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Havering
LONDON BOROUGH

COUNCIL MEETING

**7.30 pm Wednesday, 1 February 2012
AT Council Chamber - Town Hall**

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

**Acting Assistant
Chief Executive**

**For information about the meeting please contact:
Ian Buckmaster Tel: 01708 432431
ian.buckmaster@havering.gov.uk**



Please note that this meeting will be webcast.

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

AGENDA

1 PRAYERS

2 APOLOGIES FOR ABSENCE

To receive apologies for absence (if any)

3 MINUTES (Pages 1 - 34)

To sign as a true record the minutes of the Meeting of the Council held on 23 November 2011

4 DECLARATION OF INTERESTS

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

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

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

6 PETITIONS

No notice has been given of an intention to present a petition pursuant to Council Procedure Rule 23.

NOTE: The deadline for amendments to the reports at items 7 to 11 is midnight, Monday 30 January 2012

7 HAVERING LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF JOINT WASTE DEVELOPMENT PLAN DOCUMENT (Pages 35 - 36)

To consider the report of the Cabinet (attached)

8 HAVERING LOCAL DEVELOPMENT FRAMEWORK: GYPSY AND TRAVELLER SITES DPD - PROPOSED SUBMISSION DOCUMENT (Pages 37 - 38)

To consider the report of the Cabinet (attached)

9 ARRANGEMENTS FOR THE ANNUAL MEETING OF THE COUNCIL (Pages 39 - 40)

To consider the report of the Governance Committee (attached)

10 AMENDMENTS TO THE CONSTITUTION: FINANCIAL PROCEDURE RULES
(Pages 41 - 56)

To consider the report of the Governance Committee (attached)

**11 OVERVIEW AND SCRUTINY RULES - EXCEPTIONS TO THE CALL-IN
(REQUISITION) PROCEDURE** (Pages 57 - 60)

To consider the report of the Chief Executive (attached)

**12 REPORT OF THE LOCAL GOVERNMENT OMBUDSMAN FINDING
MALADMINISTRATION BY THE COUNCIL**

To consider the report of the Monitoring Officer

The Mayor has agreed pursuant to section 100B(4) of the Local Government Act 1972 that this shall be considered as an urgent item of business.

***NOTE: An amendment to this report may be moved
at any time prior to a decision being taken.***

13 MEMBERS' QUESTIONS (Pages 61 - 68)

14 MOTIONS FOR DEBATE (Pages 69 - 72)

Please refer to the accompanying motions paper

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**MINUTES OF A MEETING OF THE COUNCIL OF THE
LONDON BOROUGH OF HAVERING
Havering Town Hall, Romford
23 November 2011 (7.30pm – 10.40pm)**

Present: The Mayor (Councillor Melvin Wallace) in the Chair

Councillors: Councillors June Alexander, Michael Armstrong, Clarence Barrett, Robert Benham, Sandra Binion, Jeff Brace, Denis Breading, Wendy Brice-Thompson, Dennis Bull, Michael Deon Burton, Andrew Curtin, Keith Darvill, Osman Dervish, Nic Dodin, David Durant, Brian Eagling, Ted Eden, Roger Evans*, Gillian Ford, Georgina Galpin, Peter Gardner, Linda Hawthorn, Lesley Kelly, Steven Kelly, Pam Light, Barbara Matthews, Paul McGeary, Robby Misir, Ray Morgon, John Mylod, Pat Murray, Barry Oddy, Denis O'Flynn, Fred Osborne, Ron Ower, Garry Pain, Roger Ramsey, Paul Rochford, Geoffrey Starns, Billy Taylor, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Linda Trew, Jeffery Tucker, Keith Wells, Damian White, Michael White and John Wood

* for part of the meeting

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

Apologies were received for the absence of Councillors Becky Bennett, Mark Logan, Eric Munday and Linda Van den Hende

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

Father Sean Shiels of Corpus Christi Church, Collier Row opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

42 MINUTES

RESOLVED:

That the minutes of the Meeting of the Council held on 21 September 2011 be signed as a true record.

43 **FATHER SEAN SHIELS**

The Mayor made the following announcement:

Before we begin, I would personally like to thank Father Sean Sheils for the reading of our prayers tonight. It was particularly poignant, as it was the last time that he will lead prayers and entertain us with his colourful sermons in this Chamber, before his retirement at Christmas.

I would like to recognise the great service that Father Sheils has given to this borough during his 33 years at Corpus Christi Church, in Collier Row, by presenting him with this token of our appreciation and extend to him our very good wishes for a happy and fulfilling retirement. Father Sean, we will miss you.

Members stood and applauded Father Shiels as he retired from the Chamber.

44 **DECLARATIONS OF INTEREST**

Councillors Paul McGeary and Michael White each declared a personal interest in relation to matters likely to be referred to in the course of debate on the report at agenda item 12 and motion at agenda item 14D, relating to the Queens Hospital, Romford (see minute 47 following).

45 **SUE BRAEGER**

The Leader of the Council referred to the recent death of Sue Braeger, Chairperson and Treasurer of the Havering Family Diabetes Group, and on the Council's behalf expressed condolences to her family.

46 **ANNOUNCEMENTS**

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

47 **PROCEDURAL MOTIONS AND MOTION WITHDRAWN**

Procedural Motion on behalf of the Administration

That the debates on agenda items 12 (Report: The future of Queens Hospital) and 14D (Motion: Queens Hospital) be amalgamated and take place immediately after agenda item 6 (Petitions)

Procedural Motion on behalf of the Labour Group

That the times allowed for:

- (i) the combined debates on the report and motion relating to the future of Queens Hospital (agenda items 12 and 14D) be limited to 50 minutes;
- (ii) the debate on the report relating to the proposed new Parliamentary Constituencies (agenda item 11) be limited to 30 minutes; and
- (iii) the debate on Council-owned garage sites (agenda item 14A) be limited to 30 minutes.

In accordance with Council Procedure Rule 12, the motions were considered without debate, and were agreed without division.

RESOLVED:

- 1 **That the debates on agenda items 12 (Report: The future of Queens Hospital) and 14D (Motion: Queens Hospital) be amalgamated and take place immediately after agenda item 6 (Petitions)**

- 2 **That the times allowed for:**
 - (i) **The combined debates on the report and motion relating to the future of Queens Hospital (agenda items 12 and 14D) be limited to 50 minutes;**
 - (ii) **The debate on the report relating to the proposed new Parliamentary Constituencies (agenda item 11) be limited to 30 minutes; and**
 - (iii) **The debate on Council-owned garage sites (agenda item 14A) be limited to 30 minutes.**

With the consent of the Council, the Labour Group **WITHDREW** the motion on Elderly Persons' Sheltered Accommodation at agenda item 14B.

48 **PETITION**

Pursuant to Council Procedure Rule 23, a petition with 95 signatories was presented by Councillor Denis Breeding, from St. Laurence Church, Upminster and Upminster Shop Owners objecting to the new Controlled Parking Zone proposed for Upminster.

It was **NOTED** that the petition would be passed to Committee Administration for attention in accordance with the Petitions Scheme.

49 **THE FUTURE OF QUEENS HOSPITAL**

In accordance with the procedural motions referred to in minute 46 above, agenda items 12 (Report of Health Overview & Scrutiny Committee) and 14D (Motion on behalf of the Administration) were debated together. Councillors Paul McGeary and Michael White each declared a personal interest in the matters to be debated.

The Health Overview & Scrutiny Committee reported upon two matters affecting the future of the Queens Hospital.

The Council was first reminded that the Committee and others in the Outer North East London sector had jointly referred proposals for rationalisation of hospital and other health services in the sector to the Secretary of State, who had subsequently requested the Independent Review Panel (IRP) to review the proposals and report upon them. The IRP's report had now been published and the Secretary of State had accepted its recommendation that the proposals should proceed, but only when it was clear that the Queens Hospital had the capacity to cope with the resultant increased workload.

Secondly, the Care Quality Commission (CQC) had, following the raising of significant concerns about standards of care in the maternity, elective vascular surgery and accident & emergency services at the Hospital, carried out an investigation, the report of which had also recently been published. The CQC had found issues in respect of all three services, though the most significant concerns related to maternity services. Investigators had listed a series of long-standing problems in maternity at the hospital, in particular including poor clinical care, a lack of managerial leadership and, perhaps most seriously, abusive behaviour by some staff to patients

The Committee was in the process of holding Topic Group meetings to examine both issues and now invited the Council to note the current position.

Motion on behalf of the Administration

This Council noting with concern the recent report of the investigation by the Care Quality Commission into the A & E and Maternity services at Queens Hospital Romford

- (i) recognises the fears of Havering residents as to the Hospital's capacity to cope with the additional demand arising from the transfer of these services from King George's Hospital Ilford
- (ii) resolves to monitor through Overview and Scrutiny the steps to be taken to address the deficiencies identified and to make further representations to the Secretary of State in response to the recommendations of the Independent Reconfiguration Panel as to the transfer and

- (iii) resolves wherever appropriate to work with the Hospital Trust as it addresses these matters.

Amendment on behalf of the Labour Group

Add the following

- (iv) requests the Chief Executive of the Barking, Havering & Redbridge University Hospitals NHS Trust that she prepare a monthly report on how the Trust is working towards meeting the targets set out in the CQC Report; such report to be published on the Health for NE London website along with waiting list and medical staffing figures
- (v) seeks an assurance that the two month deadline for caesarian sections to be brought back into the Trust to prevent women having to travel to Hackney is on track to be met
- (vi) requests that A&E temporary closures be published on the Health for NE London website within 48 hours and
- (vii) supports the call for a research study into mortality rates for people taken into Urgent Care Units who are then transferred to A&E compared with those who are admitted direct into an A&E

Following debate of the report, motion and amendment, the recommendations of the Health Overview & Scrutiny Committee were **ADOPTED** without division. The Labour Group amendment to the Administration motion was **LOST** by 20 votes to 27 (see division 1) and the Administration motion was **CARRIED** as the substantive motion by 47 to 0 (division 2).

It was accordingly **RESOLVED** that:

- 1 **The Council note the current position with Queen's Hospital as outlined in the report submitted and the work the Health Overview and Scrutiny Committee is planning to scrutinise these issues.**
- 2 **This Council noting with concern the recent report of the investigation by the Care Quality Commission into the A & E and Maternity services at Queens Hospital Romford**
 - (i) **recognises the fears of Havering residents as to the Hospital's capacity to cope with the additional demand arising from the transfer of these services from King George's Hospital Ilford**
 - (ii) **resolves to monitor through Overview and Scrutiny the steps to be taken to address the deficiencies identified and to make further representations to the Secretary of State in response to the**

recommendations of the Independent Reconfiguration Panel as to the transfer and

- (iii) resolves wherever appropriate to work with the Hospital Trust as it addresses these matters.**

50 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW REPORT

In accordance with the CIPFA Code of Practice on Treasury Management, Cabinet had submitted for approval the mid-year review report, which included some recommended changes to the prudential indicators and the investment criteria.

No amendment was proposed and the Cabinet's recommendations were **ADOPTED** without debate or division, and the Council **RESOLVED**:

- 1) To approve the changes to the prudential indicators (including the changes set out in paragraph 2.2 and 2.3 of the appendix to the report now submitted relating to the HRA reform).**
- 2) To approve the changes to the investment criteria as set out at paragraph 1.2 of that appendix.**

51 THE REFORM OF COUNCIL HOUSING FINANCE (IMPLEMENTATION)

The Council received a report of the Cabinet, inviting approval of the baseline HRA Business Plan model as part of forthcoming changes in the reform of housing finance consequent upon the Localism Act 2011.

No amendment was proposed and the Cabinet's recommendations were **ADOPTED** without debate or division.

RESOLVED:

That the Council approve the baseline HRA Business Plan model.

52 BRIAR ESTATE DEVELOPMENT - APPROVAL OF £2M CAPITAL BUDGET ADDITION TO THE CAPITAL PROGRAMME

The Council Cabinet had approved proposals for development at the Briar Road estate intended to provide new homes by redevelopment of a redundant shopping area, as part of which the Council would be improving

the environment of the area. Capital provision of £2million for the environmental improvements now needed to be added to be added to the Council's Capital programme.

In the absence of any amendment, the Cabinet's recommendations were **ADOPTED** without debate or division.

RESOLVED:

That the addition of the £2m Capital Budget to the Council's Capital Programme be approved.

53 POLLING DISTRICT REVIEW

In accordance with the Electoral Administration Act 2006, a review of polling districts and polling places had recently been carried out. The Governance Committee had considered the results of the review, and had agreed a number of adjustments to polling districts across the borough while recommending that other suggested changes be not pursued.

No amendment was proposed to the Committee's recommendations, as set out in **Appendix 2 to these minutes**, which were **ADOPTED** without debate or division.

RESOLVED:

That the Council endorse the recommendations for changes in polling districts accepted by the Governance Committee.

54 AMENDMENTS TO THE CONSTITUTION

The Council received a report of the Governance Committee, inviting approval of amendments to the Constitution, as set out in **Appendix 3 to these minutes**.

No amendment was proposed and the Committee's recommendations were **ADOPTED** without debate or division.

RESOLVED:

That, with effect from 23 November 2011, the amendments set out in Appendix 3 be incorporated in the Constitution and become effective from that date.

55 PROPOSED NEW PARLIAMENTARY CONSTITUENCIES

In consequence of the Parliamentary Voting System and Constituencies Act 2011, the Boundary Commission for England had published proposals for the realignment of the Borough's Parliamentary Constituencies. There would be two Constituencies within the borough, Hornchurch & Upminster and Romford, but with radically different boundaries to the existing Constituencies, and one Constituency, Dagenham North, comprising a number of Wards in Barking & Dagenham, together with the Brooklands and Mawneys Wards.

The Governance Committee, having considered the proposals, had recommended that the Council advise the Boundary Commission that its proposals were unacceptable and suggest an alternative alignment building on the existing Constituency boundaries.

Amendment on behalf of the Independent Residents' Group

This Council resolves to write to the Boundary Commission for England in support of their proposals that restore the original Parliamentary constituency of Hornchurch, which includes Upminster and Rainham and whose borders are mostly the same as the historic Hornchurch Urban District Council.

After debate of the recommendations of the Governance Committee, the Independent Residents' Group amendment was **LOST** by 33 votes to 14 (division 3). The Committee's recommendations were then **AGREED** by 33 votes to 12 (division 4).

RESOLVED:

That the Boundary Commission for England be advised that, while the Council recognises the statutory requirement to balance electorates within the electoral quota, in its view the Commission is wrong to disregard both existing, strong local community ties and the fact that there was significant change to constituency boundaries as recently as May 2010; and accordingly the Council urges that:

- (a) The Hornchurch & Upminster constituency should retain its existing boundaries, on the grounds that it has an existing electorate within the electoral quota;**
- (b) The Romford Constituency should retain its existing boundaries within the borough and that the Chadwell Heath ward of the Borough of Barking & Dagenham should be added to it in order to achieve an electorate within the electoral quota, on the grounds that:**

- i. the Brooklands ward contains a significant proportion of the Romford Town Centre area and it would be wholly inappropriate for such a significant area to be within a constituency known only as “Dagenham North”;
 - ii. there are several major public facilities particularly associated with Romford in Brooklands Ward, such as The Queens Hospital and Romford Greyhound Stadium and it would be wholly inappropriate for such facilities to be within a “Dagenham North” constituency; and
 - iii. Chadwell Heath is considered part of Romford for Post Office purposes and, indeed, is often thought erroneously to be part of Havering; and
- (c) The Dagenham & Rainham Constituency should retain its existing boundaries, other than Chadwell Heath ward, and that further wards from Barking & Dagenham should be added to it (rather than Havering wards) in order to bring its electorate within the electoral quota.

56 MEMBERS' QUESTIONS

10 questions were asked and replies given.

The texts of those questions and their answers, together with those not asked orally, are set out in Appendix 4 to these minutes.

57 COUNCIL-OWNED GARAGE SITES

Motion on behalf the Labour Group

This Council calls upon the Administration forthwith to review its policy of closing for sale and development its garage sites throughout the Borough.

Amendment on behalf of the Independent Residents' Group

Add after the word "Borough":

“with the aim of keeping as many garages in use as possible and, where that is not possible, ensuring that local Councillors and residents are consulted about options, that sites are not over-developed and that as much open space as possible is retained.”

Amendment on behalf of the Administration

This Council supports the Administration policy on garage site disposals because it provides much needed homes for Havering tenants and deals with anti social behaviour on some of our garage sites.

After debate, the Independent Residents' amendment was **LOST** by 8 votes to 40 (division 5). The Administration amendment was then **CARRIED** by 41 votes to 8 (division 6) and was **AGREED** as the substantive motion without division.

RESOLVED that:

This Council supports the Administration policy on garage site disposals because it provides much needed homes for Havering tenants and deals with anti social behaviour on some of our garage sites.

58 **VOTING RECORD**

The record of voting divisions is attached as **Appendix 5** to these minutes.

Mayor
1 February 2012

**APPENDIX 1
(Minute 45)**

MAYOR'S ANNOUNCEMENTS

Good evening everyone and welcome.

May I start my announcements by mentioning that the town hall turned blue last week? NHS Havering arranged for the building to be especially illuminated with blue lights to mark World Diabetes Day global event. The illumination is so impressive, we are going to light up the town hall in this way until Christmas.

On that light note I would like to congratulate everyone involved in the many festive events taking place across the borough.

The Christmas Lights Switch on at Romford Market Place was absolutely amazing. I cannot begin to tell you what it felt like to see the happy faces of the thousands of families that came along. It's so good to know that in these hard times we can provide some 'good cheer' as well as quality services to our residents.

Another excellent example of this is our Older Person's Christmas Party, which is taking place at the YMCA on 5 December. For many of our elderly residents it is their only opportunity to celebrate Christmas and I'm proud to say that we make sure that they can do it in style.

We really do have lots to celebrate in Havering. I recently celebrated Diwali, probably the most well-known of the Hindu festivals, at the City Pavilion, and the Havering Asian Social and Welfare Association in Elm Park. It was joyous.

It is events such as these, and the people who help to stage them, that help make Havering the unique, caring and cared for borough, it is.

A testament to this is the recent Ofsted report which declared our Children's Services department to be performing well.

Making the best use of tax-payers money is, as you know, part of our ambition to provide a better quality of life. I am pleased to tell you that an excellent example of this was highlighted by the Audit Commission. In a report, which appeared in a national newspaper, it said the Council in 2010-11 spent £40,000 on fraud detection, which helped save £300,000 and highlighted potential tenancy frauds, leading to the recovery of five properties.

My congratulations go to Rainham Library for winning the HAD Disability Awareness Award in the Public Office category. The local charity awards recognise good service which goes above and beyond the normal standard in recognising the difficulties that people with disabilities face in their day to day lives.

And speaking of quality, Fairkytes Arts Centre and our Health and Sports Development team has received Quest Awards – awarded for quality management in Sport and Leisure.

I am also delighted to tell you that Our Bikewise event, which was held in Hornchurch Country Park in March, won the London Cycle Event of the Year 2011 award from the London Campaign for Cycling.

We take road safety seriously and our young people do too, thanks to The Stay Alive show. The event, organised by our Road Safety team and supported by the emergency services, left our teenagers in no doubt about the consequences of reckless driving.

Before I close tonight may I take a moment to reflect on the Armistice Day Service of Remembrance. More than 1,000 residents joined with us at Coronation Gardens to remember those who fought for our freedom during the two World Wars, and those who have lost their lives in more recent conflicts. My prayers and thoughts go out to our brave servicemen and servicewomen serving in Afghanistan and their families.

And finally, may I wish everyone here, our staff and our residents a very happy Christmas and New Year.

**APPENDIX 2
(Minute 49)****POLLING DISTRICT REVIEW**

Following consideration of the representations received in respect of the wards mentioned below, the Governance Committee recommendations are as follows:

1. Brooklands Ward (Romford Constituency)

BL1 - Lombard Court: The previous polling station for this polling district, St John's Church Hall, Pretoria Road, has closed and Lombard Court is now used for polling, but there are concerns about safety of electors and the noise and inconvenience to residents. No alternative premises are presently available but once the church is sold the new owners will be contacted to discuss whether they would be willing to allow the hall to be used for polling.

It is recommended that Lombard Court continue to be the polling place for polling district BL1 until the future of St John's Church is known, and to make no changes to the remaining polling districts or polling places BL2, BL3, BL4 and BL5.

2. Elm Park Ward (Dagenham and Rainham Constituency)

EL1 – Scargill Infants School: Since the 2007 review, the polling place has been relocated from Scargill Junior School to Scargill Infants School.

It is recommended this change be confirmed, and to make no changes to the polling places or polling districts for EL2, EL3 and EL4.

3. Gooshays Ward (Hornchurch and Upminster Constituency)

GS2 – Harold Hill Library, Hilldene Avenue: Harold Hill Library is being used as the polling station for polling district GS2 as well as GS1 as the Old People's Club in Chippenham Gardens, which was previously the polling station, was closed due to vandalism. No other suitable premises within the polling district can be found at the present time.

Until a suitable alternative can be found for GS2, it is recommended to make no changes to the current polling places or polling districts GS1, GS2, GS3, GS4, GS5 and GS6.

4. Hacton Ward (Hornchurch & Upminster Constituency)

HN5 – Elm Park Primary School: Elm Park Primary School has been built on the site of Ayloff Primary School, which was previously used as a polling station. Voters were temporarily redirected to Suttons Primary School; however now the new building is open polling should be relocated back to the former site.

It is recommended Elm Park Primary School be the polling place for polling district HN5, and no changes be made to the remaining polling places or polling districts HN1, HN2, HN3 and HN4.

5. Havering Park Ward (Romford Constituency):

HP2 - Clockhouse Primary School/HP5 – North Romford Community Centre:
There was a request on behalf of the Clockhouse Primary School that it no longer be used as a polling station as, with some 700 children, closing the school and nursery both disrupted education and inconvenienced parents. The North Romford Community Centre falls within the boundary of HP2, but is currently used for polling district HP5 as no suitable location is available within the HP5 boundary.

It is therefore proposed that:

- a) Clockhouse Primary School be no longer used as a polling station.
- b) North Romford Community Centre in future be used as the polling station for HP2 and HP5

It is recommended that the above proposals be agreed, with no changes to the polling places or polling districts HP1, HP3, HP4 and HP6.

6. Heaton Ward (Hornchurch and Upminster Constituency)

HT1 - The Ingrebourne Children's Centre: Since the 2007 review, polling has been moved to the Ingrebourne Children's Centre as the Ingrebourne School closed. The Children's Centre had indicated it no longer wishes to be used as a polling station but no suitable alternative premises can be found.

It is therefore recommended to make no changes to the current polling places or polling districts HT1, HT2, HT3, HT4 and HT5.

7. Harold Wood Ward (Hornchurch and Upminster constituency)

HW3 - St Peter's Church Hall: For the 2011 Referendum, polling in this district was relocated from the Ingrebourne Centre to St. Peter's Church Hall directly opposite. It is a newer building, and caused less disruption to regular attendees of the Ingrebourne Centre. No complaints were received about this change.

It is recommended that this change stands, and to make no changes to the polling places and polling districts HW1, HW2, HW4, and HW5.

8. Hylands Ward (Romford Constituency)

HY4 - The Albany School: The Head Teacher of The Albany School wrote to request the school not be used as a polling station on the grounds that, as a secondary school, exam times often clash with polling day and they have concerns regarding Health and Safety when keeping the school open. No other suitable alternative premises could be located within the area.

It is therefore recommended to make no changes to the current polling places or polling districts HP1, HP2, HP3, HP4 and HP5.

9. Mawneys Ward (Romford Constituency)

MN6 – Crownfield School: Since the 2007 review, this polling station has been relocated from the main building into the Nursery Unit in order to allow the school to remain open.

It is recommended this change stands, and to make no changes to the polling places and polling districts MN1, MN2, MN3 MN4, and MN5.

10. Rainham and Wennington Ward (Dagenham and Rainham Constituency)

RW1/RW5 - Parsonage Farm Primary School: The Head Teacher of this school plans to keep the school open on future polling days. There are also ongoing issues with voters trying to access the site by car as the school no longer has a car park and therefore the main gates are kept closed.

The Head Teacher has proposed moving the polling station to a different part of the school, accessed via Allen Road, which does not have parking restrictions.

RW2 – Brady Primary School: Since the 2007 review, Wennington Village Hall has closed and since 2009 voters have been redirected to Brady Primary School, which is also the polling place for RW3.

The future of the Village Hall is uncertain, however it is not proposed to make any changes to the polling districts at this review until the future of the Village Hall is known.

It is recommended that the above proposals for Rainham and Wennington be agreed, with no changes to the polling places or polling districts RW3 and RW4.

11. Romford Town Ward (Romford Constituency)

RT1 - Romford Baptist Church Hall: This Hall was used as an interim polling place whilst the Central Library was closed for refurbishment. The Church hall has disabled access, and, unlike the library, disabled parking, and it is proposed that it remains in use as the polling station for this polling district.

RT2 – St Alban’s Church Hall: Since the 2007 review Manor Primary School has closed. Polling was relocated to St Alban’s Church Hall in 2010 and no complaints have been received. It is proposed that it remains in use as the polling station for this polling district.

RT5 - Hylands Primary School: Concern about the use of the School led to a suggestion that the Craigdale Centre be used as a polling place, but the owners of the Centre have declined, as there are regular bookings. No other suitable venue can be found at this time.

Having visited the school and following discussions with the Head Teacher, it is proposed to allow pedestrian access by the Benjamin Close gate, with vehicle users using the Granger Way entrance. The address on poll cards would be printed as:

Hylands Primary School
Granger Way (car access)
Benjamin Close (pedestrian access)
Hornchurch RM11 1DA

It is recommended that the above proposals for Romford Town be agreed, with no changes to the remaining polling places and polling districts RT3 and RT4.

12. Squirrel's Heath Ward (Romford Constituency)

SQ4 - Ardleigh Green Church Hall: At present the polling station in this polling district is Ardleigh Green Church Hall, which has very limited parking. The All Saints Church across the road volunteered its hall for polling, as it has a car park which voters use on polling day if they cannot park at the Ardleigh Green Church Hall. The All Saints Church has a large car park as well as disabled access and is highly suitable for use as a polling station. It is recommended that this church be used in future elections.

It is recommended that the above proposals for Squirrel's Heath be accepted, with no changes to the polling places or polling districts SQ1, SQ2, SQ3 and SQ5.

13. St Andrew's Ward (Hornchurch and Upminster Constituency)

ST3 – Birnam Wood Pupil Referral Unit: Since the 2007 review, the polling station has been relocated from the Robert Beard Youth Centre to the building directly behind it, the Birnam Wood PRU.

It is recommended that this change stands, and to make no changes to remaining polling places or polling districts ST1, ST2, ST4 and ST5.

**APPENDIX 3
(Minute 53)**

AMENDMENTS OF THE CONSTITUTION

- A. To amend Part 3 Section 2.5 Para (q) of the Constitution – powers of Cabinet Members - which currently states:-

(q) To approve applications for the submission of bids for grants and other financial assistance which require the provision of additional finance or match funding or are likely to lead to residual costs or implications for the Council

by adding at the end:-

"or where the amount of the grant application exceeds £500,000".

This is to complement the authority already delegated up to £500,000 to a Director in consultation with the relevant cabinet member under Part 3 Section 3.3 of the Constitution

- B. To amend Part 3, Section 2.5 paragraph (t) – powers of Cabinet Members – which currently states:

(t) To approve the 'in principle' decision of the Council disposing of an interest in property or land where the disposal or acquisition receipt is not considered likely to exceed £1,000,000.

by adding after 'Council disposing':

"or acquiring"

While it is unusual now for the Council to acquire land, the situation has arisen and the amendment would simplify the internal authorisation process while retaining Member control of the issue.

- C. To amend Part 3, Section 3.6.5 of the Constitution – powers of the Head of Regeneration, Policy & Planning – adding:

(q) To lead and co-ordinate the Council's corporate equalities and diversity programme, and to advise the Council on statutory and non-statutory equalities and diversity issues.

This is to reflect the extended equalities obligations that the Council has as a result of the Equalities Act 2000.

- D. To amend Part 3, Section 3.8.1 of the Constitution – powers of the Assistant Chief Executive, Legal & Democratic Services – by adding:

(2a) *To authorise Council staff to represent the Council in proceedings in the County Court and the Magistrates Court”.*

Councils have particular powers to be represented in the County Court and Magistrates Court by non-legally qualified staff. This currently happens with staff dealing with Council Tax and other debts. The delegation of this power would simplify the authorisation process for appointing new staff to undertake such activities

E. To amend Part 3 Section 3.7.6 of the Constitution – powers of the Head of Development & Building Control – by adding

(b) (xiv) *to decide all proposals under the advertisement regulations and applications for external building alterations including shop-fronts in respect of LBH submitted applications which, were they not Havering properties, would be determined under staff delegated powers.*

These applications are routinely brought to Regulatory Services Committee solely because of the Council's interest in the property. They very rarely generate any neighbour responses and / or concerns about impact on their surroundings including amenity. In terms of risk, the inclusion of such applications on the Committee agenda adds unnecessarily to the Committee business and is disproportionate to the extremely low risk of the Council acting, or being perceived to act, improperly in the determination of such proposals.

The delegation procedure would continue to have a Call - in facility through which any Member can exceptionally request that an application falling within the above category be brought to Committee for its decision, thereby providing a safeguard in the process.

F. To amend Part 3 Section 3.7.6 (l) of the Constitution – powers of the Head of Development & Building Control that currently states:

(l) *To determine the making of tree preservation orders and applications for the topping, lopping and felling of trees where the trees are covered by a confirmed tree preservation order, to serve Tree Replacement Notices, to waive the requirement to replace trees where appropriate to determine applications under High Hedges legislation (Anti Social Behaviour Act 2003 [Part 8]) and undertake any related legal or direct action arising from such application, including issuing of Remedial Notices.*

by replacing with:

“ (l) *To determine the making of Tree Preservation Orders and applications for the topping, lopping and felling of trees where the trees are covered by a Tree Preservation Order; to confirm or revoke Tree Preservation Orders; to waive the requirement to replace trees where appropriate; to*

serve Tree Replacement Notices when necessary; to determine applications under High Hedges legislation (Anti Social Behaviour Act 2003 [Part 8]) and undertake any related legal or direct action arising from such applications, including issuing of Remedial Notices."

Deletion of "confirmed" (from line 2) is to ensure that the service can issue consents before orders are confirmed in cases where action needs to be taken quickly, for example where trees are found to be causing damage or causing a legal nuisance. It will also help the service to issue a consent which could allay a householder's anxieties about the size of a tree which would otherwise cause them to object to an order which leads in turn to a formal objection to a new TPO - which in turn uses up staff time and adds to the Council's operational costs.

The addition of the power to revoke a tree preservation order (line two) is to streamline the Council's administrative procedures. Some TPOs become redundant over time when the trees they protect cease to exist but the orders themselves still exist as legal entities unless revoked. At present the matter can only be dealt with by a non-executive report, which is time consuming and unnecessarily expensive way of dealing with what should be straightforward administrative matter.

**APPENDIX 4
(Minute 55)****MEMBERS' QUESTIONS AND ANSWERS**

Note: Questions 1 to 10 were answered at the meeting. In accordance with Council Procedure Rule 10.6(a); the remainder were treated as if put for written answer

1 HAVERING MUSIC SCHOOL - SAVINGS**To the Cabinet Member for Children & Learning (Councillor Paul Rochford)**

By Councillor Gillian Ford

In respect of the Havering Music School, would the Cabinet Member please explain:

- a) how will the significant budget cuts proposed from 2012/13 affect the quality and range of classes this service currently delivers?
- b) what is the impact on existing staffing levels?
- c) which services will no longer be provided?
- d) should the consultation be taking place before the viability of an Arts Trust has been determined?

Answer:

- a) ***how will the significant budget cuts proposed from 2012/13 affect the quality and range of classes this service currently delivers?***

The Music School, as one of a number of services that trade with schools, has been asked to move to a full cost recovery position by 2014. That is that the costs recovered by the service from schools and parents in Havering fully covers the cost of the service. Therefore the service has been reviewing its ways of working to increase efficiencies including a review of current expenditure including staffing costs. It is also considering how it may increase its income by sponsorship. No decisions have been made. At present there are some proposals on which staff are being consulted. The proposal is that the same staff will continue to deliver these services so there should be no reduction in the high standards currently achieved by Music School staff.

- b) ***what is the impact on existing staffing levels?***

There are no plans to reduce the number of staff who work at the Music School, although there are some small changes to the number of staff who undertake a management role.

- c) ***which services will no longer be provided?***

There are no proposals to reduce the range of classes or services offered by the service. In fact, the service is exploring how it could increase the range of services that it offers, for example, by offering music services within the school holidays.

- d) ***Should the consultation be taking place before the viability of an Arts Trust has been determined?***

The work on the viability of an Arts Trust is ongoing. The intention is that the changes being proposed by the Music School would make it more suitable to enter into an Arts Trust should that be a recommendation in the future.

2 OLYMPIC TICKETS FOR STUDENTS

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

By Councillor Denis Breading

What proportion of Havering Schools have signed up to take an allocation of free Olympic and Paralympic tickets for their students/pupils?

Answer:

School	Registered
Total number of schools and colleges	85
Total number of primary schools	61
Total number of secondary schools (including independent schools)	26
Total number of FE colleges	2
Total number of special schools	3

In response to a supplementary question, the Cabinet Member stated that further applications would be welcome.

3 THE FUTURE DEVELOPMENT OF QUEENS HOSPITAL

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Jeffery Tucker

The Cabinet Member, Councillor Steven Kelly, has said that the Queen's Hospital in Romford will cope with the extra workload if and when King George's Hospital transfers their A & E and Maternity Departments over to Queen's Hospital. The Cabinet Member also states that Queen's Hospital will in fact provide a better service than it is at the present time. Can the Cabinet Member please explain in detail how this will work and why he believes the service will in fact be better when the transfer is completed?

Answer:

The question falls into two areas and we need to look at them separately.

The volume control on A & E is that only genuine A & E cases should be seen. The vast majority of cases should be dealt with in the primary care sector not in the acute; this is something we need to be very innovative about because people have a habit of going to the acute trust just because it is there: actually, 40% to 50% of the people should not be there at all - worries, strains, sprains etc.

We have got to get polyclinics working more, we have got to get the GPs' at health centres (which are very good buildings but their rents are far too high rents and need to be dropped), so they start earning their keep; there are four of them. We have to get the GPs working on Saturday and Sunday, probably sharing their patients because one GP could probably cover four or five different surgeries. Someone not being able to see their doctor or waiting two or three weeks is unacceptable because it just puts people into the A & E, which does not want them and says, after a four or five hour wait, "go away we don't want you, go and see your doctor". What a waste of time, what a waste of capacity and energy!

There have been discussions about putting a polyclinic in Queen's, next to A & E, so that when people turn up with a non-emergency injury or condition, they can be referred there. We have to get primary care working. We have got to make the NHS Direct telephone system better: it is far too complicated, it wanders around and it leads you up blind alleys. It is very good for reassuring people and, to be quite honest, with the growth of iPads, it should be possible to get graphic displays of what certain illnesses look like so the patient can look on an iPad or a smart phone and be told that they have nothing to worry about. Again a little flippant; but the reality is modernising NHS Direct to use technology will make it good.

What is lost in so much of what has been talked about with the hospitals is the skills shortage. People say King George's will shut A & E or shut maternity: but it will actually be given all elective surgery; the doctors who do the elective surgery at Queen's will then be concentrated in one area. Operations for all children under 3 will be undertaken at one of two hospitals in London because there are only probably two doctors who can handle that quality of work; it is a question of focusing skills.

The trouble with complaints is they so often focus on a couple of bits and not the overall position. The IRP said that, overall, clinically, the solution is good so we have to make the system work. On the maternity side, it is being improved by the correct level of trained staff. The first thing Averil Dongworth did when she arrived, unfortunately after another death in there, was to go out and get 70 midwives. They had not had the midwives because of the financial stupidity of believing you can run a hospital based on a budget: you cannot.

Hospitals cost money to run, you have to find that money first and then you have to become efficient after, so it is only a portion of the debt, just over a third. Again skilled staff will be brought in from King George's, together with their specialist equipment. Two high temperature incubators cannot be afforded so there is only one, shuffling backwards and forwards!

There is not a shortage of staff at Queen's; the average ratio for midwife to patients is 1 to 34 - in Essex it is 1 to 34, in London it is 1 to 34; at Queens it is 1 to 26. Barking Midwives Unit will open early next year. This is a birthing unit with no doctors although they are there for emergency purposes. That promises to take at least two-thirds of the King George's excess that would otherwise go to Queen's.

Another one of the stupidities is that, if money is short, a ward is shut. Actually that is the worst thing that can happen. Foundation Trust status will not happen while Queen's is financially pressed so there is the possibility of a company coming in with the debts moved to one side and it will function as a proper hospital.

In response to a supplementary question, the Cabinet Member re-affirmed that the Administration supported the principle of the eventual re-configuration of health services along the lines proposed by Health for North East London, but agreed that it should proceed only when the Queens Hospital and other health services in the sector had the capacity to cope with the additional workloads that would be generated.

4 CONTRAVENTION OF PARKING REGULATIONS BY CCTV ENFORCEMENT VEHICLES

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Nic Dodin

Would the Cabinet Member please explain under what circumstances the CCTV Parking & Traffic Enforcement vehicles are permitted to contravene parking regulations while undertaking their duties?

Answer:

The legislation under which parking enforcement is carried out permits any vehicle being used by a civil enforcement officer to be parked in contravention of traffic regulations. However, guidance given to civil enforcement officers is that they should not stop in contravention if a suitable unregulated place to stop is available at the location, and that stopping at that alternative place allows for enforcement action to be carried out without hindrance, and without detriment to the need of carrying out swift enforcement against illegally parked vehicles and where otherwise those vehicles would be allowed to flagrantly flout parking regulations.

In response to a supplementary question, the Cabinet Member confirmed that enforcement officers were authorised (but not encouraged) to park illegally in order to carry out their duties, in the same way as drivers of emergency service vehicles were permitted to ignore the regulations when attending an emergency.

5 HOMES IN HAVERING CONTRACT WITH MORRISONS

To the Cabinet Member for Housing and Public Protection (Councillor Lesley Kelly)

By Councillor Keith Darvill

When was the current Homes in Havering contract with Morrisons entered into and when is it due for renewal?

Answer:

The current contract was awarded on 1 April 2004 following a competitive tendering process conducted under the EU procurement rules. The contract was then subsequently novated to Homes in Havering on the formation of the ALMO in 2005. The contract comes to a natural conclusion in July 2013. The services being provided at present will be exposed to the market during the next year with a view to a new contract starting in August 2013.

In response to a supplementary question, the Cabinet Member undertook to write to the questioner with further information about the use of sub-contractors.

6 RETURN OF FUNDS INVESTED IN ICELANDIC BANKS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Michael Deon Burton

Given the welcome news in regards to the Court victory, which supports the return of funds held by a bank in Iceland to Havering Council, it is asked:

- a. What are this Authority's known costs/liabilities to date borne of the action to recover residents/Local Authority monies from the Icelandic banking system?
- b. What are our minimum costs/liabilities going to be in pursuit of the return of funds held in the Icelandic banking system?

or

Are the London Borough of Havering involved in a course of actions at the date of this Full Council meeting, whereby the Administration cannot provide an accurate amount in answer to parts a. or b. of this enquiry?

Answer:

The legal costs associated with the action to recover monies from the Icelandic banking system has so far been £18,252.09.

There is an estimated £14,500 still that has not been invoiced by the LGA that relates to the Supreme Court challenge made by the bond holders.

7 ELECTORAL REGISTRATION – NON-COMPLIANCE

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

By Councillor Ray Morgon

Would the Cabinet Member confirm how many residents have been fined for the non-return of their electoral roll form over the past 5 years and what checks are carried out to ensure that the responses are accurate?

Answer:

We do not fine non-responders as it is expensive and time consuming with any fine imposed going to the Court and not the Council. For those reasons very few Councils actually prosecute.

As to accuracy of responses, we do not accept internet forms at face value and carry out further integrity checks.

8 REDUNDANCY OF MORRISONS STAFF SERVING THE HOMES IN HAVERING CONTRACT

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Paul McGearry

Have Homes in Havering and the Council received notification from Morrisons of its proposal to make 21 members of former Havering Council staff redundant?

Answer:

Morrison Facility Services ("MFS") notified Homes in Havering via the formal partnership board of 6 October 2011 of their intentions to stream line their operations following a review. The number of staff involved is potentially 16 and MFS are going through a formal consultation process. It is our understanding that not all staff on notice are former LBH DSO staff and that in fact the proposals include an element of redeployment to other contracts in London.

In response to a supplementary question, the Cabinet Member reiterated that it was for Morrisons to determine how to comply with the requirements of their contract with Homes in Havering.

9 SUCCESS OF THE RIGHT TO BUY LEGISLATION

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor David Durant

At the last Council meeting, Cllr Ramsey praised the Right-to-Buy policy and said, "In the 1980s the Conservative Administration used receipts from Right-to-Buy sales to build council houses"!

Strictly speaking this is true, but the figures tell another story and confirm the negative impact of the legislation. From 1981 to 1990 only 322 council properties were built in Havering, of which **140** were sheltered housing units. **No** properties were constructed after this time.

Also from 1981 onwards, 75% of Right-to-Buy receipts have been taken by Government or used to pay off housing debt. The Council only retains use of 25% of the receipt!

Does Cllr Ramsey still believe the Right-to-Buy policy was a resounding success?

Answer:

Council tenants who meet certain criteria have the Right-to-Buy the home they occupy. This is a national policy brought in by the Housing Act 1980 and has been supported by a succession of national governments since that time, as has the ability of local authorities to direct the use of 25% of the receipts raised.

The Right-to-Buy has been exercised by a number of tenants in Havering to enter the private housing market at an affordable level, something they probably would not otherwise have been able to do.

The Council new build figures quoted are correct, although they perhaps give only a partial view of the Council's efforts to deliver new affordable housing in the borough. Notably, over a number of years, the Council has levered in considerable amounts of national social housing grant and private investment by using its capital resources to support housing association development in return for nomination rights in perpetuity. Of note, in the three years to 2010/11, the Council enabled housing associations to develop 931 affordable homes in the borough. This figure is greater than the 800 target agreed with the Mayor of London and far in excess of the 39 council properties sold under the Right-to-Buy over the same period.

With regard to the reference to the period beginning 1990, may I remind the questioner that that was period of the Labour Administration.

In response to a supplementary question in which the questioner referred to the Council's investment in the Icelandic Banks, the Cabinet Member rejected the suggestion that such investment amounted to gambling.

10 EFFECT OF DISCOUNT FOR EARLY PAYMENT OF COUNCIL TAX IN FULL

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Clarence Barrett

For each of the years 2009/10, 2010/11 and 2011/12, would the Cabinet Member set out how much council tax revenue was forgone by offering a 1.5% discount to residents who pay the full amount at the start of the year?

Answer:

2009/10	count 1,837 accounts	value £36,229.02
2010/11	count 1,986 accounts	value £38,685.63
2011/12	count 1,858 accounts	value £37,556.29

In response to a supplementary question, the Cabinet Member indicated that, bearing in mind the currently very low rates of interest, the continuation of the discount was under review.

11 **CRB CHECKS FOR MORRISONS SUB-CONTRACTORS' STAFF**
To the Cabinet Member for Housing (Councillor Lesley Kelly)
By Councillor Pat Murray

What obligations do Morrisons have to ensure that all sub contractors and their staff are CRB checked?

Answer:

This is a mature contract and there is no contractual obligation on Morrison Facility Services ("MFS") to CRB check all staff and sub contractors. Notwithstanding, MFS do CRB check all directly employed staff and actively promote this good practice.

The obligation for the management of staff conduct, including safeguarding responsibilities are a matter for the employer in every case.

12 **CONSULTATION WITH TENANTS**

To the Cabinet Member for Housing (Councillor Lesley Kelly)
By Councillor Mark Logan

At the last Council meeting Cllr Ramsey said that the £50,000 tenants' consultation about the future of Homes in Havering was a statutory consultation, but at the following Cabinet meeting Cllr Lesley Kelly said the consultation was **non**-statutory. Who is correct?

Answer:

Under the Housing Act 1985, local authorities have a statutory duty to consult their tenants on matters affecting the management of their home. Therefore, it is correct that there is a statutory duty falling to the Council to consult on the options for the future management of the Council's housing stock.

13 **RESTORATION OF PARKLANDS BRIDGE**

To the Cabinet Member for Culture, Towns & Communities (Councillor Andrew Curtin)
By Councillor Linda Hawthorn

The saga of the restoration of Parklands Bridge began in 2001 and is no further forward today. Would the Cabinet Member please set out just when, or if, this council owned listed building will ever be restored?

Answer:

Plans to restore Parklands Bridge were drawn up in 2008, following a technical review of the project. Unfortunately the restoration works have not been able to be progressed up to this point as there are not sufficient capital funds available. The restoration of Parklands Bridge remains an important project for the Council and when the funds become available it will be progressed as soon as possible.

14 **ALLEYWAY/FOOTPATH BETWEEN DAVENTRY ROAD AND HILLDENE AVENUE**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Denis O 'Flynn.

When will lighting be installed in the recently created narrow alley way between Daventry Road and Hilldene Avenue?

Answer:

Recently the construction company working in this area have erected a hoarding, temporarily narrowing the walkway between Daventry Road and Hilldene Avenue. The construction company agreed to erect lighting on the hoarding, and this was in place on Friday 18th November.

15 **OCCPATION OF WILL PERRIN COURT HOSTEL**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Jeffery Tucker

If the Will Perrin Court Hostel is completed, can the Cabinet Member please inform me of the following:

- what is the maximum amount of residents that will be allowed to stay in each of the rooms at any one time and
- what is the maximum amount of residents, including staff, that will be allowed to stay in the Will Perrin Court Hostel at any one time?

Please be specific.

Answer:

Will Perrin Court has been designed to accommodate a maximum of 46 households at any one time. Experience shows us, however, that on occasion larger families need to be accommodated across more than one room, and so the actual number of households accommodated in Will Perrin Court at any one time will most probably be less than 46. There are no 'sleep in' staff that need to be accommodated in any of the rooms.

Although of course the size of the households we assist will vary from week-to-week, based on known occupancy rates in our existing hostels, we anticipate the likely maximum occupancy in Will Perrin Court at any one time will be 57 adults and 37 children, that is, 94 people in total.

16 **OVERHANGING TREES: OBSTRUCTION**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

Would the Cabinet Member explain why this Council deliberately allows highway trees to overhang and obstruct residents' properties causing damage to either their driveway or vehicle upon it?

Answer:

The Councils agreed criteria for maintaining the Highway tree stock allows for pruning to take place every three or five years, dependent on the size, location and species of each tree. The Council does not deliberately allow Highway trees to cause damage to private property.

17 **“PUPILS UNITE AGAINST RACISM”**

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

By Councillor David Durant

On October 13th, CEME hosted an event by the Kick it Out campaign which was attended by many children from Bower Park, Redden Court and Chafford schools.

Kick it Out originated as a campaign against 'racism' in football, but their organiser Danny Lynch said, "we're not just about football, we're about getting rid of racism in all sports, all walks of life"!

This is a political objective, but the terms 'racist and racism' have become powerful political swear words with no precise meaning. Indeed there is often a 'racial bias' in the misuse of these words which can be very offensive and a form of 'racial abuse', which undermines good community relations!

In view of this do the Administration consider it appropriate for Havering school children to take part in political events organised by the Kick it Out campaign, which is partly funded by the 'institutionally racist' Equality Commission?

Answer:

The 'Kick It Out' Campaign is a well-known and high profile national movement promoting anti-racism messages - mainly within football but also beyond. They run various community and educational events around the country. Schools are free to attend such events as they see fit - and it is at the discretion of the schools themselves about whether to attend. There is no requirement for schools or academies to register or seek approval from Havering Council.

18 **ROMFORD MARKET: IMPROVING APPEAL AND COMPETITIVENESS**

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

By Councillor Linda Hawthorn

Would the Cabinet Member please set out what is being done to stimulate the appeal and competitiveness of Romford Market?

Answer:

The Council is undertaking extensive activity to attract shoppers and traders to Romford Market, largely in the form of events or advertising.

In terms of Market events the Council has facilitated the use of the Market for The Apprentice TV programme, which will be shown next year and is working with the BBC on a Radio 4 documentary on the Market.

There is 'Count down to Christmas' in the Romford Magazine - For 4 weeks from Saturday 19th November 2011, a winning number will be chosen each week and displayed at The Brewery, The Liberty, The Mercury Mall and Romford Market. Each week Romford Market is offering a £25 Romford Market Voucher.

There is the 'Letters to Father Christmas Special Christmas Post Box' - From 27th November 2011 children can post their letters to Father Christmas into a special post box located in Romford Market. The letters must be posted by Sunday 18th December 2011 to ensure a reply.

There is a Romford Market Christmas Stocking Competition - 12 Christmas Stockings will be hanging on market stalls between Friday 9th December 2011 and there will be 30 chances to win a

£10 voucher to spend at Romford Market. The prize draw will take place on 18th December 2011. The winners will be notified by telephone and announced on Time FM on Monday 19th December 2011.

Carol singers will be in the Market at various times in the Christmas period
There will be a Helter – Skelter placed in the Market at the Clock Tower end between 17th to 24th December 2011. As this is high it should hopefully attract shoppers through the actual market from the South Street end and increase foot fall through the Market.

Two Live Reindeers with two trained costumed handlers will be at the South Street end of the market around the same area as the Christmas Tree on Wednesday 21st December 2011 between 10am and 2.00pm. .

The Romford Recorder were in the market on 12th & 18th November 2011 with their mascot character. They were handing out goodie bags and on the 12th the bags included our Romford Market / Christmas Lights Switch on flier.

The Rotary Christmas Float will be in the market on the 10th & 17th December 2011.

Hornchurch Drum & Trumpet Corps will be in the market on 10th December 2011 in the morning & 17th December 2011 from 1.00pm onwards for them to play Christmas Carols.

The Christmas Lights Switch On took place on in the Market on 17th November 2011.

In terms of Advertising I can refer to the following actions;

There are Christmas Banners advertising the Market Christmas trading hours and the reindeers. 1 being erected on Tollgate House. 3 others being erected around the Market.

Laminated A3 Christmas Posters have been provided for display on Market stalls advertising the normal trading days, Sunday's and the Christmas period. They will also promote events taking place in the Market.

The Market has a half page advert in the next edition of Living.

The Council regularly advertises in Coach Magazines and Coach Drivers Yearly handbooks

The Market is advertised on one side of the Christmas Lights Switch on Fliers

The Market is part of the Shop Romford Campaign which includes a page in the 'Christmas in Romford' Magazine, JC Decaux/billboard sites, inside of trains and bus backs.

The Market has an half page advert in the Visitors Guide to Havering publication which is distributed in libraries and other locations.

In November/December the Market is advertised on the sides of 13 buses for various routes through East London,

An advert has been placed in the Essex Women's Institute magazine

Train station platform posters locations have advertised the Market at Stratford, Chadwell Heath, Ilford, Goodmayes, Basildon, Grays, Romford, Seven Kings, Billericay, Brentwood, Chafford Hundred leading to the Lakeside Shopping Centre

The Council's Market website has been re-designed and has events advertised. The website currently has a festive logo at the top of the webpage and this includes the Christmas trading days. It also has a direct link to the trader's website.

The Christmas Flier which sets out the trading times and events has also been added to the site as a PDF.

Various newspaper adverts have been placed to promote the market opening times and events. The Yellow Advertiser has been used to advertise in Barking & Dagenham, Wickford, Billericay, Havering, Grays, Thurrock, Tilbury, Ilford, Redbridge, Wanstead and Woodford areas.

Also the Essex, Thurrock & East London Enquirer has been used.

For 4 weeks from 14th November 2011 there have been posters located at 29 different sites around the Borough advertising Romford Market.

250 Romford Market promotional cotton bags have been released for Traders to distribute in the Christmas period, following an earlier phase of an additional 250 bags

In terms of attracting new traders:

Regular advertising to attract new traders is placed in the Market Trade News, Market Trader and the Market Times.

A promotional flier has been produced which sets out all details for new traders . The flier is sent to new trader enquiries via email. This also allows the Market Office to pursue follow-up approaches to potential new traders. From now until Christmas every new trader's enquiry not only obtains a New Trader Flier, they also receive a PDF A4 document which sets out the Christmas Opening & extra Sunday days, Christmas Events, etc.

The Market Office currently has a member of staff dedicated to promoting and generating business for the Market.

The webpage has been redesigned to promote and sell Romford Market to potential new traders. It includes new documents, photographs, logos, market documents & regulations, parking map and the new trader's flier.

In discussions with the National Market Tenants Federation, new traders start-up packs are being introduced. This information will be very useful to any new trader as it will contain valuable information on market trading and should help new traders to survive during the difficult initial period. It also helps to build the market for the future and thus continue its longevity.

There are also various other initiatives being planned for next year to continue to ensure that the Market remains vibrant and successful.

19 **PAYMENT OF INVOICES**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Clarence Barrett

For the period 2010/11 and to date, would the Cabinet Member confirm the number (% and figures) of invoices paid within 10 days? And, if possible, the proportion attributable to small and medium sized local businesses?

Answer:

For 2010/11 37,066 out of 60,765 (61%) payments were made within 10 days. The proportion of these relating to local small and medium enterprises (SME's) is not available. The Council however, does make the payment of invoices from SME's a priority

20 **STAFFING STRUCTURE**

To the Cabinet Member for Transformation (Councillor Michael Armstrong)

By Councillor Ray Morgon

Would the Cabinet Member confirm the number of FTE's at the end of March 2008, 2009, 2010 and 2011 and if a current 'family tree' of the entire LBH staffing structure is available?

Answer:

The number of FTE's (excluding schools) are as follows: -

March 08 = 2382.81 FTE

March 09 = 2221.67 FTE

March 10 = 2320.64 FTE

March 11 = 2321.86 FTE

An entire LBH staffing structure is available on the intranet.

21 **WHOLE PLACE COMMUNITY BUDGETS**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Would the Cabinet Member confirm what his view is in relation to the "Whole Place" community budgets?

Answer:

"Whole place" community budgets are a new initiative by Central Government to improve the joining up of public sector funding streams at a local level, to tackle complex social problems. Our Top 100 families project is an example of this model, where we are trying to align public services' budgets around families with complex needs. A more joined up approach to tackling families with complex problems sooner rather than later can have hugely improved outcomes for the families and is substantially cheaper on the public purse than agencies working alone.

22 **BUSINESSES IN THE BOROUGH**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

Would the Cabinet Member confirm that the council holds a database of all businesses in the borough and that their trade waste agreement is up to date?

Answer:

StreetCare maintains a list of businesses in the Borough who choose to use the Council's commercial waste collection service. The accounts are administered by ISS and Streetcare are notified if they consider it necessary to cancel the contract due to non payment.

Information collated by StreetCare Enforcement Officers is used to ensure appropriate arrangements are in place for the removal of waste from businesses that do not use the Council's collection service.

This is done by issuing these businesses with demands for Waste Transfer Notes and follows on from advice given in the form of a leaflet sent out with the annual business rates demand.

23 COUNCIL ACCOMMODATION: OWNERS OF A SECOND HOME

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ron Ower

Following the change in regulations which gives Local Authorities the power to ask people requesting council accommodation if they have another home, would the Cabinet Member please confirm what steps are being taken to ensure this process is being undertaken and to confirm that applicants who possess another property will be denied council accommodation?

Answer:

Under the legislation in force prior to the Localism Act, local authorities could not apply a 'blanket exclusion' from joining the Housing Register to households with any particular circumstances, such as, ownership of another property. That said, for some time, local authorities have had the freedom to take income and ability to meet housing needs in the private housing market into account when assessing housing need and the Council has taken full benefit of this.

We have always asked applicants whether they have a property or properties and the tenure of these properties, with the presumption that home ownership indicates the household can meet its housing need, without the Council's assistance. Thus, at present, home owners are given minimal priority on the Housing Register which is insufficient for them to ever be successful through choice-based lettings.

A thorough review of the Council's Allocations Scheme has just commenced, with consultation with all stakeholders set to start shortly after Christmas. One of the key proposals will be that those without any housing need, including those who own another property, are not able to join the Council's Housing Register and bid for one of the Council's houses or flats.

24 CONSULTING TENANTS AND LEASEHOLDERS

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Clarence Barrett

Would the Cabinet Member provide an update as to what steps are being taken to ensure that all tenants and leaseholders are fully informed in respect of the Housing Management consultation process?

Answer:

We decided at Cabinet on 28 September to consult residents about the future of Homes in Havering. Our residents will be asked for their views on this important decision.

A comprehensive consultation programme has been designed in partnership with resident representatives and HiH colleagues. The first stage of the programme will provide all tenants and leaseholders with full information about why they are being consulted, what the choices would mean and how they can find answers to their questions. Residents' suggestions on the design of the consultation process have been acted on.

The process will involve the use of a range of communication media:

- Articles will appear in the next editions of Living and At the Heart (the HiH newsletter)
- Information will be placed on the LBH and HiH websites
- A list of frequently asked questions and answers will appear on the websites
- Resident meetings across the borough will take place over the next two months giving every resident the opportunity to come to a meeting to hear about the options and ask questions
- A presentation will be made at each sheltered housing scheme and residents' questions answered

Independent advice will be available to residents, and the appointment of the external specialist agency has been made in consultation with residents. The test of opinion will be carried out in January 2012 by way of a written questionnaire. Information about the options will be repeated in the letter to all the residents at this point.

25 EMPTY PROPERTY, DURHAM AVENUE

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ron Ower

Would the Cabinet Member for Housing set out how much rental has been lost on the property at the Durham Avenue Estate which has remained empty for over two years and when will this property be let to a waiting tenant?

Answer:

The property in question has been void since August 2008. It is understood that if the property was let at the time it would have needed a new kitchen and heating system. It is to be anticipated that the property would not therefore have been let until late September 2008.

The property was advertised through the choice-based lettings scheme on Friday 18 November 2011; works are already under way. We anticipate it being let at the beginning of December.

The rent foregone between September 2008 and December 2011 totals £10,015.

<i>DIVISION NUMBER:</i>	1	2	3	4	5	6
The Mayor [Cllr. Melvin Wallace]	○	○	○	○	○	○
The Deputy Mayor [Cllr. Lynden Thorpe]	✕	✓	✕	✓	✕	✓
<u>CONSERVATIVE GROUP</u>						
Cllr. Michael White	ID	ID	✕	✓	✕	✓
Cllr. Michael Armstrong	✕	✓	✕	✓	✕	✓
Cllr. Robert Benham	✕	✓	✕	✓	✕	✓
Cllr. Becky Bennett	A	A	A	A	A	A
Cllr. Sandra Binion	✕	✓	✕	✓	✕	✓
Cllr. Jeff Brace	✕	✓	✕	✓	✕	✓
Cllr. Wendy Brice-Thompson	✕	✓	✕	✓	✕	✓
Cllr. Dennis Bull	✕	✓	✕	✓	✕	✓
Cllr. Andrew Curtin	✕	✓	✕	✓	✕	✓
Cllr. Osman Dervish	✕	✓	✕	✓	✕	✓
Cllr. Ted Eden	✓	✓	✕	✓	✕	✓
Cllr. Roger Evans	A	A	✕	✓	✕	✓
Cllr. Georgina Galpin	✕	✓	✕	✓	✕	✓
Cllr. Peter Gardner	✕	✓	✕	✓	✕	✓
Cllr. Lesley Kelly	✕	✓	✕	✓	✕	✓
Cllr. Steven Kelly	✕	✓	✕	✓	✕	✓
Cllr. Pam Light	✕	✓	✕	✓	✕	✓
Cllr. Robby Misir	✕	✓	✕	✓	✕	✓
Cllr. Eric Munday	A	A	A	A	A	A
Cllr. Barry Oddy	✕	✓	✕	✓	✕	✓
Cllr. Frederick Osborne	✕	✓	✕	✓	✕	✓
Cllr. Gary Pain	✕	✓	✕	✓	✕	✓
Cllr. Roger Ramsey	✕	✓	✕	✓	✕	✓
Cllr. Paul Rochford	✕	✓	✕	✓	✕	✓
Cllr. Geoffrey Starns	✕	✓	✕	✓	✕	✓
Cllr. Billy Taylor	✕	✓	✕	✓	✕	✓
Cllr. Barry Tebbutt	✕	✓	✕	✓	✕	✓
Cllr. Frederick Thompson	✕	✓	✕	✓	✕	✓
Cllr. Linda Trew	✕	✓	✕	✓	✕	✓
Cllr. Keith Wells	✕	✓	✕	✓	✕	✓
Cllr. Damian White	✕	✓	✕	✓	✕	✓
<u>RESIDENTS' GROUP</u>						
Cllr. Clarence Barrett	✓	✓	✓	✕	✕	✓
Cllr. June Alexander	✓	✓	✓	✕	✕	✓
Cllr. Nic Dodin	✓	✓	✓	✕	✕	✓
Cllr. Brian Eagling	✓	✓	✕	✓	✕	✓
Cllr. Gillian Ford	✓	✓	✓	✕	✕	✓
Cllr. Linda Hawthorn	✓	✓	✓	✕	✕	✓
Cllr. Barbara Matthews	✓	✓	✓	○	○	✓
Cllr. Ray Morgon	✓	✓	✓	○	✕	✓
Cllr. John Mylod	✓	✓	✓	✕	✕	✓
Cllr. Ron Ower	✓	✓	✕	✓	✕	✓
Cllr. Linda Van den Hende	A	A	A	A	A	A
Cllr. John Wood	✓	✓	✓	○	✕	✓
<u>LABOUR GROUP</u>						
Cllr. Keith Darvill	✓	✓	○	✓	✓	✕
Cllr. Denis Breading	✓	✓	✕	✕	✓	✕
Cllr. Paul McGeary	✓	✓	✓	✕	✓	✕
Cllr. Pat Murray	✓	✓	○	✕	✓	✕
Cllr. Denis O'Flynn	✓	✓	✓	○	✓	✕
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>						
Cllr. Jeffery Tucker	✓	✓	✓	✕	✓	✕
Cllr. Michael Deon Burton	✓	✓	✓	✕	✓	✕
Cllr. David Durant	✓	✓	✓	✕	✓	✕
Cllr. Mark Logan	A	A	A	A	A	A
TOTALS						
✓ = YES	20	47	14	33	8	41
✕ = NO	27	0	33	12	40	8
○ = ABSTAIN/NO VOTE	1	1	3	5	2	1
ID = DECLARATION OF INTEREST/NO VOTE	1	1	0	0	0	0
A = ABSENT FROM MEETING	5	5	4	4	4	4
	54	54	54	54	54	54

REPORT OF THE CABINET

HAVERING LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF JOINT WASTE DEVELOPMENT PLAN DOCUMENT

The London Boroughs of Barking and Dagenham, Havering, Newham and Redbridge have prepared a Joint Waste Development Plan Document (DPD) which will be part of the Local Development Framework(s) for the respective boroughs. Preparation of the Joint Waste DPD builds on the strong partnership agreement which the four Councils already have with the East London Waste Authority (ELWA) for managing municipal solid waste and which covers the geographical extent of the four boroughs. The main purpose of the Joint Waste DPD is to ensure there is sufficient waste management capacity across the four boroughs to manage the apportionment set by the London Plan (2011) for municipal and commercial and industrial waste.

Following Member approval within each of the boroughs, the Joint Waste DPD has been through appropriate consultation in line with the Town and Country Planning Regulations and has been independently examined by an Inspector appointed by the Secretary of State. The Planning Inspectorate has now approved the Joint Waste DPD, subject to a number of binding changes, which do not significantly alter the Plan. Formal adoption of the Plan is now recommended.

The other boroughs are progressing adoption in parallel with Havering.

Cabinet recommends to the Council that the Joint Waste Development Plan Document, incorporating the Inspector's recommended changes (Appendix 2 to the report considered by the Cabinet at its meeting on 18 January 2012) be adopted in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 and the subordinate legislation made thereunder.

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REPORT OF THE CABINET

HAVERING LOCAL DEVELOPMENT FRAMEWORK : GYPSY AND TRAVELLER SITES DEVELOPMENT PLAN DOCUMENT – PROPOSED SUBMISSION DOCUMENT

The Council has a legal responsibility to plan for the housing needs of all residents, including the Gypsy and Traveller community. Havering's statutory Local Development Framework (LDF) Core Strategy states that sites to meet the housing needs of Gypsies and Travellers will be identified by the Council in a separate Development Plan Document (DPD).

Cabinet has considered a report on the preparation of this and now recommends approval for consultation of the Proposed Submission Document (the draft of the DPD which is submitted to the Secretary of State for public examination).

In summer 2011, the Council undertook public consultation on an Issues and Options report for the Gypsy and Traveller Sites DPD. The report included a needs assessment and set out proposed criteria for deciding whether pitches are suitable for use by gypsies and travellers. It emphasised that gypsy and traveller pitches were inappropriate development in the Green Belt and should only be permitted in very special circumstances under national planning policy. It noted however that many of the existing sites in Havering had not given rise to local planning objections and had been occupied by the same families for several years.

The report identified 74 existing pitches at the time of the needs survey in 2010 on which the report was based. 12 pitches had permanent planning permission; 48 had temporary permission or expired temporary permission and 14 pitches were unauthorised.

The Council's preferred option for meeting the housing needs of gypsies and travellers was for 14 additional authorised pitches to be provided so that, taken together with the number of pitches which had or previously had had permanent or temporary permission, the total number of authorised pitches would be sufficient to meet the needs of the gypsy and traveller households who were living in Havering at the time of the needs assessment. The report made clear however that not all of the 48 pitches with temporary permission or expired temporary permission would necessarily be granted permanent planning permission and that this would be the subject of careful assessment on a case by case basis. Nevertheless, this was considered the right number of pitches for which to plan.

The responses to the consultation were generally positive. In the light of this, officers had prepared the Proposed Submission Document (PSD) for Member approval. It would then be the subject of public consultation and submission to the Secretary of State for public examination.

The PSD proposed that 45 of the 48 existing pitches with temporary or expired temporary permission be considered acceptable, given the importance of meeting the needs of gypsies and travellers so far as possible while protecting the Green Belt.

The two pitches with temporary permission at Maylands (the former Brook Street service station adjoining the A12 Trunk Road) were the subject of significant objections from Brentwood Council and local residents. Cabinet noted that staff considered that, in the light of the planning issues associated with this site and the representations received, the Maylands pitches would be unsuitable for permanent permission. In addition, a single pitch with temporary permission at Prospect Road was considered unsuitable for permanent permission as a result of planning issues associated with the site, including its location within a Site of Importance for Nature Conservation and it being visually intrusive within the Green Belt.

The PSD proposes that 17 further pitches be authorised – 14 to achieve the Council's preferred option for the number of pitches and 3 to compensate for not making the Maylands and Prospect Road sites permanent. The report to the Cabinet gave details of the sites to accommodate these pitches.

Subject to the Council's approval, the PSD will be published for a six week period of consultation and then be submitted to the Secretary of State for examination. For those purposes, the Cabinet delegated:

- (a) Approval of the Final Sustainability Appraisal for the Gypsy and Traveller Sites DPD to the Cabinet Member for Community Empowerment.
- (b) To the Head of Regeneration, Policy and Planning, in consultation with the Cabinet Member for Community Empowerment, authority to make minor amendments to the wording which did not affect the substance of the Development Plan Document before formal submission, in the event that such changes are needed following consultation.

Cabinet accordingly RECOMMENDS:

- 1 That Council approves the Report on Consultation (as set out in Appendix 1 to the report to the Cabinet of 18 January 2012).**
- 2 That the Council approves for consultation the Proposed Submission Gypsy and Traveller Sites Development Plan Document (as set out in Appendix 2 of that Cabinet report).**

REPORT OF THE GOVERNANCE COMMITTEE

ARRANGEMENTS FOR THE ANNUAL MEETING OF THE COUNCIL

Conferment of civic awards

The Council Procedure Rules (CPRs) provide for the conferment of civic awards at certain meetings. Other than in the year of municipal elections, the Council is invited to consider the conferment of the Honorary Freedom of the Borough at the Annual Meeting. The CPRs currently specify that this be done as part of the ordinary business of the Council, following the completion of the civic business and receipt of the Leader's Statement.

The conferment of the Honorary Freedom is, however, clearly a civic matter rather than one for ordinary business and, accordingly, the Committee recommend that the order of business at the Annual Meeting be altered, so that the conferment is dealt with immediately before the Leader's Statement.

Arrangements for the Annual Meeting

In January 2011, the arrangements for the meetings of the Council were reviewed and it was agreed, among other things, that the arrangements for the Annual Council should be changed. For some years, the Annual Meeting had been concerned solely with civic and "housekeeping" matters but this had led to a four-month gap in dealing the Council's ordinary business, as Council did not otherwise meet between the end of March and the end of July.

It was therefore agreed that the Annual Meeting should revert to dealing with ordinary business as well as civic business and that, to facilitate doing so, the meeting should start at 7pm rather than 7.30pm, with a break between civic and other Annual Meeting business and ordinary business. In the event, the volume of ordinary business presented at the Annual Meeting in 2011 was such that the debate of Members' motions was delayed until after 10pm, leaving insufficient time in some Members' view to ensure that a proper debate would follow (and those motions were therefore withdrawn and debated at the July meeting). This prompted the Committee to look again at the Annual Meeting arrangements.

The holding of the Annual Meeting is a statutory requirement. It is the meeting at which the Mayor must be elected and other appointments are dealt with. It is more of a civic event than other Council meetings. The Committee acknowledged, however, that there was need for an ordinary meeting to be held between March and July in order to ensure that there was no undue delay in dealing with the Council's business; and that it might be appropriate to provide opportunity for debate of the Leader's statement to the Annual Council.

The Committee therefore proposes that, as an experiment for 2012 only, in order to test whether the proposed changes are worthwhile, the business before the Annual Meeting should be restricted to civic and other Annual Meeting business and that an additional ordinary meeting be held a short time following the Annual Meeting, by no later than mid-June at which ordinary business, including any motion arising out of the Leader of the Council's statement to the Annual Meeting, would be dealt with.

Note of the Chief Executive - Having regard to the need to give due notice of business at the proposed additional meeting and to the Queen's Diamond Jubilee Celebrations at the beginning of June, the earliest practicable date for that meeting is Wednesday 13 June and it is proposed therefore that the meeting be held that day.

The Committee therefore RECOMMENDS to the Council:

- 1 That the conferment of awards at the Annual Meeting of the Council be considered civic business and dealt with before the statement by the Leader of the Council, and that the Council Procedure Rules (CPR) be amended by moving paragraph (h) of CPR 1 to follow immediately after paragraph (e), and re-numbering the current paragraphs (f) and (g) accordingly.**

- 2 That, for 2012/13, the following adjustments be made:**
 - (a) That the business of the Annual Meeting of the Council in May be confined to civic business (Part 1 of CPR 1) and other business appropriate to the Annual Meeting (paragraphs (h) and (i) of Part 2 of that CPR), that the meeting commence at 7.30pm rather than 7pm, that the Leader's statement be taken as the final item of business and that the meeting terminate on conclusion of the statement;**

 - (b) That an additional ordinary meeting of the Council be held on 13 June to consider the remaining business specified in Part 2 of CPR 1 (ordinary business at the Annual Meeting) and that there be opportunity for debate about the Leader's statement;**

 - (c) That the Mayor be authorised to determine the timetable for the submission of any motion or amendment relating to the Leader's statement as if the final paragraph of CPR 4.1 (arrangements for extraordinary meetings) applied to the meeting; and**

 - (d) That so far as necessary to achieve the purposes of these proposals, Part 2 of CPR 1 be suspended for the 2012 Annual Meeting but be applied to the additional ordinary meeting (rather than CPR2 (ordinary meetings)).**

REPORT OF THE GOVERNANCE COMMITTEE

AMENDMENTS TO THE CONSTITUTION: FINANCIAL PROCEDURE RULES

The Financial Procedure Rules (in Part 4 of the Council's Constitution) were revised and updated in 2010, as part of the review of the Constitution then undertaken.

A further review had recently been completed in the light of legislative and other changes that have occurred since that review. Opportunity had also been taken to correct some minor textual errors.

The Committee RECOMMENDS to Council that the revised Financial Procedure Rules, as now append, be adopted.

Financial Procedure Rules

Introduction

1 Status of Financial Procedure Rules

The Financial Procedure Rules provide the framework for managing the Council's financial affairs. They provide the platform on which the implementation of the Council's Budget Framework is based.

The Financial Procedure Rules ensure that there are rules to govern how the Council's money and other assets are looked after and how its spending is controlled. This enables the Council to ensure that it makes the most effective use of the resources available to it in delivering value for money services to the local community.

The Financial Procedure Rules focus on an overview of the key financial areas and responsibilities. Details, clarifying and explaining the processes involved, are set out in greater depth in the Council's Financial Framework. The Financial Framework sets out the detailed procedures that need to be followed and provides more detailed guidance than the Rules.

The Rules identify the responsibilities for financial matters within the Council. They apply to every member and officer of the Council and anyone acting on its behalf. Compliance with both the Rules and the Financial Framework is a requirement for all Council employees.

CMT members are responsible for ensuring that they and all staff in their services are aware of the existence and content of the Council's Financial Procedure Rules and other internal regulatory documents and that they comply with them.

The Group Director Finance & Commerce is responsible for issuing advice and guidance to underpin the Financial Procedure Rules that Members, officers and others acting on behalf of the Council are required to follow.

The Group Director Finance & Commerce is responsible for maintaining a continuous review of these Rules and for submitting any additions or changes necessary to Council for approval. The financial limits contained within these Procedure Rules will be subject to an annual review by the Group Director Finance & Commerce.

The Group Director Finance & Commerce is also responsible for reporting, where appropriate, breaches of the Rules to the Council and/or to Cabinet.

In these rules, the term "Responsible Officers" means the Group Directors, Assistant Chief Executive and Heads of Service, whilst "CMT members" means the Group Directors and Assistant Chief Executive.

2 Financial Responsibilities

The Group Director Finance & Commerce has statutory duties in relation to the financial administration and stewardship of the authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

- (a) Section 151 of the Local Government Act 1972
- (b) The Local Government Finance Act 1988
- (c) The Local Government and Housing Act 1989
- (d) The Accounts and Audit Regulations 1996.

The Group Director Finance & Commerce is responsible for:

- (a) the proper administration of the authority's financial affairs
- (b) setting and monitoring compliance with financial management standards
- (c) advising on the corporate financial position and on the key financial controls necessary to secure sound financial management
- (d) providing financial information
- (e) preparing the budget
- (f) treasury management.

Section 114 of the Local Government Finance Act 1988 requires the Chief Finance Officer (the Group Director Finance & Commerce) to report to the Council, Cabinet and external auditor if the authority or one of its officers:

- (a) has made, or is about to make, a decision which involves incurring unlawful expenditure
- (b) has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the authority
- (c) is about to make an unlawful entry in the authority's accounts.

Section 114 of the 1988 Act also requires:

- (a) the Chief Finance Officer to nominate a properly qualified member of staff (the Head of Financial & Procurement) to deputise should he or she be unable to perform the duties under section 114 personally
- (b) the authority to provide the Chief Finance Officer with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out their duties under section 114.

Financial Planning & Financial Management

3 Accounting and Accounting Policies

The Group Director Finance & Commerce is responsible for:

- (a) selecting accounting policies and ensuring that they are applied consistently
- (b) determining the accounting procedures and records for the Council and how accounting information will be compiled and maintained
- (c) the operation of the Council's accounting systems, the form of accounts and the supporting financial records
- (d) approving the use and operation of all financial systems.

Any changes made by Responsible Officers to the existing financial systems or the establishment of new systems within their services must be approved by the Group Director Finance & Commerce. However, the Responsible Officers will ensure the proper operation of financial processes in their own services.

4 Budgets

The form and content of revenue and capital budgets will be determined by the Group Director Finance & Commerce.

The Group Director Finance & Commerce is responsible ensuring that the following are prepared in compliance with the budget framework:

- (a) a revenue budget on an annual basis
- (b) a Medium Term Financial Strategy on a three-yearly basis (or such other basis as Cabinet determines)
- (c) a Capital Strategy on an annual basis
- (d) a Treasury Management Strategy on an annual basis, but subject to ongoing review and revision where appropriate.

Responsible Officers must ensure that budget estimates:

- (a) reflect agreed service plans
- (b) reflect the Medium Term Financial Strategy and Capital Strategy
- (c) are prepared in line with guidance issued by the Group Director Finance & Commerce.

No expenditure can be incurred unless:

- (a) it is contained within the Council's approved budget (subject to virement rules), or
- (b) external funding sufficient to meet it is available and approval has been given via an executive decision.

It is the responsibility of the Group Director Finance & Commerce to advise Cabinet and/or Council on prudent levels of reserves for the Council.

5 Budget Management

The Group Director Finance & Commerce is responsible for providing appropriate financial information to enable budgets to be monitored effectively. Responsible Officers must monitor and control expenditure against budget allocations and report to CMT on the overall position on a regular basis, highlighting material variances where these occur.

The Responsible Officers control income and expenditure within their services and produce forecasts and monitor financial performance, taking account of financial information provided by and in accordance with guidance issued by the Group Director Finance & Commerce. They must ensure that officers responsible for budget management are appropriately trained and competent.

The Responsible Officers must report on variances within their own areas. They should also take any action necessary to avoid exceeding their budget allocation. There is no authority to spend in excess of such allocation.

The Group Director Finance & Commerce must be consulted by Responsible Officers as soon as they become aware of any matters in their service areas, which could materially affect the Council's budget and which cannot be contained within existing approved budgets of the service area.

The Group Director Finance & Commerce is responsible for ensuring that Cabinet is suitably informed of the financial position during the course of the year.

The Responsible Officers are responsible for all expenditure funded through grants from external departments and bodies, and for ensuring that monies are expended in a timely manner and in accordance with grant conditions. No commitment should be given to incurring expenditure beyond that contained within approved budget allocations.

6 Budget Virements

Budget virements are required when a change to Council policy and/or service delivery requires resources to be reallocated, or when additional resources are received, or to meet any anticipated budgetary shortfalls.

Revenue virements are subject to the following authorisation process:

- (a) Virements in excess of £1 million will require Cabinet approval.
- (b) Virements between £500,000 and up to £1 million will require approval by the relevant Cabinet Members.
- (c) Virements between £250,000 and up to £500,000 that are key decisions will require approval by the relevant Cabinet Members.
- (d) Virements between £250,000 and up to £500,000 that are not key decisions will require approval by the CMT member and the Group Director Finance & Commerce.
- (e) All other virements will need to comply with procedures specified by the Group Director Finance & Commerce.

Capital virements are subject to the following authorisation process:

- (a) Virements in excess of £1 million will require Cabinet approval.
- (b) Virements between £500,000 and up to £1 million will require approval by the relevant Cabinet Members.
- (c) Virements between £250,000 and up to £500,000 between CMT members will require approval by the relevant Cabinet Members.
- (d) Virements between £250,000 and up to £500,000 within a single CMT member's service area will require approval by the CMT member and the Group Director Finance & Commerce.
- (e) All other virements will need to comply with procedures specified by the Group Director Finance & Commerce.

The definition of a Key Decision is set out in Executive Procedure Rules. All virements are subject to those Rules. All virements in excess of £500,000 are key decisions, whilst a revenue virement between £250,000 and £500,000 may be a key decision.

The cumulative value of virements for the year should be considered when deciding whether the various thresholds have been reached. The Group Director Finance & Commerce will take the final decision as to whether a number of smaller virements need to be grouped together for threshold calculation purposes.

7 Closedown of Accounts

The Group Director Finance & Commerce will make arrangements to close the accounts in accordance with legislative arrangements, the overall strategy and their duties/powers as Chief Finance Officer.

The Group Director Finance & Commerce is responsible for ensuring that the annual statement of accounts is prepared in accordance with *The Code*

of Practice on Local Authority Accounting in the United Kingdom 2011 – based on International Financial Reporting Standards (IFRSs) or such version of the Code that supercedes this.

The Group Director Finance & Commerce is responsible for establishing procedures for carrying forward under- and overspendings on budget headings, and for their subsequent use.

The Group Director Finance & Commerce is responsible for establishing procedures for the creation and use of earmarked reserves.

The relevant Cabinet member will consider and agree the setting up of any specific earmarked reserves, including the purpose for which they have been created.

Risk Management and Control of Resources

8 Internal control

The Group Director Finance & Commerce is responsible for:

- (a) establishing adequate systems to monitor and control the Council's financial transactions
- (b) ensuring that such systems are adequately maintained and reviewed
- (c) advising on effective systems of internal control and giving advice and guidance accordingly
- (d) ensuring compliance with all applicable statutes and regulations, and other relevant statements of best practice
- (e) ensuring that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.

It is the responsibility of Responsible Officers to:

- (a) maintain and promote sound arrangements for internal control, including appropriate authorisation arrangements
- (b) comply with the advice and guidance of the Group Director Finance & Commerce
- (c) ensure that they take due account of risk in the management of their functions
- (d) ensure that they allocate resources to appropriately manage that risk.

9 Risk management

The Group Director Finance & Commerce is responsible for:

- (a) reviewing and making recommendations on the Council's approach to risk management, including the risk management strategy
- (b) promoting the strategy throughout the Council
- (c) advising and instructing Responsible Officers accordingly.

Responsible Officers will ensure the regular identification, review and management of risk within their services, having regard to the Council's risk management strategy and associated advice and instructions from the Group Director Finance & Commerce and other specialist officers (e.g. crime prevention, business continuity, health & safety).

They are also responsible for promoting and implementing the risk management strategy within their service areas, for ensuring that service risk registers are compiled and regularly reviewed, and for taking appropriate mitigating action to reduce risk levels within their area.

10 Insurances

The Group Director Finance & Commerce is responsible for ensuring that proper insurance exists where appropriate.

Responsible Officers shall consult the Group Director Finance & Commerce and the Assistant Chief Executive Legal & Democratic Services on:

- (a) any terms of any indemnity that the Council is requested to give
- (b) appropriate contract conditions for contractors to indemnify the Council and suitable minimum insurance levels for inclusion in contracts
- (c) appropriate indemnities and minimum insurance cover for partnership arrangements.

Responsible Officers will be responsible for ensuring that they acquire additional professional indemnity insurance for any areas of work that they take on voluntarily, and for ensuring that staff in their service areas are similarly insured.

11 Treasury management and trust funds

The Council has adopted CIPFA's *Code of Practice for Treasury Management in Local Authorities (the CIPFA code)*.

The Group Director Finance & Commerce is responsible for:

- (a) implementing and monitoring the Council's treasury management policy and statement and ensuring its compliance with the CIPFA code.
- (b) controlling all money in the hands of the Council
- (c) all decisions on borrowing, investment or financing, provided these are in accordance with the CIPFA Code
- (d) holding in custody all securities, other than title deeds, contracts legal agreements mortgages, and trust funds, which are the property of or in the name of the Council or its nominees
- (e) acting as the Council's registrar of stocks, bonds and mortgages.

Investments must be made only in the name of the Council or its approved nominees.

All trust funds must be in the name of the Council. The Group Director Finance & Commerce must be informed of all trust funds administered by employees as part of their Council duties.

All employees acting as trustees by virtue of their official position shall deposit for safe-keeping, all securities etc. relating to any trust fund, with the Assistant Chief Executive Legal & Democratic Services unless the deed otherwise provides.

12 Internal and external audit

The Group Director Finance & Commerce is responsible for arranging for a continuous audit examination of accounting, financial and other operations of the Council.

The Group Director Finance & Commerce is responsible for ensuring:

- (a) the maintenance of an adequate and effective internal audit function that is sufficient in its coverage and independent in its planning and operation
- (b) that the Internal Audit & Corporate Risk Manager has direct access to the Chief Executive, all levels of management and the Audit Committee and the Value Overview & Scrutiny Committee
- (c) that the internal auditors are trained to comply with professional good practice.

The Audit Commission is responsible for appointing external auditors to the Council to review and report upon:

- (a) the financial aspects of the Council's corporate governance arrangements
- (b) the Council's financial statements, to be satisfied that the statement of accounts presents fairly the financial position of the Council, and its income and expenditure for the year in question and complies with the legal requirements
- (c) aspects of the Council's arrangements to manage its performance, including the preparation and publication of specified performance information.

The Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenues & Customs, who have statutory rights of access.

The Group Director Finance & Commerce or their authorised representative, including the appointed external auditor, or other external body, shall have authority to:

- (a) enter at any time any Council premises or land (subject to the rights of any occupier)
- (b) have unrestricted access to all records, documents and correspondence relating to any financial and other transactions of the Council where so required in connection with normal audit work
- (c) remove and /or secure any record, document and correspondence of the Council as considered necessary
- (d) make site visits during the course of a contract and examine any records or information relating to the contract, and examine contract final accounts and review supporting records and documentation in order to form a view on the accuracy of such accounts
- (e) have unrestricted access to employees and require and receive such information and explanations as are necessary concerning any matter under examination
- (f) require any employee of the Council to produce cash, stores or any other Council property under that employee's control.

It is the responsibility of Responsible Officers to:

- (a) ensure that internal auditors, external auditors, and other authorised inspectors, are given access at all reasonable times to premises, personnel, documents, records and assets, and are provided with any information and explanations that they consider necessary for the purposes of their work
- (b) consider and respond promptly to requests for information and to recommendations in audit reports

- (c) ensure any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

To ensure the independence of the Council's external auditors, Responsible Officers should not seek or receive personal financial or tax advice from them. Any other officers who may receive such advice from the Council's external auditors, or who may also act as director for another audit or advisory client of them, should advise the Group Director Finance & Commerce.

13 Preventing fraud & corruption

The Group Director Finance & Commerce is responsible for ensuring an annual review is undertaken of the anti-fraud & corruption policy and strategy and for advising the Audit Committee and Responsible Officers on its implementation.

The Group Director Finance & Commerce is responsible for ensuring an annual review is undertaken of the anti-money laundering policy and strategy and for advising the Audit Committee and Responsible Officers on its implementation.

Responsible Officers are responsible for notifying the Group Director Finance & Commerce (or the Head of Internal Audit, Insurance & Corporate Risk Manager) immediately of any suspected irregularities (including fraud), and to instigate the authority's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.

14 External arrangements

The Group Director Finance & Commerce will ensure that the accounting arrangements adopted in relation to partnerships and joint ventures are subject to financial control procedures which reflect those of the Council.

CMT members have a responsibility to take appropriate professional advice when entering into partnership arrangements and to ensure that any such arrangements do not impact adversely on Council services.

Responsible Officers are also responsible for ensuring that any governance arrangements comply fully with the Constitution and the Financial Framework, and that any negotiations are in accordance with the Contract Procedure Rules.

CMT members are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

Responsible Officers are responsible for ensuring that appropriate management arrangements are put in place to deal with the ongoing

governance of any partnerships, taking into account financial and legal advice.

CMT members must ensure that all financial risks have been fully appraised and appropriate mitigation is taken before contracts and other relationships are entered into, and that arrangements exist to continue to manage risks throughout the duration of the relationship.

CMT members will ensure that appropriate exit strategies are in place for partnership arrangements where these are time-limited.

The Group Director Finance & Commerce is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts.

Financial Systems & Procedures

15 Banking arrangements and cheques

The Group Director Finance & Commerce is responsible for:

- (a) the operation of the Council's bank accounts and associated procedures
- (b) any arrangements that need to be made with the Council's bankers, including the withdrawal of funds or transfer from one account to another
- (c) making proper arrangements for the ordering, safe custody, use, and control of cheques (except those for authorised imprest and advance accounts).

The Group Director Finance & Commerce must be notified of all bank accounts operated by any of the Council's employees in connection with the business of the Council or unofficial funds held by the Council.

Cheques on the Council's main banking and National Giro accounts shall bear the pre-printed signature of the Group Director Finance & Commerce or be signed by the Group Director Finance & Commerce or other officer authorised by them to do so.

Cheques over £100,000 in amount must also be counter-signed by the Group Director Finance & Commerce or designated Officers.

The Responsible Officers will ensure that all financial transactions are processed through the Council's main banking account, unless approval has been given by the Group Director Finance & Commerce for other arrangements to be in place.

16 Purchasing of and payments for works, goods and services

The procurement of works, goods and services is governed by the Contract Procedure Rules, which set out the procedure and, dependent on the procurement process, the relevant financial limits. Any procurement must comply with the Contract Procedure Rules and any more detailed procedures laid down in the Procurement Framework.

Purchasing arrangements should comply with any advice, guidance and instructions issued by the Group Director Finance & Commerce.

Payment arrangements should comply with any advice, guidance and instructions issued by the Group Director Finance & Commerce.

Petty cash and imprest arrangements should comply with any advice, guidance and instructions issued by the Group Director Finance & Commerce.

17 Financial administration of contracts

For contracts with a value in excess of £156,000, Responsible Officers shall have in place and document adequate systems and procedures in relation to financial aspects, including certification of interim and final payments, checking, recording and authorising payments, the system for monitoring and controlling capital schemes and the procedures for validation of subcontractors' tax status.

The Responsible Officers will ensure that all such systems and procedures, and any exceptions from them, are approved by the Group Director Finance & Commerce.

For all other contracts, the Responsible Officers will maintain systems and procedures as specified by the Group Director Finance & Commerce.

18 Payments to employees and Members

All payments to employees or former employees and Members of the Council shall be made under the direction of the Head of Shared Services in consultation with the Group Director Finance & Commerce, to include salaries, pensions, compensation and other emoluments, travelling & subsistence, expenses claims, and travel loans.

Responsible Officers will notify the Group Director Finance & Commerce as soon as possible of all matters affecting such payments, in accordance with any procedures specified by the Group Director.

19 Taxation

The Group Director Finance & Commerce shall maintain and make available up to date guidance on the proper treatment and accounting for VAT and shall ensure that the net VAT payments are fully and promptly recovered from HM Revenue & Customs. The Group Director Finance & Commerce shall prepare and implement a timetable for the preparation and submission of VAT claims

Responsible Officers shall comply with the timetable and associated procedures for VAT claims. They shall also ensure that the VAT implications of fees and charges levied by the Council, capital projects, all purchasing transactions and any consideration of alternative means of service provision are properly considered and recorded after due consultation with the Group Director Finance & Commerce.

20 Income

The Group Director Finance & Commerce shall approve all procedures for the collection of monies due to the Council regardless of the services within which they are collected.

The Responsible Officers will establish appropriate and secure arrangements for ensuring that the income receivable, in their services, is promptly identified, billed and collected; through the corporate debtors service, or by staff in the service area. All income and VAT must be correctly accounted for.

Where the corporate system is not used, systems and processes for identifying, billing and collecting income require approval from the Group Director Finance & Commerce.

The level of fees and charges should be kept under review by Responsible Officers. Charges shall be reviewed at least annually to coincide with the approval of the revenue budget.

Any changes to fees and charges within a financial year shall be made as soon as practicable, subject to approval by the relevant Cabinet member.

21 Write off of irrecoverable debts

Responsible Officers shall ensure that every effort is made to recover debts due to the Council. The corporate debtor system/service should be used as appropriate.

No material arrangement should be made to any procedures for billing or recovery of monies due to the Council without prior consultation and agreement with the Group Director Finance & Commerce.

Write off of debts can only be approved by the Group Director Finance & Commerce in accordance with any limits set within the Constitution and where it can be demonstrated that all cost effective efforts have been made to recover the debt and the appropriate procedures for recovering debt have been followed.

22 Safeguarding and controlling assets

The Responsible Officers will ensure that records and assets are properly maintained and securely held.

The Responsible Officers will ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

23 Administration of Private Funds

Private Funds are defined as financial assets held in an official capacity by Council officers on behalf of third parties such as trust funds, voluntary grant aided funds or receivership accounts. Where private funds exist in connection with Council activities, the appropriate Assistant Director/Head of Service must ensure appropriate procedures are in place to manage such a fund.

The administration of these funds must comply with any guidance issued by the Group Director Finance & Commerce. Financial records should be maintained to a standard so as to achieve an unqualified audit, and relevant year end treatment applied.

Responsible Officers shall ensure that finance and legal advice is sought to ensure that legal issues are considered and tax responsibilities defined. A comprehensive risk appraisal must be carried out prior to entering into any form of private fund arrangement and due consideration should be given to any necessary measures to safeguard both the funds and the Council's interests.

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COUNCIL, 1 FEBRUARY 2012**REPORT OF THE CHIEF EXECUTIVE****OVERVIEW AND SCRUTINY RULES – EXCEPTIONS TO THE CALL-IN (REQUISITION) PROCEDURE****SUMMARY**

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

This report deals with two such decisions:

- 1) Appointment of contractor for works related to Phase 1 of the Transport for London funded Hornchurch Major Scheme; and
- 2) Award of the Rainham Traffic Management Scheme contract

RECOMMENDATION

That the report be noted.

REPORT DETAIL

- 1 Rule 18 of the Overview and Scrutiny Committee Rules provides that:
 - (a) **The call-in procedure shall not apply where a decision being taken by Cabinet or an individual Cabinet member, or a key decision made by a member of staff is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests. The record of the decision and notice by which it is made shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in.**

- (b) The decision making person or body can only take an urgent decision and avoid call-in procedures after obtaining agreement from the Chairman or in the absence of the Chairman, the Vice Chairman of the relevant overview and scrutiny committee that the decision be treated as urgent.

2 Appointment of contractor for works to Hornchurch Major Scheme

- 2.1 On behalf of Cabinet, Cynthia Griffin, Group Director Culture and Community sought the agreement of the Chairman of the Towns and Communities Overview & Scrutiny Committee to exempt from call-in an Executive decision concerning the appointment of a contractor to undertake the works related to Phase 1 of the Transport for London funded Hornchurch Major Scheme.
- 2.2 The Chairman of the Towns and Communities Overview and Scrutiny Committee, Councillor Fred Osborne, gave his agreement to the exemption from call-in as any delay to the appointment of the successful contractor could compromise the ability to achieve full spend of the funding in the current financial year.

3 Award of the Rainham Traffic Management Scheme contract

- 3.1 On behalf of Cabinet, Cynthia Griffin, Group Director Culture and Community sought the agreement of the Chairman of the Towns and Communities Overview & Scrutiny Committee to exempt from call-in an Executive decision concerning the award of the contract for the Rainham Traffic Management Scheme.
- 3.2 The Chairman of the Towns and Communities Overview and Scrutiny Committee, Councillor Fred Osborne, gave his agreement to the exemption from call-in as any delay in the appointment a contractor the for the scheme would compromise the Council's ability to achieve full spend of the £1.145million TfL grant funding within the financial year.

4. Financial Implications and Risks:

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

5. Legal Implications and Risks:

There are none directly associated with this report.

6. Human Resource Implications and Risks:

There are none directly associated with this report.

7. Equalities and Social Inclusion Implications and Risks:

There are none directly associated with this report.

Background Papers List

1. Appointment of contractor for works to Hornchurch Major Scheme (Exempt from public disclosure)
2. Award of the Rainham Traffic Management Scheme contract. Signed by Andrew Blake-Herbert, Group Director Finance and Commerce (in the absence of Cynthia Griffin, Group Director Culture and Community) dated 16 December 2011.

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MEMBERS' QUESTIONS

1 HORNCHURCH HIGH STREET: CONTINUED DISRUPTION

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor John Mylod

Owing to the continued disruption to Hornchurch High Street and the detrimental impact this is having on local upon traders in tough economic times, would the Cabinet Member agree that substantial rate relief should now be given as matter of urgency?

2 MEETING WITH THE MINISTER

To the Leader of the Council (Councillor Michael White)

By Councillor Jeffrey Tucker

Is the Council Leader's refusal to invite all group leaders to his meeting with the Minister, about local government funding, because he rejects the idea of a cross party Justice for Havering campaign?

3 POSSIBLE MAJOR HUB AIRPORT IN THAMES ESTUARY

To the Leader of the Council (Councillor Michael White)

By Councillor Keith Darvill

What response will the administration make to the Coalition Government's proposed consultation about the future of airports and aviation, in particular about the possibility of a major hub airport in the Thames Estuary?

4 CORBETS TEY SCHOOL

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

By Councillor Ray Morgon

Following a complaint from one of my residents, I highlighted safeguarding issues at Corbets Tey School almost two years ago. In a recent inspection at the same school by OFSTED, they have also criticised the school in the area of Safeguarding. Would the Cabinet Member explain why this issue has been

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ignored by the Council for the past 2 years and what measures are being put in place to rectify the situation?

5 LANDFILLING AT HORNCHURCH COUNTRY PARK: IMPACT ON THE HIGHWAY

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Michael Deon Burton

Will the Council carry out a Highway Impact Assessment in Rainham Road, between Dovers Corner and the Cherry Tree, before more landfill is permitted in the Hornchurch Country Park?

6 "MY PLACE" YOUTH FACILITY, HAROLD HILL

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

By Councillor Pat Murray

What are the Council doing to engage with service users about the future use of "My Place" in Harold Hill?

7 FUTURE HOUSING MANAGEMENT OPTIONS

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor June Alexander

Further to the consultation letter that has been sent to all tenants and leaseholders in respect of the future of housing management in the borough, it was previously agreed by stakeholders that the question of staying with Homes in Havering or going back in-house would be either a 'Yes' or 'No' answer. Would the Cabinet Member explain why another option (ie don't mind) was added in and why, when the format had already been agreed, were the views of stakeholders ignored?

8 EFFECT OF COUNCIL TAX FREEZE

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor David Durant

Will accepting the Government grant to freeze council tax result in further cuts being made to local services?

9 **CHILD POVERTY IN GOOSHAYS AND HEATON WARDS**

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

By Councillor Paul McGeary

Why has child poverty remained stubbornly high in Gooshays and Heaton wards?

10 **LEADER'S BLOG**

To the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

In order to gauge the effectiveness and appeal of the 'Leaders Blog', as at 23rd January 2012 would the Leader set out how many visits have been recorded for each of the last five entries - ie:

- Christmas Message 2011 (19.12.11)
- Meet the new Youth Leader (15.12.11)
- Visit to CEME (9.12.11)
- Romford Christmas Lights (21.11.11)
- Icelandic Banks (14.11.11)

11 **“HAVERING HOMES FOR HAVERING PEOPLE”**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan

Will the new rules regarding housing allocation give substance to the phrase Havering Homes for Havering People?

12 **DECENT HOMES FUNDING: TIMETABLE OF WORKS**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Denis Breading

In view of the revised roll out of decent homes funding, when will Homes in Havering provide details of the new timetable of works so that tenants are kept informed of progress and when improvements to their homes will be carried out?

13 **PARKLANDS BRIDGE, UPMINSTER**

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

By Councillor Linda Hawthorn

Given that an Executive Decision made over 10 years ago (22.6.01) acknowledged that Parklands Bridge (Upminster) was in need of restoration, would the Cabinet Member explain why no plans were drawn up until 2008 and clarify what the latest position is regarding this matter?

14 **PHOTOCOPYING FACILITIES FOR MEMBERS**

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

By Councillor David Durant

I received a Council email containing the following information.

“In accordance with the agreed strategy of moving from individual "at desk" printers to multiuser printers/copiers (known as multi-function devices or MFDs), the photocopier in the Members' Resources Room has been converted to operate as an MFD.

“The aim is to reduce costs substantially by using more economical means of printing, especially by doing away with individual copiers, which are costly in terms of toner usage.

“Attached are two documents - a poster showing how to use the MFD and a note explaining the background!”

I replied:

“I can understand the change-over for council staff, but I do not think this should apply to councillors.

“There are rules regarding what we can print, but unless you are implying significant abuse, there is still the question of confidentiality. If the MFDs record an image of all printing, then presumably they will be monitored, but by whom? I do not think council officers should be monitoring councillors letters and printing.

“You say "in accordance with agreed strategy", but has the issue of the members room photocopier gone before the Governance committee, bearing in mind that the members room is for councillors not council staff?”

In the absence of a reply to my email, I have submitted my concerns as a question.

15 **ROAD TRAFFIC ACCIDENTS IN NOAK HILL ROAD**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Denis O'Flynn

Following another serious road traffic accident in the stretch of road between Straight Road and North Hill Drive will the administration take urgent steps to make representations to TfL and the Metropolitan Police to review traffic calming measures and hazard signs in the area.

16 **HOUSING BENEFIT**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ray Morgon

Would the Cabinet Member confirm the highest amount of annualised housing benefit paid to a Havering resident.

17 **COMPENSATION CLAIMS**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

Would the Cabinet Member confirm how many claims for compensation have been lodged in each of the last five years as a result of:

- a) Tripping on the highway
- b) Damage from highway trees

18 **FRIENDS OF PARKS GROUPS**

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

By Councillor Linda Hawthorn

This council is quite rightly proud of its achievement in obtaining eight Green Flag awards, and it's initiative in starting 'Friends of Parks' groups. Would the Cabinet Member please set out how many 'Friends' groups have been established over the past 18 months and what encouragement is given to people who express an interest in starting one?

19 **MAYLANDS FIELD – VILLAGE GREEN APPLICATION**

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

By Councillor Brian Eagling

Would the Cabinet Member responsible for the Maylands Field Harold Park Town Green Application please confirm what the latest situation is and when a decision is expected as he must realise that this application has been going on for many, many years and the residents of this area deserve an answer. If there is no definite date could he please make enquiries as to why this application is taking so long?

20 **STOLEN COUNCIL PROPERTY**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Would the Cabinet Member confirm that Council property that is stolen in a particular ward, such as drain covers, is reported to the Police and/or local Safer Neighbourhood Team?

21 **EMPTY HOUSING STRATEGY**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ray Morgon

Since the Empty Housing Strategy was agreed, would the Cabinet Member confirm the number of properties that have been brought back into use by this Council each year and how many empty properties are currently on the list for consideration?

22 **HOUSING BENEFIT CLAIMANTS**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ray Morgon

Would the Cabinet Member confirm the number of claimants of housing benefit at the end of December 2008, 2009, 2010 and 2011?

23 **FUNERALS**

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Ray Morgon

Would the Cabinet Member confirm the number of Council funded funerals in the past three years?

24 **PENSION SCHEME: CONTRIBUTIONS**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Would the Cabinet Member confirm the amount paid into the Local Government Pension Scheme in each of the past ten financial years split between staff and Havering Council?

25 **PENSION SCHEME: ALLOCATIONS OF CONTRIBUTIONS**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Would the Cabinet Member confirm that the government's planned 3% increase in pension contributions from staff will actually be paid into the Council's pension scheme?

26 **PROVISION OF POLYCLINICS IN HAVERING**

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor June Alexander

Would the Cabinet Member provide an update as to the future of Polyclinics in the borough and when the next one is due to open?

27 **DEMOLITION OF OLD WINDMILL HALL**

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

By Councillor Linda Hawthorn

Would the Cabinet Member set out the time table for the demolition of the Old Windmill hall, and what is the latest position regarding the refurbishment of the New Windmill hall?

28 **SALE OF FORMER GARAGE SITES**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ron Ower

Would the Cabinet Member set out what receipts have been received by the Council in respect of the sale of former garage sites over the last two years?

29 **UNLAWFUL SUB-LETTING OF COUNCIL HOUSING**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ron Ower

Would the Cabinet Member state how many prosecutions have been made for sub-letting over the past three years?

30 **WASTE MINIMISATION**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor John Mylod

In respect of waste management, would the Cabinet Member:

- a) Advise how the Waste Minimisation Campaign is proceeding and can we have more detail of how residents can reduce waste and save money, as well as details of the free cookery workshops?
- b) Is the two black sacks limit dependent upon the number of people who live in the house or is it just per household?
- c) How is the scheme being funded and what time scale can be anticipated before we see results?



COUNCIL, 1 FEBRUARY 2012

MOTIONS FOR DEBATE

A REVITALISING THE BOROUGH'S TOWN CENTRES

Motion on behalf the Residents' Group

Following the recent publication of the 'High Street Review' by Mary Portas, this Council agrees to examine the proposals in the context of the local economy in Havering and accordingly agrees:

- a) To establish a panel, made up of cross party members, representatives from the business community and members of the public to consider the recommendations of the 'High Street Review' and how, where appropriate, they can be applied to Havering
- b) That the panel report in due course to the Town & Communities Overview and Scrutiny Committee, which will set the detailed terms of reference of the panel and relevant timeframes and consider its recommendations
- c) To include all town centres in Havering as part of the review
- d) To request the Overview & Scrutiny Committee to report to the Cabinet in due course upon the findings and recommendations of the panel

Amendment on behalf of the Independent Residents' Group

Insert before the beginning of the motion:

This Council believes that the main reason High Streets became neglected was because of Mrs Thatcher's introduction of the biased grant funding and the removal of the business rates from local councils.

This meant business rates were replaced by 106 agreements as a vital source of income. This led councils to favour Mega-Stores and ignore the High Street.

Only by getting Justice for Havering and restoring business rates to local councils will this favouritism be reversed.

However there are still a range of remedial policies that can help revive our High Streets and

Then continue with the motion as proposed

Note: the motion would then read:

This Council believes that the main reason High Streets became neglected was because of Mrs Thatcher's introduction of the biased grant funding and the removal of the business rates from local councils.

This meant business rates were replaced by 106 agreements as a vital source of income. This led councils to favour Mega-Stores and ignore the High Street.

Only by getting Justice for Havering and restoring business rates to local councils will this favouritism be reversed.

However there are still a range of remedial policies that can help revive our High Streets and following the recent publication of the 'High Street Review' by Mary Portas, this Council agrees to examine the proposals in the context of the local economy in Havering and accordingly agrees:

- a) To establish a panel, made up of cross party members, representatives from the business community and members of the public to consider the recommendations of the 'High Street Review' and how, where appropriate, they can be applied to Havering
- b) That the panel report in due course to the Town & Communities Overview and Scrutiny Committee, which will set the detailed terms of reference of the panel and relevant timeframes and consider its recommendations
- c) To include all town centres in Havering as part of the review
- d) To request the Overview & Scrutiny Committee to report to the Cabinet in due course upon the findings and recommendations of the panel

Amendment on behalf of the Administration

Amend to read:

Following the recent publication of the 'High Street Review' by Mary Portas, this Council agrees that its Sustainable Communities Strategy, Culture Strategy and Local Development Framework, among other policies and strategies, offer a humane and locally distinctive vision for all towns and villages in Havering, which will enable it to respond positively to the aspirations of local people and other interested bodies.

B PUBLIC ACCESS TO THE COUNCIL CHAMBER

Motion on behalf the Independent Residents' Group

This Council believes that the Administration's decision to exclude guests from the Council Chamber and public from the side gallery during Council meetings was made for petty political, rather than security reasons.

Therefore in the interests of democratic and accountable government, this decision must be reversed.

Amendment on behalf of the Administration

Amend to read:

This Council believes, in the interests of democratic and accountable government, that order needs to be maintained at Council meetings and that the balcony public gallery allows for that requirement to be expedited.

C THE COUNCIL'S CONSTITUTIONAL ARRANGEMENTS

Motion on behalf the Labour Group

That this Council review its constitutional arrangements to ensure that the commonly-held view that we have in the Borough an "elective dictatorship" is addressed and reversed.

Amendment on behalf of the Administration

Amend to read:

That this Council believes that its constitutional arrangements are democratic and effective.

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