with the exception of the City of London, and was the lowest proportion of ethnic minority population in London where the proportion ranged from 60.6% in Newham to 4.8% in Havering. This compares with a London average of 28.8% and 9.1% in England. The Office of National Statistics estimated that the BME population had increased to 16,600 (7.4%) by mid-2004.

In terms of religion and belief, the census reported that 170,700 (76.1%) of the boroughs population stated their religion as Christian. 1,800 were Muslim (0.8%), 1,700 (0.8%) were Hindu and 1,100 (0.5%) were Jewish. 29,600 (13.2%) said they had no religion and 17,600 (7.8%) gave no response to the question. The 76.1% who stated their religion as Christian was the highest proportion in London. Tower Hamlets with 38.6% had the lowest proportion. The average in London was 58.2% and in England was 71.7%.

## **Section one – Equality**

### **Background**

#### **The Equality Act 2006**

The Equality Act builds on the existing framework provided by the Sex Discrimination Act and Equal Pay Act, broadening that framework so that

public authorities deal proactively with sex discrimination, rather than addressing problems as they arise. This is done by placing General and Specific Duties on authorities.

### **The General Duty**

The Equality Act 2006 places a duty on all public bodies to pay due regard to gender equality in the execution of their functions. This duty has been broken down into two parts, as follows.

- to eliminate unlawful discrimination and harassment
- to promote equality of opportunity between men and women

### **The Specific Duty**

The Act also confers specific responsibilities on public authorities, outlining the steps they must take to ensure that the General Duty is met. The elements of the Specific Duty are as follows.

- to prepare and publish a Gender Equality Scheme, which shows how the General and Specific Duties will be met and sets out the Authority's gender equality goals.
- to consider the need for gender equality goals to address the causes of any gender pay gap
- to gather information on how the Authority's policies and practices impact on gender equality in employment and in the provision of services, including systematic impact assessment of the Authority's functions.
- to consult stakeholders, and take account of relevant information in the formulation of the Authority's gender equality goals.

The Authority must implement the actions it has committed to in the Scheme within three years, unless it is unreasonable or impractical to do so. An annual report must be produced outlining progress, and a new Scheme must be produced every three years.

### **The Sex Discrimination Act 1975 and Equal Pay Act 1970**

The main provisions of the Sex Discrimination Act are as follows.

- Prohibition of sex discrimination in employment, education, the provision of goods, facilities and services, and the disposal or management of premises
- Prohibition of discrimination against married people, or against those in a civil partnership because of their marital status (although discrimination against unmarried people is not prohibited)
- Prohibition of victimisation of someone for trying to exercise their rights under the Sex Discrimination act or the Equal Pay Act

- Prohibition of the placing of advertisements which discriminate on the grounds of gender

The Act covers both direct and indirect discrimination. There are particular provisions about discrimination in employment on the basis of gender reassignment, pregnancy and maternity, and harassment.

The Equal Pay Act 1970 gives individuals a legal right to receive the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and woman are doing:

- Like work
- Work rated as equivalent under an analytical job evaluation study
- Work that is proved to be of equal value

## **Equality Values**

### **Introduction**

All elected Members and Officers of the London Borough of Havering are committed to promoting equality of opportunity, by valuing and celebrating diversity and combating unfair treatment whether it be witting or unwitting.

Equality of opportunity and freedom from discrimination in any of its manifestations is a fundamental right for all of those who visit, work, live, or learn within our Borough and we will, through our leadership and commitment, work to ensure this is promoted.

We will achieve this by:

- community leadership
- equitable and inclusive service provision
- employment

Diversity is a strength that we recognise and value. We will ensure this is harnessed throughout the entire organisation to the benefit of all service users, and employees.

We are committed to ensuring that our current and potential service users, employees and job applicants will not be discriminated against on the basis of their background, sex, race, colour, ethnic origin, disability, known or assumed sexual orientation, gender reassignment, age or faith.

We believe that the principles of tolerance and understanding and respecting others are fundamental to us, and our aim is to be a service provider and employer of choice.

### **The London Borough of Havering as a Community Leader**

We aim to ensure there is effective partnership with all sections of our diverse community by:

- working with partner organisations, including the Havering Strategic Partnership, to improve and foster a better quality of life for everyone in Havering, and in doing so provide an environment free from discrimination and harassment, as an organisation that shares good practice in promoting equalities
- regularly listening, consulting and responding to the views of the whole community through public consultation
- valuing the British identity by promoting its characteristics of tolerance, fairness, and individuality, whilst celebrating and respecting the variety of lifestyle cultures and religions within Havering
- encouraging and supporting all citizens to be active in community life and exercise their individual democratic rights

### **The London Borough of Havering as a Service Provider**

We aim to provide responsive, equitable and accessible services by:

- providing services which are accessible to all communities in the Borough
- producing and providing clear, meaningful information about Council services in ways that are accessible to the entire community of Havering
- working with all partners in consulting with all sections of the community on service provision
- monitoring take up and evaluating services to ensure they do not discriminate or exclude, including any complaints procedures
- aiming to achieve the highest level of the Equality Standards for Local Government (Level 5)
- ensuring that services meet the Best Value Principles

### **The London Borough of Havering as an employer**

Our aims and objectives for equal and appropriate treatment within employment are as follows:

- to employ a workforce that reflects the diverse community of Havering
- to involve and communicate effectively with all members of staff and staff groups
- to support fair pathways to access learning and career development opportunities, which encourage and support staff to reach their full potential
- to provide a safe and accessible working environment that respects and values individual and collective identities and cultures, and that is free from discrimination, harassment and victimisation

Our objectives will be achieved by:

- ensuring all our employment opportunities, and communications are physically, practically, and culturally accessible
- providing fair recruitment and retention processes which are non – discriminatory in practice and which increase accessibility of employment opportunities for all groups within our community
- ensuring training and development opportunities are provided, enabling staff to be equipped with the appropriate awareness, knowledge and skills to respond positively to a range of equality and diversity needs as identified in this Scheme
- providing flexible employment practices that are responsive to the needs of all sections of staff
- promoting disability equality through best practice, whilst challenging and tackling poor practice
- ensuring equality and diversity is an integral part of our core business and people management processes
- actively supporting and recognising diversity within staff groups, treating all staff fairly, with dignity and respect

## **Responsibilities**

A Cabinet Member holds the Equality Portfolio. However all Members are personally responsible for observing and conforming to the Gender Equality Scheme.

The Borough's Strategic Management Team (consisting of the Chief Executive, Group Directors and Assistant Chief Executives) is responsible for ensuring the implementation of the Gender Equality Scheme and other equality policies.

Managers have specific responsibilities for communicating and implementing the Gender Equality Scheme. They are expected to take positive measures to address inequality and promote equal opportunities for all; taking action to ensure all staff reach their full potential.

While managers have specific accountabilities, the equality and diversity agenda is the responsibility of each and every employee.

## **Structures**

At a corporate level, equalities work is dealt with by the Strategic Equalities Group (SEG), the Equality Lead Officers Group (ELOG), and Directorate Equality and Diversity Groups. The SEG is responsible for setting the Authority's strategic direction in terms of equalities, and for agreeing corporate goals and standards. These are implemented by the Directorate Groups, the Chairs of which will form ELOG. ELOG will meet regularly to ensure that directorates are taking a consistent approach to equalities matters, and to share best practice across services. The Terms of Reference for these bodies are included as appendix D of this Scheme.

## **The Equality Standard for Local Government**

The Equality Standard for Local Government recognises the importance of fair treatment and equal access to local government services and employment. This has been developed as a tool to assist local authorities in mainstreaming their equality and diversity objectives.

One of our performance targets is to reach level 5 (Highest) of the Equality Standard for Local Government by 31 January 2009. We are currently at level 2 and we have set ourselves an interim target of achieving level 3 by December 2007.

## **Section two – Our Gender Equality Scheme**

### **Consulting stakeholders**

In order to establish the context in which the Scheme was being produced, a questionnaire was distributed to a range of local community organisations, asking questions about gender equality. There was a low response rate, and those questionnaires which were returned were largely incomplete, suggesting that both community awareness and council engagement on gender equality topics were at a low level.

This was followed up by an internal consultation process, whereby face to face interviews were carried out with officers in key service areas. Officers were asked about gender differences in customer usage, satisfaction and consultation, and single sex provision of services. Officers were also asked to discuss priority areas to inform the development of the authority's equality objectives. What became clear is that although services often collect diversity data from service users, this data is not generally used in analysing the results of consultations, or customer satisfaction surveys. As such there is little hard evidence available locally on the differing experiences of women and men as users of Council services. Developing this analytical process will be a key area for improvement during the life of this Scheme.

### **Havering's approach**

**Consultation will be carried out with residents and local community groups to ensure that the Scheme reflects the priorities of the community it seeks to benefit.**

Further community consultation is planned alongside the publication of the Gender Equality Scheme, which will inform the annual reporting process and production of future, updated action plans.

Staff views will be taken into account initially through consultation with the relevant Trade Unions. The Authority is currently giving consideration to the

creation of a Women's Staff Network, and should this go ahead, such a network would also be consulted on gender issues in employment.

### **Impact Assessment**

The EOC Code of Practice requires that Havering assess the impact of its policies and practices, on equality between women and men. Where new policies and practices are proposed, the proposals must also be assessed for their likely impact on gender equality.

Impact assessments will examine Havering's activities, and consider the effect each activity has on women and men, and whether this effect is different and/or detrimental. An impact assessment will be seeking to identify two things.

- Negative impacts – Areas where the way in which an activity is carried out affects women or men in a detrimental way, in comparison to the wider community
- Missed opportunities – Areas where the impact on women or men is either neutral or positive in comparison to the wider community, but where opportunities to achieve a more positive impact exist

#### **Havering's approach**

**Each Directorate Equality and Diversity Group is responsible for co-ordinating the impact assessment of their Directorates functions, and the policies connected to each function. The completed impact assessments will be placed in the public domain.**

Havering has provided staff with training in impact assessment; in 2006, 105 members of staff from across the authority's service areas were trained in impact assessment, so that all assessments could be carried out to an appropriate standard.

In order to ensure that the impact assessment processes was comprehensive, each Service was requested to produce an up to date list of its functions, outlining the policies and practices attached to each function.

Using this information as a starting point, Service areas were then required to carry out impact assessments of each of their functions. A copy of the impact assessment template is included as appendix B of this Scheme.

These assessments will be held centrally, and copies will be made available for public inspection in the Boroughs public libraries. Service areas will review their functions as part of the process of producing Gender, Disability and Race Equality Schemes. New impact assessments will be carried out in the following circumstances

- where the implementation of a new function is being planned



- where the way in which a function is being carried out is to be altered significantly
- where a function has not been impact assessed for three years

### **Formulating equality objectives**

As part of the process of developing an action plan, authority's are required to identify the improvements in gender equality which they deem necessary to meet the requirements of the General Duty.

#### **Having's approach**

**Objectives have been developed which will progress gender equality from a Local Government perspective, as well as providing Having with a solid base on which to progress the equality agenda more widely.**

In developing our equality objectives, consideration has been given to the context of diversity in the authority. Having is currently at Level 2 of the equality standard, and has set itself a challenging target to achieve Level 5 by 2010. Progressing through the equality standard will lead to improvements in the Council's capacity to improve equality across a range of diversity strands including gender, and so it is essential that this Scheme and it's successors are working in synergy with that process. As such, Having's equality objectives were designed to cover both key issues for gender equality in local government, and capacity building work which will positively impact on our ability to progress gender equality within the wider diversity agenda. The objectives are listed under Appendix F of the Scheme.

### **Producing an action plan**

Having carried out impact assessments of Council functions and formulated equality objectives, Authorities are expected to produce a three year action plan, outlining the work it intends to carry out in order to meet those objectives, and by extension the General Duty.

#### **Having's approach**

**An action plan has been produced identifying Corporate level actions, and work to be action by all services. In addition, each Directorate has produced an action plan, identifying service specific commitments.**

The action plan is the most important part of the Gender Equality Scheme, and is central to our work to meet the General Duty over the next three years and beyond. Having has designed an action plan template which it is hoped will build in the effectiveness expected of us by our residents, and by the Equal Opportunities Commission. The template ensures that all actions are matched to clearly identified outcomes, that the officer or department responsible for delivering the outcome is identified and that the service has considered its information needs in terms of monitoring the success of the

action in achieving the desired outcomes. The template has been adapted from that used within our Disability Equality Scheme, and will form the basis of future equality schemes to ensure consistency of approach across diversity strands.

### **Evidence gathering**

All public authorities will be expected to assess the impact their functions have on women and men, and to gather evidence that will measure progress towards gender equality. The primary tool used for carrying out this work will be the impact assessment of all functions, which in Havering has been carried out using the Combined Impact Assessment template laid out in Appendix B of this Scheme.

#### **Havering's approach**

**Service areas will put in place systems to monitor the effectiveness of the action laid out in the action plans.**

The action plans contained within this Scheme have a specific element outlining the evidence which will be needed to monitor progress towards gender equality. As commitments are actioned over the lifetime of the Scheme, services will be expected to either put in place systems to monitor the effectiveness of those actions, or adapt existing data collection processes in order to do so. It is expected that this evidence will not only show progress in terms of meeting the requirements of the general duty, but will also highlight areas where women or men are experiencing differential outcomes. This new information will provide services with the data to formulate new and more targeted commitments to remove or further reduce gender inequalities.

### **Dealing with issues outside of the authority's control**

Havering Council recognises that barriers to equality may well be identified which fall outside of its own jurisdiction. There are three main reasons why this could occur:

- Barriers are identified which are the responsibility of another statutory agency, such as the police or local NHS Trusts
- Barriers are identified in a service which is provided in partnership with another body, which require changes to be made by our partner agencies in order to improve gender equality
- Barriers may be caused by legislation, statutory requirement or other guidance or instruction from a government department

#### **Havering's approach**

**Systems will be put in place to deal with barriers to equality that require action by partner agencies and government departments.**

Havering proposes to counter these barriers through the following actions:

- developing relationships between its own Corporate Equalities Team, and officers with similar responsibilities within other local statutory bodies.
- Where services work in partnership with other bodies, the service is expected to attempt to resolve any barriers to equality through the use of existing lines of communication between ourselves and our partner agencies. Where such barriers continue to impede Havering's progress in promoting disability equality, this should be identified in our annual reports.
- Where barriers to equality come from national government, services will inform their Director or Assistant Chief Executive, who can then raise the matter at a meeting of the Strategic Management Team (SMT). It will be for SMT to decide whether it is appropriate to make representations to the relevant Secretary of State on the matter. Any such representations will be referred to as part of the annual reporting process.

## **Section three – Ensuring the success of the Scheme**

### **Monitoring arrangements**

In order to ensure that the Scheme is delivering on gender equality, it will be necessary for the Council to put in place arrangements to monitor that its commitments are being actioned, and to ensure that those actions are having the desired effects. To this end, the action plan has been designed to make the following information explicit:

- which officer/service is responsible for actioning a commitment
- when the commitment is expected to be actioned by
- what arrangements are/will be in place to measure the success of the action in delivering disability equality

Directorate Equality Groups will be expected to ensure that the commitments are carried out in their respective service areas, to monitor the success of those actions, and to consider ways of improving on them. It is intended that the focus will be on outcomes rather than actions. If an action is being carried out but is not delivering on gender equality, the Directorate Equality Group will need to consider whether the agreed commitment can be modified in order to improve the outcome, or if it should be discarded in favour of a different strategy.

Directorate Equality Groups will be required to report their progress to the Strategic Equalities and Diversity Group, who will consider the Council's overall rate of travel on gender equality. The Strategic Equalities and

Diversity Group will also be responsible for ensuring that cross service commitments are being met, and the success of those commitments.

### **Annual reporting**

All public authorities that produce Gender Equality Schemes will be required to produce an annual report outlining their progress in delivering gender equality. The annual report must explain what steps the Authority has taken to fulfil the gender equality duty (in other words, it must show that it has been carrying out the commitments it has made in the action plans of this Scheme). It must explain the results of the information gathering which has been carried out, outlining what evidence the authority has obtained, and what conclusions have been drawn from that evidence. It must also explain what actions have been taken (or will be taken) as a result of the conclusions drawn from the evidence gathered.

Havering will utilise its monitoring arrangements to gather the information required for the annual reports. The reports will outline what work has been carried out by the Authority. If work has not been completed within the stated timeframes, the reports will state why this has not happened and will outline any subsequent amendments to the original action plan.

The monitoring arrangements will also be used to bring together evidence of the success that the commitments in the Scheme have had in delivering gender equality to Havering. Where commitments have not been successful, or it has been limited, or where opportunities for greater improvement can be identified, these will be outlined in the report, along with any subsequent amendments to the action plan.

### **Production of future Schemes**

Legislation requires that a new Gender Equality Scheme be published every three years. Future Schemes will take account of the work that has been carried out earlier, and utilise the information gathered to produce a new three year action plan which will build on the successes that have already been achieved to bring Havering closer to full gender equality.

Consideration is being given to amalgamating future Race, Disability and Gender Equality Schemes into a Single Equality Scheme. If this course is agreed, it is likely that the next Scheme will be produced in 2009.

## **Section four – Other considerations**

### **Gender reassignment**

The Code of Practice makes clear that the duty to eliminate unlawful gender discrimination includes discrimination on the grounds of gender reassignment in employment and vocational training. From December 2007, legislative changes will extend protection for transsexual people to include the provision

of goods and services. The duty covers all transsexual employees or potential employees who have undergone, are undergoing, or intend to undergo gender reassignment.

### **Pay discrimination**

The Authority is currently entering into negotiations with the Trade Unions to reach agreement on Single Status, a process by which all Council jobs are graded according to a single job evaluation framework and pay structure. This agreement will lead to a comprehensive pay review of all posts, covering all Council employees. Equality of opportunity is a key principle in the development of the Single Status proposal, to ensure that the Council is meeting its obligations under the Equal Pay Act, and that all employees are treated fairly in the application of pay, terms and conditions and access to training.

As part of the process of producing the Single Status proposal, equal pay risk assessments have been carried out, and areas of potential discrimination identified. When the new pay structure has been agreed and implemented, it will be followed up with an equal pay audit, which will comprise of staff consultation, as well as computer modelling of the new structure to identify and deal with any new problems that may have arisen from the changes implemented.

### **Procurement**

The duty to promote gender equality does not only apply to those functions which are carried out by the Authority, but also to any public function carried out on behalf of the authority by a third party. Havering Council therefore has a responsibility to ensure that all contractors carrying out work on behalf of the Authority do so with regard to the General Duty. This will be done by ensuring that any new contracts awarded include appropriate agreements on promoting gender equality and eliminating harassment and discrimination, and putting in place appropriate monitoring arrangements to ensure that such agreements are being met. Steps will also be taken to eliminate gender discrimination in the tendering process.

### **Complaints**

The Council will ensure that its procedure for handling complaints in relation to the Gender Equality Scheme is accessible to all.

The Council will carry out investigations in line with its existing complaints procedure.

If, after making a complaint, you are not satisfied with the outcome, and feel that either you have been discriminated against because of your gender, or that the Council is not meeting all of its responsibilities relating to gender under the Equality Act 2006, you may wish to consider taking your complaint to the Equal Opportunities Commission, who have a helpline which advises

the public on issues of gender discrimination. Contact details for the Equal Opportunities Commission are provided below.

**Telephone:** 0845 601 5901

**Textphone:** via Typetalk on 18001 0845 601 5901

**Fax:** 0161 838 8312

**Email:** [info@eoc.org.uk](mailto:info@eoc.org.uk)

**Post:** Equal Opportunities Commission  
Arndale House  
Arndale Centre  
Manchester  
M4 3EQ

## **Our Council Constitution**

The London Borough of Havering has agreed a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that decisions are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The constitution is divided into 16 articles which set out the basic rules governing the Council's business.

## **How the Council operates**

The Council is composed of 54 councillors elected every four years. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards Committee trains and advises them on the code of conduct.

All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the Council's overall policies, and set the budget each year. The Council elects a Leader and a further nine members who together form the Cabinet. The Cabinet is responsible for implementing the policies decided by the Council within the budget set. The functions of the Cabinet as a body are set by the Council but the functions of individual Cabinet members are determined by the Leader. The Council also appoints overview and scrutiny committees to help in policy formulation and to hold the Cabinet to account for its performance.

## **How decisions are made**

The Cabinet is the part of the Council which is responsible for most day-to-day decisions. The Executive is made up of the Leader and the Cabinet of nine other councillors appointed by the Council. When major decisions are to be discussed or made, these are published in the Executive's forward plan in so far as they can be anticipated. If these major decisions are to be discussed with council staff at a meeting of the Executive, the meeting will generally be open for the public to attend except where personal or confidential matters are being discussed. The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

Whilst most decisions are taken by the Executive (i.e. by the Cabinet or an individual Cabinet member), a number of important decisions are taken by the full Council, or by committees or sub-committees of the Council, including area committees.

### **Overview and scrutiny**

There are eight overview and scrutiny committees who support the work of the Executive and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery. Overview and scrutiny committees also monitor the decisions of the Executive. They can "call in" a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Executive reconsider the decision. They may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.

### **Area committees**

In order to give local citizens a greater say in council affairs, nine area committees have been created. These provide a platform for local people to express their views regarding important community issues, to review the operation of services locally, to allow representatives and recommendations to be made to the Executive and Council and to take certain important decisions, including some traffic management matters, on a local basis. They involve councillors for each particular area and are held in public.

### **The Council's staff**

The Council has staff working for it to give advice, implement decisions and manage the day-to-day delivery of its services. Some staff have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationships between staff and members of the Council.

## **Citizens' rights**

Citizens have a number of rights in their dealings with the Council. Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau can advise on individuals' legal rights.

Where members of the public use specific council services, for example as a parent of a school pupil or as a council tenant, they have additional rights. These are not covered in this constitution.

Citizens have the right to:

- vote at local elections if they are registered
- contact their local councillor about any matters of concern to them
- obtain a copy of the constitution
- attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed
- petition to request a referendum on a mayoral form of Executive
- find out, from the Executive's forward plan, what major decisions are to be discussed by the Executive or decided by the Executive or staff, and when
- attend meetings of the Executive where key decisions are being discussed or decided
- see reports and background papers, and any record of decisions made by the Council and Executive
- complain to the Council about any aspect of the borough's services using the Council's formal complaints systems
- Complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should do this only after using the Council's own complaints process
- complain to the Standards Board for England if they have evidence which they think shows that a councillor has not followed the Council's code of conduct, and
- Inspect the Council's accounts and make their views known to the external auditor.

The Council welcomes participation by its citizens in its work. A statement of the rights of citizens to inspect agendas and reports and attend meetings is available. For further information on your rights as a citizen, please contact the Assistant Chief Executive Legal & Democratic Services on extension 2442.

The Freedom of Information Act (FOIA) allows access to records regarding the work, activities, and decisions of the Council, subject to a few exemptions. Further information, including an online request form, is available from our website via [www.havering.gov.uk/index.cfm?articleid=638](http://www.havering.gov.uk/index.cfm?articleid=638). For details of how



to make a request, please contact the Information Governance Team on 01708 433173 or email [accessinfo@haverling.gov.uk](mailto:accessinfo@haverling.gov.uk).

## **Haverling's operational structures**

Operationally, Haverling is run by the Chief Executive and Strategic Management Team (SMT). The Strategic Management Team is made up of the Chief Executive, four Group Directors and three Assistant Chief Executives. The responsibilities of each Director are separated into Services, each led by a Head of Service who reports to that Director.

The four Directorates, and their component Services, are organised as follows:

### **Children's Services**

- Children's Social Services
- Pupil & Student Services
- School Improvement
- Strategy & Commissioning

### **Sustainable Communities**

- Adult Social Services
- Development & Building Control
- Housing & Health
- Regeneration & Strategic Partnerships

### **Finance & Commercial**

- Business Systems
- Exchequer Services
- Financial Services
- Land & Property Services

### **Public Realm**

- Streetcare
- Technical Services
- Culture & Leisure
- Customer Services

The three Assistant Chief Executives are primarily responsible for carrying out essential corporate functions. The three ACE areas are organised as follows:

- Legal & Democratic Services
- Human Resources
- Strategy & Communications

## **Haverling's Strategic Direction**

Havering is a key stakeholder in the Havering Strategic Partnership, which brings together local stakeholders, community and voluntary groups, local businesses and partnerships. The HSP aims to work together with the whole community and partnerships to achieve our shared ten year vision and priorities, captured within the Community Strategy. The Community Strategy creates a framework for improving the quality of life for all people in Havering.

The Key priorities of the HSP, which the Community Strategy seeks to address, are as follows:

- Better health and welfare
- Increased community participation
- A more prosperous community
- Protect and Improve the environment
- A safer community
- Improved lifelong learning

In order to help achieve these aims, Havering Council has a family of Corporate plans and strategies which informs our strategic direction and continuing service improvement. In addition, each service produces an annual Service Plan, outlining its individual aims for improvement over the coming year.

## **Appendix A**

### **Legislation**

The London Borough of Havering complies with all anti-discriminatory legislation, which includes:

- Sex Discrimination Act 1975 (updated 1968)
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Equal pay Act 1970
- Gender Recognition Act 2004
- Race Relations Act 1976
- Race Relations (Amendment Act) Act 2000
- Racial and Religious Hatred Act 2006
- Disability Discrimination Act 1995
- Special Educational Needs and Disability Act 2001
- Disability Discrimination Act 2005
- Human Rights Act 1998
- Civil Partnership Act 2004
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Age) Regulations 2006
- The Protection from Harassment Act 1997

**Cabinet, 28 March 2007**

- European Regulations and Directives
- Codes of practice, including on Equal Pay
- Equality Act 2006

## Appendix B

COMBINED IMPACT ASSESSMENT TEMPLATE		
Lead Officer:		Service:
New or Existing area of work?		Area of work to be assessed:
1.	Briefly describe the aims, objectives and purpose of this policy/function or area of work	
2.	<p style="text-align: center;">Assessing Relevance</p> <p>Please assess the relevance of the function/policy to the promotion of equality of any of the six equality strands If the function/policy is relevant continue with the assessment. If not discontinue</p>	
2a.	Does the policy affect the public directly or indirectly?	<b>Yes or No</b>
2b.	Does the policy affect how other services are provided?	<b>Yes or No</b>

2c.	Have complaints been received from different equality groups about the policy and its effect on them?	<b>Yes or No</b>
2d.	Does the policy have employment implications?	<b>Yes or No</b>
<p>If the answer to some or all of the above questions is yes, then that function or policy will be 'relevant' – <b>please continue with the assessment.</b> If your are sure that your answer is no to all of the above questions, then you do not need to continue. However, it may help to check that you are correct in this assumption by continuing for the next few questions.</p>		

Full Assessment		
3.	Stakeholders/Beneficiaries Which groups are intended to benefit from this policy/function?	
4.	Outsourced Services If your function/service is partly or wholly provided by external organisations/agencies on behalf of the service, please list any arrangements you plan to ensure that the function/service promotes equality. Include this in your improvement plan.	
		If the answer to any of the Questions 5-10 below is yes, please indicate in the appropriate cell below what existing evidence (either anecdotal or documented) do

		you have for this? Complaints/Feedback/Research/Data?	
5.	Are there concerns that the policy does or could have a differential impact due to race/ethnicity?	Yes/No	
6.	Are there concerns that the policy does or could have a differential impact due to gender?	Yes/No	
7.	Are there concerns that the policy does or could have a differential impact due to disability?	Yes/No	
8.	Are there concerns that the policy does or could have a differential impact due to sexual orientation and/or transsexual/transgender issues?	Yes/No	
9.	Are there concerns that the policy does or could have a differential impact due to age?	Yes/No	
10.	Are there concerns that the policy does or could have a differential impact due to religious belief or faith?	Yes/No	
11.	With regard to Questions 5-10 above, does your assessment show that a policy/function is affecting relations between different equality groups?	Yes/No	If yes, please explain how, and then go to Q 12

			If no, please go directly on to Q 14.
12.	If Yes, can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or as part of a wider strategy of positive action in relation to particular groups?	<b>Yes/No</b>	<p>If yes, please explain, in the Improvement Plan section below, what steps you will take to limit this adverse impact, or any potential it may have for damaging relations between groups, or consider alternative policies that might better achieve the promotion of equality?</p> <p>Please explain your plan of action for each relevant equality heading (questions 5 - 10) on the Improvement Plan (e.g .. adapt the policy; find another way to meet policy objectives; consider specific provision Le adopt changes in communication methods; language support; disability measures etc for relevant groups)</p>
13.	If the adverse impact cannot be justified, does the adverse impact amount to unlawful discrimination?	Yes/No	Where the adverse impact is unlawful, the policy or the element of it that is unlawful must be changed or abandoned. If an adverse impact is unavoidable, then it must be justified, as outlined in the question above.

<b>14. Consultation</b>	
What does available data and the results of any consultation show about the take up and appropriateness of your service/function/policy. This should include consultation from those who are likely to be directly affected by the policy e.g. users/potential users from the six equality categories; staff; relevant interest groups. Where there is insufficient data or knowledge about the equalities target groups' needs, you will need to undertake further consultation (include details of any future consultation exercises planned, or planned improvements as a result of consultation, in your Improvement Plan attached). The extent of the consultation exercise should be in proportion to the effect that the policy is likely to have, and may not need to be detailed.	
<b>15. Monitoring &amp; Publishing</b>	
How are you going to monitor or carry out regular checks on the effects this policy has on different racial/equality target groups?	
A list of all Impact Assessments undertaken need to be published on an annual basis	



<b>16. Training</b>  Please list any staff training issues on equalities arising from this assessment (and include this in your improvement plan attached)	
--	--

Signed _____	Signed (Lead Officer)
Name in Print	Name in Print
(Project Manager Responsible for implementing this policy and function)	(Senior Responsible Officer with responsibility for the effective working of this policy or function)
Date	Date

**Please list actions that you plan to take as a result of this assessment (continue on separate sheets as necessary)**

Improvement			
Issues to be addressed	Action to be Undertaken	Desired Outcome	Responsible Official and Timescale

## **Appendix C**

### **Our Directorates**

#### **Children's Services**

The Children's Directorate brings together the functions of the former Local Education Authority, Social Work/Care Services for children, Early Years Services, Youth Services and Youth Offending Service. All of these activities within the one Directorate are a direct response to the Children Act and the Every Child Matters agenda. Its responsibility is to deliver a coherent, integrated service which is based on children's needs, is delivered in as seamless a way as possible and is based on principles of equality and of prevention and early intervention. Its priorities are both the universal and specialist services dealing with the most vulnerable, including looked after children for whom the Council acts as corporate parent.

The Directorate has a duty to maximise the participation of children and young people in the planning and commissioning of services. It also has a duty to work in a multi-agency environment and to work with other agencies to establish a Children's Trust. There is a statutory requirement to publish a Children and Young People's Plan from April 2006. This has been developed in consultation with a wide range of partners, including the views of children and young people. It sets out the priorities for Children's Services within Havering to deliver the five outcomes identified in Every Child Matters: being healthy, staying safe, enjoying and achieving, making a positive contribution and economic well-being.

#### **More specifically, the Children's directorate is responsible for:**

- 1 Social work services for looked after children, safeguarding and child protection, adoption, fostering and services for children with disabilities.
- 2 Specialist education services and support for pupils, e.g. specialist support services, the educational psychology service, pupil services and school admissions and education welfare.
- 3 School improvement, including school inspection, standards, curriculum support, implementation of national strategies and school governance.
- 4 Early years services and Children's Centres,
- 5 Youth Service including Connexions and Teenage Pregnancy Strategy
- 6 Youth Offending Service.

The directorate has a statutory accountability to directly provide or to commission these services and to work in partnership with schools and other key agencies such as the N.H.S. to do so.

## **Sustainable Communities**

The Sustainable Communities Directorate was created in 2005 as part of the Council's focus on delivering a huge change agenda aimed at improving the lives of all those who live, work and visit the Borough both now and in the future.

### **Key characteristics of all the services within Sustainable Communities are:**

- the utilisation of key intelligence to consider the long term requirements of strategy and service delivery
- strong user focus
- appropriate and planned intervention
- strong partnership working
- a clear vision of the Havering we want to see in the future

The services that comprise Sustainable Communities are:

- Regeneration and Strategic Planning (including Town Centre Management, Adult Education and Strategic Transport)
- Housing and Health (including Environmental Health and Licensing)
- Planning and Building Control (including Environmental Strategy)
- Adult Social Services (including Transport fleet and Commissioning)

## **Finance & Commercial**

### **Finance & Commercial**

#### **Finance and Commercial provides:**

- support Services
- strategic and corporate services
- some frontline services

The services touch every household and employee in the borough.

#### **In arriving at our vision and priorities we want to demonstrate we are:**

- providing a service that assists the Council in delivering its strategic objectives and priorities
- achieving quality through best value, Investors in People, performance indicators and performance measurement all through the Directorate
- demonstrating equality and diversity
- providing services in the most economic and effective way

Our vision is to consistently deliver real improvements and add value.

**The strategic priorities of Finance and Commercial are:**

- delivering sound finances
- providing effective and safe systems/facilities
- successful local economy managing effectively

**Public Realm**

Public Realm brings together the Council's customer facing services – Customer Services, Leisure and Cultural Services, Streetcare and Technical Services. All things that make a real difference to people's lives through service delivery or enforcement.

The vision for Public realm is that it makes Havering a better place to live and work for all. We believe tat to do that we need to have **PRIDE** in our services and for our community to be proud of us.

**PRIDE**, in Public Realm is more than just an aspiration. It explains how our services fit together and what we do.

P is for providing a greener cleaner Borough  
R is for regulating and enforcing measures to improve the Public Realm  
I is for improving our roads and buildings  
D is for delivering better access to Council Services  
E is for enhancing cultural and leisure opportunities

**Within the Public Realm Group are four service areas:**

**1. Customer and Library Services**

**Customer and Library Services cover three key areas:**

**Customer services**

delivered from the cashiers, the call centre, Romford, Upminster and Collier Row Public Library and Service Centres.

**Libraries services**

available in 10 branch libraries, and from housebound, children's and schools library services and over the internet.

**Registrar services**

based in Langtons house, covering the registration of births, deaths, and the conduct of weddings, citizenship, civil partnership and other ceremonies.

**2. Cultural and Leisure Services**

**Cultural and Leisure services cover 3 areas:**

### **Parks and Open Spaces service**

the Council has 2 country parks and 108 urban parks and open spaces. This team covers the development of the parks and open spaces, and their maintenance. It also includes responsibility for events and for Heritage and historic landscape. Much of this is located co terminus to or within parks and open spaces.

### **Health and Wellbeing services**

this team covers policy and strategy development, sports development, arts services and client services, including the management of relationships with the Queens Theatre, the Ice Rink, voluntary organisations and the contract management of the new leisure contract.

### **Customer Services**

this team supports the other teams, undertakes marketing and customer analysis and manages the relationship and maintenance of community halls.

## **3. Streetcare services**

**Streetcare services consists of four sections:**

### **Environmental Maintenance**

this is the Council's street cleaning service. It operates from five main depots and cleans all the streets and pavements in the borough.

### **Highways**

this section is responsible for the repair and upkeep of all of the borough's roads and street lights. It manages major contracts for the provision of street lighting, highways works – through the Highways DSO.

### **Waste**

this is a new section. It manages the waste collection contract, recycling, the relationship with ELWA and enforcement activities designed to deal with a range of environmental crimes such as fly tipping.

### **Business Support Team**

this section deals with administrative support to the service, customer correspondence and CRM interface.

## **4. Technical Services**

**Technical Services consists of:**

### **Surveying Services**

surveying of and design, specification and tendering of maintenance contracts for all Council owned buildings, including asbestos management.

### **Technical Services**

architectural, structural engineering and quantity surveying service and highway, traffic management and road safety schemes.

**Trading Standards**

provision of advice to consumers and business, investigation of complaints and licensing

**Cemeteries and Crematorium**

management of Romford, Hornchurch, Rainham and Upminster Cemeteries and the South West Essex Crematorium.

**Parking Services**

managing Council car parks and the design, implementation and enforcement of on-street parking control measures.

## **Appendix D**

### **Terms of Reference for the Equality Groups**

#### **Strategic Equality & Diversity Group**

##### **Purpose is to:**

- drive and encourage a culture which supports good practice in service delivery and employment
- to set a corporate (Havering Council wide) position on diversity and equality values and objectives in consideration of legislative requirements and good practice principles
- determine, and annually review corporate diversity and equality objectives and priorities
- receive progress reports on corporate equality objectives from the Equality Lead Officer Group (ELOG), Corporate Diversity Team
- encourage a culture which supports good practice and increase the accessibility of the London Borough of Havering Services and employment
- report annually on progress with the scheme to Cabinet and the wider community

#### **Equalities Lead Officer Group**

##### **Purpose is to:**

- ensure equality and diversity considerations are targeted into Directorates, and that in meeting the equality considerations, are integrated into London Borough of Havering's mainstream activity
- lead the diversity agenda, drive actions and outputs by supporting directorates in meeting the equality values and objectives promoted by the Strategic Equality & Diversity Group
- champion valuing diversity within the London Borough of Havering maximising opportunities for cross-director and multi –agency working
- set targets and monitor progress, e.g. reach/maintain level 5 of the Equality Standard for Local Government, implementation of the Race Equality Scheme, BVPIS, Next 4 Years target
- receive representations from diversity staff /interest groups
- endorse and monitor the implementation of annual directorate Race Equality Action Plans
- reviewing the performance data on equalities and recommend positive action, where appropriate, e.g. recruitment/training
- advise directorates on action to be taken to ensure that the statutory and policy obligations are fulfilled
- provide responses to national and regional consultation exercises
- provide progress reports to SEDG/Cabinet, as required



## Appendix E

### Gender Equality Scheme 2007 – 2010 Schedule of Functions

Service Area	Functions	Policies
<b>Legal and Democratic Services</b>	Monitoring Officer Democratic Services Electoral Registration Legal Services Community Safety	Legal & Democratic Services strategic plan Committee Reports
<b>Human Resources</b>	Strategic Human Resources Human Resource Management Occupational Health Training & Professional Development Corporate Equalities	Human Resources Service Plan (Creating Capacity) HR Strategy 2004-07 Additional Responsibilities Policy Adoption Leave Policy & Procedure Your Entitlement to Adoption Leave & Pay (all employees) Adoption Leave Application Alcohol & Drug Abuse/Misuse Policy & Procedure Code of Practice on Racism Code of Practice for Safer Recruitment Confidential Reporting Policy Disciplinary Procedure (& Appendix A,B,C,D&E) Employee Assault Policy & Procedure - Part 1 & 2 Employee Code of Conduct Policy Employee status of Temporary, Casual & Fixed Term contracts - Guidelines Employment Status Procedure Equalities Service Plan Equality & Diversity in Employment Policy Establishment Vacancy Control Form

		<p>Exit Procedure</p> <p>Exit Interview Policy (&amp; Appendix A,B,C&amp;D)</p> <p>Flexible Working – ‘The Right to Ask’ Policy &amp; Procedure</p> <p>General Declaration of Interests for all Employees</p> <p>Grievance Procedure</p> <p>Dealing with Harassment / Bullying at Work Policy &amp; Procedure</p> <p>Hospitality and Gifts Register</p> <p>Induction (all departments)</p> <p>Induction &amp; Probation Policy, Procedure &amp; Guidelines (&amp; Appendix's)</p> <p>Job Evaluation Policy</p> <p>Management Guidelines for the use of Market supplements and Direct Appointments (&amp; Form)</p> <p>Managing Occupational Stress – code of practice (plus Risk Assessment)</p> <p>Model Risk Assessment for Work Related Stress</p> <p>Managing Organisational Change and Redundancy Policy &amp; Procedure (plus letter &amp; form)</p> <p>Managing Poor Work Performance Policy &amp; Procedure</p> <p>Maternity Leave Policy &amp; Procedure (plus Appendix A,B,C,D,E&amp;F)</p> <p>Maternity Leave Notification Form (non-teaching staff)</p> <p>New Ways of Working Policy</p> <p>Parental Leave Policy (plus Application form)</p> <p>Paternity Leave Policy &amp; Procedure (plus Application form for Paternity Pay)</p> <p>Personal Development Performance Appraisal (PDPA – Guidance Notes and Form)</p> <p>Personal Files Policy (plus Employee Record Sheet)</p> <p>Recruitment &amp; Selection Policy &amp; Procedure (plus Appendix 1,2,3,4,5,6&amp;7)</p> <p>Return to Work Policy (plus return to work interview form)</p> <p>Return to Work Record</p> <p>Guidance on conducting Return to Work Interviews</p> <p>Scheduled Leave Policy -Annual, Family &amp; Study. (plus study leave</p>
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		<p>                     application form &amp; conditions for assistance form)                      Appendix A – Study Leave Application Form                      Appendix B – Study Leave Scheme Undertaking for Qualification Training                      – Conditions for Assistance                      Sickness Absence Policy                      Special Leave Management Guidelines (&amp; Application Form)                      Supervision Policy                      Social Services Supervision Policy “Getting it Right for all Staff”                      Term-Time Working Management Guidelines                      Training &amp; Development Policy                      Waltham Forest Interpreting &amp; Translation Service (WFITTS)                      WFITTS Multi-Lingual Poster (Green)                      WFITTS Code of Practice                      Interpreting &amp; Translation Policy                      Teaching Staff Disciplinary Procedures                      Capability Procedure                      Redundancy Procedure                      Redeployment Procedure                      Notification of Redundancy &amp; Redeployment                      Assimilation Process                      Risk Assessment                      Management Referral Form                      Weekly Absence Return                      Approval &amp; Implementation of Organisational Restructures                      Equality &amp; Diversity Impact Assessment Report Policy Briefing for Elected                      Members                      Recognition Agreement                      Occupational Health                      Welfare Services                      Confidentiality of Personal Information                      Workforce Issues: Procurement &amp; Best Value                 </p>
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		Secondment Policy Whistle blowing Policy Violence and Aggression at Work Policy
<b>Strategy &amp; Communications</b>	Strategy Development Strategic Partnerships (HSP/CMT) Local Area Agreement Performance Management CPA & External inspection Audit Commission Relationship Management Communications & Marketing Internet & Intranet Management Support to Chief Executive	Corporate Plan Havering Community Strategy Strategy & Communications Service plan 2005-06 Communications Strategy Local Area Agreements Web Strategy Performance Management Framework Best Value & Service Performance Plans Value for Money Consultation and User Focus Strategy Corporate Design and Style Template The Media Protocol Accessible Information Accessible Information – Deaf Accessible Information – Deaf and Blind Equalities & Diversity – Strategy & Communications Action Plan
<b>Children's Services</b>	Child Protection Children's Assessment and Care Youth Offending Team Early Years Centres Quality Assurance Unit Family Placement Team Fostering & Adoption Leaving Care	Children & Young People's Plan 2006 Asylum Seekers – Provision of Service Care Plans & Care Proceedings under the Children Act 1999 Child Protection Policy Children's Reviews Looked After Children Services Management of Children & Young People Who Are Looked After Management of Children's Behaviour Medication Policy for Early Years Centres

	<p> Looked After Children  Children With Disabilities  Family Link  Education Psychology  Special Education Needs (SEN)  SEN School Support  Behaviour Support  Education Welfare  Early Years  Pupil Services &amp; School Admissions  Youth Service  Curriculum Support and Advice  Governors' Support  School Monitoring and Inspection  School Standards  National Strategies  Commissioning  Strategic Planning  Education Strategy  Planning School Places  Capital Asset management (mainly schools)  Finance  School / Cluster ICT and Management information support </p>	<p> Students &amp; Volunteers on Work Experience  Children Social Services Business Plan 2005  Strategy &amp; Resources Service Business Plan 2005  School &amp; Pupil Services Business Plan 2005  Assuring Quality Education Plan 2006  Access to Personal Information &amp; Records  SEN/Children with LDD Plan  Early Years Plan  Consultation paper on Phase 2 Children's Centres  CIS website  Admissions Policy, including transport  Vulnerable Pupils Protocol  Attendance Strategy  Child Protection Procedure &amp; Practice Guidance  Youth Support Service Plan  Teenage Pregnancy Strategy  School Improvement Plan  Training programme for governors  Capital Investment Statements  Health and Safety guidance for schools  General and school Personnel policies and procedures  Recruitment and Selection procedures  Equal opportunities procedures  Competency Procedures for Head Teachers LMS Schools </p>
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	Personnel Catering	
<b>Sustainable Communities</b>  Adult Social Services Development & Building Control Housing & Health Regeneration & Strategic Partnerships	Adult Social Services Drug & Alcohol Action Team Access Services Community Care Commissioning Mental Health Services Learning disability service Older Persons and Physical & Sensory Disability services Transport Commission Unit Building Control Planning Control & Enforcement Environmental Strategy Performance & Participation Performance Monitoring Customer Services Tenant Participation E Government Needs & Strategy Housing Strategy Enabling Allocations & Lettings Homeless Housing Advice	Health & Social Care Business Plan 2005-06 Social Services Business Plan 2005-06 Access to Day Services – Older People Admission to Part 111 Accommodation Policy on Risk Management and Assessment for Adults with a Learning Disability Abuse Vulnerable Adults – Residential & Day Care Services Protection of Vulnerable Adults Policy & Procedure Role of Appropriate Adults Asylum Seekers Policy (Adults without Children) Mental Health Services Compulsory Admission to Hospital Residential Services Promotion of Continence Mental Health Services Supervision & Treatment Order Criminal Procedure (Insanity & Unfitness to Plead) Act 1991 Customers with MRSA Death or Accident (except staff) Mental Health Services Supervision & after-care of Conditionally Discharged Restricted Patients Mental Health Guardianship Help in the Home Service Users Finances – Involvement of Domiciliary Care Staff Residential Services Holidays for Adults with a Disability Home from Hospital Homecare Charges Manual Handling Policy Mental Health Services Nearest Relative Older Persons Abuse Home Care Peripatetic Night Care Protection of Property

	<p>Temporary Accommodation</p> <p>Private Sector Lettings</p> <p>Supported Housing</p> <p>Estate Management</p> <p>Debt Recovery</p> <p>Cash Collection (Until 31.03.2006)</p> <p>Sign-Ups</p> <p>Anti-Social behaviour</p> <p>Tenancy Enforcement</p> <p>Supporting People</p> <p>Environmental Health</p> <p>Licensing</p> <p>Health &amp; Safety in Commercial Premises</p> <p>Private Sector Housing</p> <p>Food Safety</p> <p>Noise &amp; Air Pollution</p> <p>Contract Services</p> <p>Caretaking</p> <p>Stock Investment</p> <p>Day-to-Day Repairs</p> <p>Concierge</p> <p>Estate Cleaning</p> <p>Maintenance of Services</p> <p>Strategic Partnerships</p> <p>Regeneration Strategy</p> <p>External Funding</p> <p>Area Regeneration Programmes</p>	<p>Mental Health Services Review Tribunals</p> <p>Safe Custody Accounts</p> <p>Mental Health Services Supervised Discharge – After Care under Supervision</p> <p>Mental Health Services Supervision Registers</p> <p>Help in the Home Provision of Telephones / Televisions</p> <p>Older Persons Welfare Meals</p> <p>Complaints Procedure</p> <p>Procedure for Policy in Community Services</p> <p>Housing &amp; Regeneration Directorate Plan 2005</p> <p>Housing Service Plan 2005 – 2008</p> <p>Managing Performance in Housing &amp; Health</p> <p>Corporate Development Plan</p> <p>Regeneration &amp; Partnerships Service Plan 2005-06</p> <p>Strategic Planning &amp; Technical Service Plan</p> <p>Housing Aid Scheme for Homeless Households</p> <p>Housing Act 1996 as amended duty to provide accommodation</p> <p>Homeless persons based in Hotels providing Bed &amp; Breakfast, housed under the Homeless Act</p> <p>Housing Aid &amp; Hotel Authority</p> <p>Lettings Procedure</p>
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	Community Initiatives Adult Education Development & Transportation Planning Town Centre Management	
<b>Finance &amp; Commercial Group Director</b>  Business Systems Exchequer Services Financial Services Land & Property Services	ICT Strategy e-Government Strategy IT Technology and Systems Inward investment opportunities and IT partnership opportunities Payroll Pensions Housing & Council Tax Benefit (including Fraud) Revenues Services Council Tax Collection Business Rates Collection General Income Enforcement (Bailiffs & Court Team) Financial Services Business Development Internal Audit Procurement Property & Assets Management Facilities Management Strategic Property Services	E-Government Technology Service Plan 2005-08 Internet Access Policy Desktop Policy ICT Desktop Equipment Desktop User Procurement policy Guidance – email usage Guidance - Internet Global email Policy Home IT Members Policy ICT Governance Policy ICT Desktop Policy ICT Strategy Mobile Telephone Policy Over 18 and Chat lines Policy Service Level Agreement Voicemail System Policy Best Value Policy for use of Council Extension Exchequer Services Service Plan Finance & Planning Strategic Plan 2005-08 Finance Procedure Rules Financial Services Service Plan 2005 Medium Term Financial Strategy 2006-09 Planning Service Plan 2005-07 Visa card User Guidance Data Protection Act 1998 Policy Accommodation Move Policy



	<p>Corporate Health &amp; Safety Emergency Planning</p>	<p>Files Space Access to Information Procedure Procedures – Warrants with and without Bail Authority to pay Housing Benefit Direct to LB of Havering Housing Services Property Banding Procedure Occupations Procedure Payment Method Procedure Person Held in Prison – Exemption Procedure Person in Hospital/Residential Care – Exemption Procedure Severely Mentally Impaired Person – Exemption Procedure Instalments Procedures Income Support &amp; AEO Deduction Procedure Reminders Procedure (1) Refund Authorisation Procedure Sole or Main Residence Joint Liability forwarding Policy Insolvencies Procedure Missing Payment Procedure The LBH Benefits Training Guide – Blameless Tenants Records, Retention &amp; Destruction Handbook Records, Retention &amp; Destruction Policy Proposed Amendment to Wording on L/L Direct Letter Fast Track Reminder Unpaid Direct Debit Procedure COA Regs 040206 Safe Custody Accounts Procedure for Authorising Assessments of Benefits by Agency Staff Refund Authorisation Procedure Havering Procurement Framework Project Plan for Replacement of Benefit Period</p>
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		<p>Benefit Administration &amp; the removal of Benefit Periods</p> <p>HBMS Rules</p> <p>Abolishment of Benefit Periods</p> <p>Changes in Circumstances Guidance Manual</p> <p>Deceased Procedure</p> <p>Appeal Policy Capita</p> <p>Appeal Application Form</p> <p>Appeal Text</p> <p>Appeal Service Notes</p> <p>Appeal Slides</p> <p>Appeal Terminology</p> <p>Appeal Abbreviation</p> <p>Appeal Aims &amp; Objectives</p>
<p><b>Public Realm</b></p> <p>Street care</p> <p>Technical Services</p> <p>Culture &amp; Leisure</p> <p>Customer Services</p>	<p>Managing Street care</p> <p>Commissioning</p> <p>Street care Operations</p> <p>Management</p> <p>Highways</p> <p>Cemeteries &amp;</p> <p>Crematorium</p> <p>Parking</p> <p>Trading Standards</p> <p>Technical Services</p> <p>Surveying Services</p> <p>Leisure and Cultural</p> <p>Services</p> <p>Parks &amp; Open Spaces</p> <p>Sports, Leisure and arts</p> <p>Major Projects</p> <p>Customer Relationship</p> <p>Strategy</p>	<p>Library Position Statement 2004</p> <p>Libraries &amp; Customer Services Service Plan 2005-2008 "Improving Quality of Life"</p> <p>Relevant overview &amp; Scrutiny Committee: Culture &amp; Regeneration</p> <p>Culture &amp; Leisure Service Plan 2005-08</p> <p>Customer Access &amp; Culture Strategic Plan 2005-08</p> <p>Libraries and Customer Services Service Plan 2005</p> <p>Registrars Service Plan</p> <p>Confidential Waste &amp; Recycling of Other Waste Paper</p> <p>Customer Access &amp; Culture Diversity &amp; Equality Action Plan 2005-2008</p> <p>Strategic Planning &amp; Technical Service Plan Final</p>

	Customer Relationship Management Techniques First-line interface Libraries Registrars	
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MEETING	DATE	ITEM
CABINET	28 March 2007	8

**Cabinet Member:**

Councillor Mike Armstrong

**Relevant Overview & Scrutiny Committee:**

Culture and Regeneration

**REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: ROMFORD MARKET STRATEGY**

**SUMMARY**

This report proposes a strategy to reinvigorate Romford Market. It describes the importance of Romford Market to the town and the borough, and the need for change to ensure its continuing vitality and viability. It recommends a Vision for the future of Romford Market, and a series of proposals aimed at Revitalising Market Place, Improving the Attraction of the Market, Managing the Market Operation, and Implementing the Strategy.

Involvement of the market traders and the Town Centre Partnership will be crucial to the success of the strategy, and it is recommended that they are closely involved in developing and implementing the proposals, and are invited to be part of the Market Strategy Forum which is proposed to oversee the implementation of the strategy.

## RECOMMENDATIONS

### **Vision**

1. That this vision for the market be adopted (para. 3.1):

*Romford Market will be at the heart of the economic, cultural and social future of Havering, and will be*

- *a unique attraction for shoppers and visitors, and a vital part of what makes Romford the leading town centre in East London and the Thames Gateway;*
- *a market which offers the highest quality, choice, convenience, and standards of service to all its customers;*
- *a prosperous retail market providing good business and employment opportunities, making an important contribution to the local economy;*
- *a vibrant and dynamic social space, where the quality and safety of the public realm is paramount, whose heritage is celebrated, and which plays a key role in the cultural life of the community;*
- *a well managed facility, providing a first class service to the public.*

### **Revitalising the Market Place**

2. That the layout of the weekday retail market be revised to achieve the objectives set out in paragraphs 4.3 – 4.6 of the report.
3. That a new 'public square' be created at the eastern end of Market Place as an event space and focal point for the town centre (para. 4.6).
4. That an action plan to make use of the public square for community activities and events be drawn up by Cultural and Leisure Services in conjunction with Town Centre Management (para. 4.7).
5. That except for the public square, the market should continue to be used for car parking on non-market days, other than when needed for a special event (para. 4.8).
6. That further improvements to the environment be carried out as part of the centre-wide branding and signage project; by creating a large market sign at the Golden Lion end; by expanding interpretation of the market place's heritage; and by careful integration of any development proposals affecting the market place (para. 4.9).
7. That improved safety and security measures should be incorporated into the proposals for market place (para. 4.10).
8. That the options for toilets to serve the central area of the market place be the subject of a further report (para. 4.11).

### **Improving the Attraction of the Market**

9. That a broader range of traders should be encouraged to join the weekday market (para.5.3).
10. That the current commodity restrictions should be reviewed to see whether they are still useful and necessary (para. 5.4).
11. That a Customer Charter should be developed in conjunction with traders to ensure a high standard of customer service, including the potential for cashless transactions (para. 5.5).
12. That a review of trader recruitment be carried out (para. 5.6).
13. That the Council encourages the growth of market businesses and assists traders through its business support services (para. 5.7).
14. That there should continue to be an effective programme to promote the market in conjunction with traders and town centre partners, linked in to the borough's broader tourism strategy (para. 5.8).
15. That, subject to the outcome of the current review of the Farmers Markets, Farmers and other specialist markets should continue to be held in Romford (para. 5.9).
16. That a borough-wide policy on the operation of specialist markets should be brought forward, limiting them to Romford, Hornchurch, Upminster and Rainham (para. 5.10).

### **Managing the Market Operation**

17. That the management and supervision of the market should be integrated into a unified management structure (para. 6.1).
18. That the potential for a partnership arrangement with an experienced commercial market operator should be explored (para. 6.2).
19. That the Council should phase out the direct provision of stalls and covers and control their supply by private contractors through conditions of licence, which will be monitored (para. 6.5).
20. That a new stall design should be developed for the market, introducing a better and consistent size, style, colour scheme and pattern for stalls and covers (para 6.6).
21. That a new waste management policy is developed for the market (para. 6.9).

### **Implementing the Strategy**

21. That a Market Strategy Forum is established to oversee implementation of the Strategy, chaired by the Cabinet Member for Housing and Regeneration, with representatives from the traders, Town Centre Partnership, and relevant Council Services (para. 7.1).
23. That consultants are appointed for the design of the market layout and public square, at a cost of approximately £40,000 to be met from the regeneration capital programme (para. 7.2).

24. That consultants are appointed to advise on the potential for a partnership arrangement with a commercial market operator, at a cost of approximately £15,000 for which an application will be made for funding from contingency (para. 7.3).
25. That traders' representatives and the Town Centre Partnership should continue to be closely involved in the development and implementation of the strategy (para. 7.4).
26. That authority for action to implement the above recommendations be delegated so far as necessary to the Cabinet Member for Housing and Regeneration, in consultation with the Cabinet Member for Resources and the Cabinet Member for Streetcare and Parking (para. 7.5).

## **REPORT DETAIL**

### **1. The Importance of the Market to Romford and Havering**

- 1.1 National policy recognises the importance of retail markets to the prosperity and attractiveness of towns. *PPS5: Planning for Town Centres* (March 2005) says of markets:

“Street and covered markets (including farmers’ markets) can make a valuable contribution to local choice and diversity in shopping as well as the vitality of town centres and to the rural economy. As an integral part of the vision for their town centres, local authorities should seek to retain and enhance existing markets and, where appropriate, re-introduce or create new ones. Local authorities should ensure that their markets remain attractive and competitive by investing in their improvement.”

- 1.2 Very recent research by the Joseph Rowntree Foundation, *Markets as sites for social interaction* (September 2006) has established the significance of markets as social spaces where people can gather and engage, with interaction among and between traders and different social groups within the community helping to strengthen social life and social inclusion.
- 1.3 Romford has East London’s largest and longest established market. Throughout its 760-year history, it has been right at the heart of Romford town centre, and fundamental to the historic and cultural heritage of Romford and the borough as a whole. Originally a hamlet trading post on the main London to Colchester Road, Romford owes its existence to King Henry III’s decision in 1247 to grant permission for a weekly sheep market. Over time, the market became an agricultural

centre selling fruit and vegetables, farm tools and clothing. This led to the development of Romford as a thriving market town, and eventually to today's Romford, the third largest town centre in London, with its market of some 200 stallholders described by English Heritage as "probably one of the best traditional open air markets in the country."

- 1.4 The Vision in the Council's Cultural Strategy is of Havering as "a place where our culture is at the heart of our towns, the lives of our children, a cohesive community, and our future." The Strategy recognises that Romford Market is a key cultural asset which draws in local people and visitors alike, from as far afield as Cambridge and Peterborough as well as much of Essex. It is a key focus for community identity, central to the character and distinctiveness of Romford town and Havering, and a unique selling point for the town centre. Because of its size and variety, it provides an exceptional opportunity to develop the kind of social interaction identified in para. 1.2 above, involving children and young people in particular in a lively, stimulating environment, and laying the foundations for improved community cohesion.
- 1.5 The market evidently has an important role in the local economy, underpinning the vitality and attractiveness of Romford town centre, offering a unique experience for tourists and shoppers, stimulating retail and leisure expenditure, as well as offering a significant range of business and employment opportunities in its own right, including opportunities for new and small enterprises and an outlet for locally produced goods such as crafts and foods.
- 1.6 The market is key to the attractiveness of Romford as a destination for shoppers and visitors, and recognised as such by the Romford Town Centre Partnership. The Romford shoppers survey (January 2006) found that 56% of those surveyed rated the market as 'important' or 'very important' in their decision to visit the town centre.
- 1.7 The market is also the most important public space in the town, although its potential is not realised at present, particularly on non-market days when it functions solely as a surface car park. Although the shopping malls and concourses attract large numbers of people, the ideal gathering place and opportunity for community interaction and activity is the market place, which is full of character and offers much more than a commercial environment. The surviving history of Romford is best represented in the market. The Golden Lion dates from around 1450, and is thought to be one of only two remaining coaching inns in London, while the Church of St Edward the Confessor is a key landmark which has overlooked the market plain since 1850 when it replaced the early 15<sup>th</sup> century chapel on the same site.



- 1.8 The *Romford Area Action Plan* (Preferred Options, August 2006) stresses the unique character of the town, to which the market makes such an important contribution:

“Towns and cities are the centres of civilisation, generating economic development and fostering social, cultural, spiritual and scientific advancement. They are, by their nature, dynamic and changing. Each has its own character and beauty, a product of man-made evolution, shaped by the needs of its citizens and users and the demands of the age. Romford is no different and therefore everyone, whether a resident or a visitor, has a role to play in helping to create and shape Romford’s future.”

- 1.9 It is imperative that, as Romford looks forward to the next stage of its development, full advantage is taken of the potential of the market in improving the economy, quality of life, and sense of identity for people visiting, working or living in the town and surrounding area. This was recognised in the *Romford Urban Strategy: Interim Planning Guidance* (July 2006):

“As the largest market in East London and as a historic market town, Romford’s market is a central feature of the town’s identity. The recent refurbishment programme has revitalised the market place, but there is still scope to develop the market further in order to attract a more diverse range of customers and to enhance its role as a visitor attraction.”

## **2. The Need for Change**

- 2.1 The *First National Survey of Retail Markets* carried out by the national market organisations for the All-Party Parliamentary Group in 2004 found that

“General markets across the UK, the core of most market operators’ business, are in decline. Declining numbers of shoppers, decreasing stall occupancy rates, and a perceived decline in the markets’ turnover provides clear signals that they need to be revitalised.

“Against this backdrop, there is a clear growth in speciality markets e.g., markets held on a periodic basis that provide added shopper appeal. As an example, Farmers Markets, Car Boot Sales and other themed markets are becoming increasingly popular.”

- 2.2 Since a number of traditional markets have integrated these speciality markets to strengthen them, the extent of the decline in traditional markets revealed by the survey may have been somewhat masked. Even so, between 1998/9 and 2003/4 the survey found a fall in average stall occupancy rates in general markets from 79% to 75%, and a small (1%) but definite decline in visitor numbers.

- 2.3 The survey report suggests possible reasons for these trends.

“The market trader too has been disadvantaged in a rapidly changing retail sector. The market trader ... has had to compete with the introduction of credit cards, seven-day a week trading, expansion of services offered by supermarkets, competitive pricing and a changing trend in food shopping. All these issues have inevitably affected the viability of the independent market retailer.”

- 2.4 Enquiries of other East London markets show a clear downward trend in recent years. Waltham Forest markets have had a 40% reduction in trader numbers, and have found it necessary to reduce the number of trading days. All Tower Hamlets markets including Petticoat Lane are down by as much as 50% or more, except for Whitechapel and Bethnal Green where trader numbers have been stabilised by substantially reducing rents.

- 2.5 Romford too has seen a long term reduction in trader numbers, of 50% over 20 years, or 2.5% per annum.

1985 – 339

1995 – 266

2005 – 170

- 2.6 Numbers appear to be stable at present, and Romford remains far and away the largest market in East London. Although the number of available pitches has been reduced over the years, on average 72% - 74% of stalls are occupied by regular licensed traders on Wednesdays, Fridays and Saturdays. In addition, 10 – 20 stalls are taken by casual traders on each market day. This however leaves patchy or vacant areas in the market place, particularly in North Street, among the double banks of stalls outside the Debenhams/Argos frontage and the St Edward's Church frontage, and in the north east quadrant outside the Rumford Shopping Hall.

- 2.7 Traders say that their takings are down, and there is low demand for stalls which would have changed hands for a substantial premium in the past.

- 2.8 This points to a strong need to improve the attractiveness and viability of the traditional weekday market for shoppers and traders alike. As in other centres, by contrast the speciality Farmers and French markets have proved very successful.
- 2.9 There are other factors which suggest a need for change. Despite the comprehensive environmental improvements to the market carried out by the Council in recent years, the original ambition to have a permanent public space on non-market days at the eastern end of market place was never realised. The market layout needs to adapt to the surrounding developments in the town centre and to provide safe, convenient routes for pedestrians, and better signage. On non-market days the market place is only used for car parking, and contributes little to the attractiveness of the town centre. There are also a range of operational issues which need to be addressed by the Council as the market operator – waste management and the lack of recycling, space cleansing and gully cleansing, the supply and erection of stalls and stall covers, safety and security, the provision of toilets – as well as ensuring that the market provides a quality service for the public in ways which achieve value for money.

### **3. Vision for the Market**

- 3.1 Building on the above analysis, the following draft vision for the market is **recommended** as a basis for consultation with traders, town centre partners, and the community.

*Romford Market will be at the heart of the economic, cultural and social future of Havering, and will be*

- *a unique attraction for shoppers and visitors, and a vital part of what makes Romford the leading town centre in East London and the Thames Gateway;*
- *a market which offers the highest quality, choice, convenience, and standards of service to all its customers;*
- *a prosperous retail market providing good business and employment opportunities, making an important contribution to the local economy;*
- *a vibrant and dynamic social space, where the quality and safety of the public realm is paramount, whose heritage is celebrated, and which plays a key role in the cultural life of the community;*
- *a well managed facility, providing a first class service to the public.*

### **4. Revitalising the Market Place**

- 4.1 The Council's comprehensive environmental improvements to the market place, in conjunction with the North Side redevelopment and

proposals now coming forward for Swan Walk, are in the process of transforming the context in which the market operates. A successful strategy will however require a thorough review of the weekday market itself.

- 4.2 With the pressures on the market from a highly competitive environment, it is unlikely that demand for stalls on the weekday retail market will increase sufficiently for the available pitches to be fully utilised. This leaves a market with a number of 'dead' areas where it is difficult to trade, some pitches which have a poor profile and position, and an offer which is too spread out to maximise its appeal to shoppers.
- 4.3 It is therefore **recommended** that the layout of the weekday market should be revised. Key objectives of the revised stall layout would be
- to consolidate the market into a provision no larger than is needed to accommodate the existing levels of licensed and casual traders (likely to be 190-200 stalls, the precise number to be decided as part of the layout design);
  - so far as possible to ensure that all pitches have good visibility and accessibility for customers;
  - to clear stalls from the underused eastern end of the market place to create a permanent event space and focal point for the town centre (see below);
  - to create convenient and direct pedestrian routes along and across the market place, with good sight lines, providing good connections with the surrounding developments such as the Liberty, Rumford Shopping Hall, North Side of Market Place, Quadrant Arcade, and Golden Lion cross-roads;
  - to bring the traders currently in South Street and North Street back into the market place;
  - to re-arrange the double lines of stalls outside the Debenhams frontage and St Edward's Church, which currently restrict pedestrian movement and offer poor trading positions with high vacancy levels; and to maintain clear space in front of the church on market days.
- 4.4 In revising the stall layout, account will need to be taken of the position of the electrical boxes which supply individual stalls, provided as an integral part of the environmental improvements programme. While most stallholders use a 110v supply, 15 food traders have a separately metered 240v supply to power refrigeration equipment: relocation of these supplies would be expensive, so this is a constraint to be considered.
- 4.5 Romford lacks a large, centrally-situated open space of the kind found in many other town centres, which limits the opportunities for community activities and events, and for informal social interaction.

There is therefore a cultural proposal in the Romford Area Action Plan (Preferred Options):

“To develop and utilise the eastern end of the Market Place as an event space and focal point for Romford town centre.”

- 4.6 The concept is to create a new ‘public square’ outside Tollgate House (the ‘clocktower’ building), which would be permanently available for the public to enjoy on both market and non-market days, and which could be used for cultural activities and events. On market days this would draw people into what is at present a poorly visited area. The three large pillars, which were introduced to provide a visual ‘stop’ to the market place before Tollgate House was developed, would be removed. A single line of market stalls with good trading positions would be retained around the perimeter of the square, except outside Tollgate House where there could be an outdoor seating area. The status of the present highway land in this area would need to be addressed (see Legal Implications para. 9.3). It is **recommended** that this concept should be incorporated in the proposals for revitalising the market place.
- 4.7 In addition to its informal use as a meeting place and area for relaxation, it will be important to take full advantage of the cultural opportunities provided by this new large public space, and to this end it is **recommended** that an action plan should be drawn up by Cultural Services in conjunction with Town Centre Management. This would see the market as a focus for activities involving children and young people, and the community at large, in the arts, entertainment, and environment, and could include, for example, major events at Christmas and Easter, summer schemes for children, theatre and poetry workshops, bands and music roadshows, and inclusion of the historic buildings such as St Edward’s Church in London Open House. The market could form the focus for a future festival in the town centre, and for creative exploration of the past, present and future of Romford through the arts and local history studies. The use of the square would form an integral part of the Town Centre Partnership’s future Joint Marketing Strategy. Cultural Services will be leading a strategic review of events supported by the Council across the borough, of which town centre events will be an important element.
- 4.8 On non-market days, the market place is currently used as a surface car park. One option would be to exclude cars from the market place altogether, so that the whole area was available for public use. However it is much larger than would ever be used except for the very largest events, and could create a vast, largely empty space which would detract from, rather than enhance, the sense of a lively, busy centre. The car parking is well used, which suggests that some shoppers are choosing to come to Romford on those days because of

the convenience of parking there – a view which is shared by the town centre retailers. On balance therefore, it is **recommended** that except for the new public square at the eastern end, the market should continue to be used for car parking on non-market days, other than when needed for a special event such as a French Market.

- 4.9 Although the Council's previous environmental improvement programmes have achieved the comprehensive renewal of the surfacing, street lighting, and tree planting, there is scope to enhance the environment of market place further as part of the centre-wide branding and signage project; by enhancing the setting and contribution of historic and landmark buildings such as St Edward's Church and the Golden Lion, and expanding interpretation of the heritage of market place; improving the approaches to the market such as from the South Street crossroads, Market Link and Ludwigshafen Place; creating a large market sign at the Golden Lion end; repairing and completing the mosaic; and careful integration of any development proposals affecting the market place such as those coming forward for Swan Walk. It is **recommended** that these opportunities should be pursued as part of the market strategy.
- 4.10 The police Safer Neighbourhood Team has made a range of suggestions for discouraging anti-social behaviour and making the market place safer, including improved control over the movement of traders' vehicles, use of anti-graffiti paint, siting of CCTV cameras and improved street lighting. It is **recommended** that improved safety and security measures should be incorporated into the proposals for market place.
- 4.11 Since the closure of the underground toilets in the centre of market place outside TJ Hughes, the Council has maintained temporary toilets there, which will be removed in due course as they are unsuitable as a long term facility and detract from the environment. Tenders received for the construction of a new replacement toilet block to an approved design were prohibitively expensive. Approval was subsequently given for the installation of two Decaux toilets, but these have not as yet been implemented because of concerns from some traders and Members about their visual impact and suitability. An approach was made to the North Side developer, to see whether additional toilets might be incorporated into their scheme even at this late stage, but there has been no positive response. The North Side scheme already incorporates good public toilets on the ground floor of Tollgate House at the eastern end of the market, and there are Decaux facilities in South Street as well as toilets in several of the major stores and the Liberty. It is **recommended** that Members receive a further report as soon as practically possible on the options for toilets to serve the central area of the market.

## **5. Improving the Attraction of the Market**

- 5.1 The proposed revision of the layout of stalls and pedestrian access, together with the creation of a 7-days-a-week activity and event space, should significantly improve the attraction of the weekday market to shoppers and visitors, but there are further initiatives which can be taken.
- 5.2 According to an analysis in October 2005, the range of commodities sold on the weekday market was 20% food (including 9% fruit and vegetables), 34% clothing and footwear (including 18% ladieswear), and 46% other non-food goods (including fabrics, household goods, garden products, toiletries, jewellery, stationery, sports, fancy goods, electrical, and several other commodities). In many of these lines, the market is in direct competition with value stores such as Primark and Asda. The market needs to diversify and differentiate its offer if it is to retain and build custom.
- 5.3 It is **recommended** that, through promotion and contacts within the industry, traders should be encouraged to join the weekday market who are trading in fresh produce and specialist foods (supporting the healthy living agenda); ethnic goods; arts, crafts, and music goods; and other niche or specialist products, particularly of a more sophisticated or upmarket kind. It will be important to change the emphasis of the market to compete less by being cheap, and more by offering interesting or unusual products of good quality.
- 5.4 The market byelaws currently restrict the numbers and/or proximity of stalls selling particular commodities, in order to maintain interest and variety. It is **recommended** that these commodity restrictions should be reviewed to see whether they are still needed for their original purpose and that they are not limiting trading opportunities unnecessarily.
- 5.5 Good, personal, customer service should be one of the strengths of the market, and this is vital in a modern retailing environment. In this context, it is **recommended** that a Customer Charter should be developed in conjunction with traders, offering customers a guarantee of quality, a returns policy, and a complaints procedure, co-ordinated through the market management. The National Market Traders Federation has a charter which could be adapted to suit Romford. The potential to offer cashless transactions via credit or debit cards should continue to be investigated.
- 5.6 Recruitment of new traders to replace those who retire needs to be given a high priority. A review of trader recruitment is **recommended**, looking at best practice from other markets, opportunities for promotion,

ease of obtaining both licensed and casual pitches, and possible incentive discounts for new traders.

- 5.7 The market in many ways offers an ideal opportunity for small businesses and self-employed people to retail their own products to an established customer base without the costs and liabilities of leasing shop premises. Through its business support services, it is **recommended** that the Council encourages the growth of market businesses and assists traders in areas such as marketing, presentation, business planning, customer service, and the development of on-line services to complement their stall.
- 5.8 The Council has taken a range of initiatives to promote the weekday market, including the banner campaign from the lamp columns; the high profile banners on the Town Hall roundabout during redevelopment; Christmas advertising on Decaux information boards; advertising on buses and through Time FM; advertising in coach tour magazines to encourage them to bring parties to the market; a double page spread in Living magazine; arranging for the BBC to film the market, which is likely to appear free of charge on the BBC website; the first pilot in a national *Making Markets Matter* programme to promote traditional markets; Christmas decorations and the lights switch-on event; and consistent promotion of the market as part of the Town Centre Partnership's Joint Marketing Strategy. It is **recommended** that the Council should continue to ensure there is an effective programme to promote the market in conjunction with traders and the Town Centre Partnership, and that this has a high profile within tourism strategies for Havering and East London. The partners may wish to consider carrying out market research to inform the promotional strategy.
- 5.9 Over the past year or so the Council has experimented with permitting private operators to hold speciality markets in the market place, on days when the traditional weekday market is not operating, to boost the overall attractiveness of the town centre. Farmers Markets were initially held monthly, and later weekly, on Sundays, and have now moved to a fortnightly operation. The experience of Farmers Markets is currently being reviewed before deciding whether they should be established on a more permanent basis. French Markets have been held twice a year, for a Sunday-Tuesday period, and there may be opportunities to attract other specialist markets in the future (German or Italian, for example). Both Farmers and French Markets have proved popular with shoppers, and subject to the outcome of the current review of the Farmers Markets, it is **recommended** that Farmers and other specialist markets should continue to be held.
- 5.10 Specialist markets are increasing in popularity, and are already held regularly in Upminster and occasionally in Hornchurch. In the interests of maintaining their attractiveness, it is **recommended** that a borough-



wide policy is brought forward to limit the operation of specialist markets to the three largest centres of Romford, Hornchurch and Upminster, and potentially Rainham as part of the regeneration proposals there; and to set out the terms on which the Council will permit them to trade.

## **6. Managing the Market Operation**

- 6.1 The overall responsibility for managing the weekday market rests with a small team within the Head of Regeneration and Strategic Planning's Service, with servicing of the market – erection/dismantling of stalls provided by the Council, cleansing, and waste management – provided by Streetcare. In addition, private contractors erect and dismantle the private stalls. To improve the efficiency and cost-effectiveness of the market operation, it is **recommended** that the management and supervision of the market should be integrated into a unified management structure.
- 6.2 In terms of improving the attraction of the market, particularly in areas such as trader recruitment and developing the business side of the market, it is considered that management of the market could potentially be further strengthened by a partnership with a commercial operator. It is **recommended** that the Council should explore the potential for a partnership arrangement with an experienced commercial operator, so as both to achieve the objectives of the market strategy and to improve its financial performance. Such a commercial partner would be expected to take responsibility for servicing the market as well as the business management, and forming such a partnership would be likely to have TUPE implications.
- 6.3 One of the key operational issues for the weekday market is the supply and erection of stalls and covers. At present about 35% of licensed stalls are rented from the Council and erected/dismantled by a Streetcare team, who also erect stalls for casual traders' use; the remainder are supplied and erected by private contractors employed by the traders.
- 6.4 The Council's aims for the stalls should be to have good quality stalls, of an attractive and consistent appearance, which are erected and dismantled in a safe and timely manner. These aims are not achieved with the present mixture of private and Council stalls and covers, of varying designs, some in poor condition. Considerable efforts have been made to ensure that private contractors as well as Streetcare erect and dismantle stalls using safe working methods, but this requires continuing vigilance.

- 6.5 Many of the Council stalls are now nearing the end of their useful life, so an in principle decision is needed whether this is a service which the Council should continue to provide directly in the future, in which case a capital investment in new stalls will be required. Two-thirds of the licensed stalls are already sourced privately. It is **recommended** that the Council should phase out the direct provision of stalls, and instead use the conditions of licence to control the appearance, condition, and safe erection of stalls and covers, which would be monitored. A list of approved private contractors would be maintained, and only those satisfying the Council's requirements, including all health and safety requirements, would be able to work on Romford market. Stallholders would be required to replace covers at regular intervals.
- 6.6 Improving the visual appearance of the market is essential to increasing its attraction. Other successful markets, such as those at Norwich and Bury St Edmunds, are well presented, neat and tidy, and Romford should aim to match or better those standards. The style of stalls, use of a more uniform size of stall, and colour scheme and pattern for all stall covers all need to be considered as part of a review of the stall design, together with a transparent back sheet on stalls which have them to improve visibility. The few stalls operated from vans/trailers should be broadly compatible in appearance if practical. It is **recommended** that a new stall design should be developed for the market addressing these issues, and that this should be implemented through the conditions of licence.
- 6.7 Cleansing services are also provided by Streetcare. During market days this is carried out by members of the town centre team. The final clean-down after the stalls have been dismantled in the evening is carried out by the team which takes down the stalls. Streetcare also cleans out the gullies at intervals. All these services would be the responsibility of the integrated market management.
- 6.8 Waste management is another major operational issue. The market generates large quantities of paper, cardboard, plastic and organic waste, which is charged as trade waste on disposal. None of the waste is recycled or composted. During the daytime, traders deposit waste in wheeled cages which are taken by Streetcare operatives to a refuse compaction freighter parked in Market Link. Late afternoon the freighter takes the waste to a disposal site, and traders are supposed to bag their remaining waste to be cleared during the stall dismantling, although waste is often simply left on the ground so that there is an unsightly accumulation of rubbish, often wind-blown, right across the market place by the evening, until it is cleared by Streetcare.
- 6.9 It is **recommended** that a new waste management policy is developed as part of the market strategy, which aims to ensure that the impact of waste collection and disposal on the image and environment of the

market is minimised, that traders manage their waste responsibly, and that there is a new system of waste management which enables recycling and composting. There will be however significant problems to overcome in relation to the location and servicing of compactors, bins or skips for the different types of waste.

## **7. Implementing the Strategy**

- 7.1 It is **recommended** that a Market Strategy Forum should be established to oversee the implementation of the strategy, to be chaired by the Cabinet Member for Housing and Regeneration, with representatives from the traders, Town Centre Partnership, and relevant Council Services. This would incorporate the current Member and trader liaison meetings. The Forum would produce an Action Plan, assigning responsibilities and timescales for achieving the various elements of the strategy, which places the market at the heart of Romford's future.
- 7.2 Most of the recommendations can be implemented using existing resources. The development of a new design for the market layout and the public square will require specialist input, however, drawing on best practice from other markets, and it is **recommended** that consultants are appointed for this purpose at a cost of approximately £40,000. It is intended that the design and consultation process will be completed during 2007/8, so that implementation can begin in 2008/9, subject to there being available capital resources within the regeneration capital programme.
- 7.3 Specialist advice will also be required to explore the potential for a partnership arrangement with a commercial market operator, and the appointment of consultants to advise on this is **recommended** at a cost of approximately £15,000.
- 7.4 It will be important to provide an opportunities for traders and the Town Centre Partnership to contribute to the strategy, and to gain their support so far as possible. It is therefore **recommended** that market traders' representatives and the Town Centre Partnership should continue to be closely involved throughout the development and implementation of the strategy.
- 7.5 In order to expedite progress, it is recommended that authority to implement the strategy recommendations should be delegated to the Cabinet Member for Housing and Regeneration, in consultation with the Cabinet Member for Resources and the Cabinet Member for Streetcare and Parking, where decisions are required that fall outside the scope of existing delegations.

## 8. Financial Implications and risks:

2..... ? ? This is a summary of the budget for the market in 2006/7.

	<b>2006/7 Budget (£'000's)</b>
Streetcare costs (cleaning, waste management, stall erection)	238
Other operational expenditure	63
Staff-related expenditure	120
Utilities	17
Rates	166
Recharges (Finance, insurance, ICT etc)	28
Income	(916)
<b>TOTAL (Net Budgeted Income)</b>	<b>(284)</b>

### NOTES:

1. The budgeted surplus will be reduced if the income target is not achieved.
2. This excludes capital charges of £68,000.
3. There have been concerns raised in the past that the Streetcare costs are understated and whilst any change would not affect the overall Council bottom line it could show that the market is not as profitable as budgeted.

8.2 The budget for servicing the market – stall erection/dismantling, cleansing, and waste management – is £238,000 in 2006/7. This is an historic budget provision, which will need to be reviewed to ensure that the full cost is reflected.

2..... ? ? The table below shows how income has fluctuated in recent years.

<b>Year</b>	<b>Budget (£'000's)</b>	<b>Actual (£'000's)</b>
2000/1	1,064	948
2001/2	900	883
2002/3	842	861
2003/4	863	824
2004/5	889	851
2005/6	903	867
2006/7	916	870 estimated

- 8.4 Traders have been adversely affected in recent years, firstly by the Market Place environmental improvements, and then by the North Side redevelopment works, and this has had an impact on income. Income now seems to be increasing again, but has not kept pace with inflation. For that reason, budget pressures were approved to reduce the income target after inflation by a net £164k in 2001/2, and £58k in 2002/3. A budget pressure of £32k has been included in the draft 2007/8 MTFS to assist with promotion and development of the market during this period of change. From 2002/3 an inflationary increase has been added to the income budgets.
- 8.5 The overall intention of the market strategy proposals is to sustain and strengthen the trading position of the weekday market, and to continue to hold specialist markets, which should improve the financial performance of the market in the medium term. In the short term, however, some of the recommendations will have a financial impact. Any Financial Implications not set out in this report will need to be considered as part of future MTFS proposals unless they can be managed within the market account due to improved financial performance.

<b>No.</b>	<b>Recommendation</b>	<b>Financial Implications</b>
1	Vision	None
2 - 3	Revised stall layout and public square (See also Rec. 23)	None – sufficient stalls will be provided for existing numbers of licensed and casual traders. There may be some associated costs that cannot be accurately assessed until the plan develops
4	Events programme for public square	Entertainments and public events will require additional revenue resources, except those covered by commercial organisations or sponsorship, and the town centre partnership will be encouraged to support them
5	No car parking on public square on non-market days	This will reduce parking income – by how much depends on whether the displaced cars park elsewhere in market place or in other Council car parks. This income is included within Parking Services budgets
6	Environmental improvements	Proposals will need to be developed and considered against overall priorities in the regeneration capital programme, any additional resources will have to be considered as part of the MTFS process
7	Improved safety measures	Proposals will require funding from appropriate revenue and capital budgets,

		in the context of overall priorities, any additional resources will have to be considered as part of the MTFS process
8	Toilets	Options will be the subject of a further report to Members, any additional resources will have to be considered as part of the MTFS process
9-10	Broaden range of trades	Positive effect on income if successful – cost of promotion will be met from existing budgets
10	Review commodity restrictions	None
11	Customer Charter	Publicise using existing budgets
12	Review to improve trader recruitment	Positive effect on income if successful
13	Business support for market traders	Use existing resources and bid for external funding
14	Promotion	Use existing Council and Partnership Joint Marketing budgets
15 - 16	Specialist Markets	Will maintain or increase income from these markets
17	Unified management structure	The objective will be to contain the cost of restructuring within existing budgets
18	Explore potential for partnership with a commercial operator	Could result in increased income and more efficient management if successful, however the operator would require remuneration, and likely to be TUPE implications. Will be the subject of a further report.
19	Cease Council provision of stalls and covers	Loss of rental income should be more than compensated by reduced costs of stall supply, erection and dismantling – could be TUPE implications for Streetcare staff. This will be the subject of a further review.
20	New design for stalls and covers	Base on best practice in other retail markets. This will be achieved by amending the conditions of licence. Stalls and covers to be provided by stall holders through an approved list of suppliers
21	New waste management policy	Until the new policy is developed, financial implications are TBA. Provision for recycling and composting is likely to increase costs, but this may be offset to some extent by reduced trade waste charges
22	Market Strategy Forum	Will be serviced using existing staff resources

23	Design revised market layout and public square	Appoint consultants, cost of approx. £40,000 to be met from regeneration capital programme. This work will be used to inform future capital works and environmental improvements. Implementation of proposals will need to be considered against overall capital programme priorities, any additional resources will have to be considered as part of the MTFS process
24	Partnership with commercial market operator	Appoint consultants to advise, cost of approx. £15,000 – a bid will be made to meet this from contingency
25	Consultation	Use existing resources
26	Delegated authority	None

8.6 It can be seen that the only proposals with direct financial implications at this stage are the appointment of consultants to implement recommendations 23 and 24. Recommendation 23 can be met from the regeneration capital programme. There is no budget provision for the consultants costs, estimated at £15,000, relating to a review of a possible partnership with a commercial market operator, therefore it is recommended this should be sought through an application for funding from contingency in 2007/8. If this is not successful, alternative sources of funding will be explored.

8.7 During any future development works there is a risk that income from parking and market stalls will reduce. The longer development works take, the greater the potential loss of income. This cannot be quantified until the design for the revised market layout and environmental improvements has been produced.

8.8 Resistance from stallholders to the proposals in the market strategy could lead some of them to cease trading in Romford, however this risk will be mitigated through the consultation process and the promotional activities described in the report.

## **9. Legal Implications and risks:**

9.1 Alterations of the kind proposed in this report have the potential to affect adversely, as well as positively enhance, the livelihood of individual market traders. The Council will have to consult widely and thoroughly with the existing traders and show that it has carefully considered representations made if it is to minimise the risk of legal challenges to what may be quite radical alterations. This will

particularly be in relation to altering the layout and changing / abolishing the restrictions on various goods.

- 9.2 The introduction of a commercial operator via some form of partnership arrangement would potentially have legal implications which will vary depending on the exact nature and scope of the arrangement. The transfer of operations would almost certainly have TUPE implications for existing staff and could impact on the enforceability of some of the existing Market Byelaws as they are drafted on the basis that the Market Manager is an employee.
- 9.3 The Market Place is a mixture of public highway and private Council-owned land – the market plain – with the boundaries between the two not now being readily ascertainable on the ground. It is probably that most of the area that will become the new public square is currently private land. The part that is public highway will require pedestrianisation under s.249 of the Town & Country Planning Act 1990 rather than stopping up, but it may be necessary to allow vehicle access to affected premises (if any) if compensation claims are to be avoided.

## **10. Human Resources Implications and risks:**

- 10.1 Some of the proposals in this report will impact on Havering employees. Any changes to terms and conditions and ways of working will be dealt with in accordance with legislative requirements and Havering's human resources policies and procedures.

## **11. Equalities and Social Inclusion Implications and risks:**

- 11.1 Romford Market can play a valuable role in promoting social inclusion through interaction of traders and groups within the community, in an important central public space for the town centre. The strategy includes proposals to enhance that potential, and to encourage a broader range of traders including those retailing ethnic goods. All environmental improvements will be designed to be fully accessible.

## **12. Reasons for the decision:**

- 12.1 There is an identified need to enhance the attractiveness and vitality of the market to realise its potential to improve the economy, quality of life, and sense of identity for people visiting, working or living in Romford and the surrounding area.



**13. Alternative options considered:**

- 13.1 A positive strategy to improve the market is essential, otherwise there is a risk that the market will decline and its centuries-old contribution to the character and identity of Romford would be lost. Specific options considered are outlined in the main body of the report.

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**Background Papers List**

None