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MINUTES OF A MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HAVERING Council Chamber - Town Hall 13 June 2012 (7.30 - 11.00 pm)

Present: The Mayor (Councillor Lynden Thorpe) in the Chair

Councillors Councillors Michael Armstrong, Clarence Barrett,
Robert Benham, Becky Bennett, Sandra Binion, Jeffrey 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, Linda Van den Hende,
Steven Kelly, Pam Light, Mark Logan, Barbara Matthews,
Paul McGeary, Robby Misir, Ray Morgon, Eric Munday,
Pat Murray, John Mylod, Denis O'Flynn, Barry Oddy,
Frederick Osborne, Garry Pain, Roger Ramsey, Paul Rochford,
Geoffrey Starns, Billy Taylor, Barry Tebbutt,
Frederick Thompson, Linda Trew, Jeffrey Tucker,
Melvin Wallace, Keith Wells, Damian White, Michael White and
John Wood

* for part of the meeting

6 Members' guests and a representative of the press were also present.

Apologies were received for the absence of Councillors June Alexander, Lesley Kelly and Ron Ower.

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

Prayers were said by Father Roderick Hingley, Mayor's Chaplain

The meeting closed with the singing of the National Anthem.

11 **MINUTES (agenda item 3)**

The Minutes of the Extraordinary and Annual Meetings held on 23 May 2012 were before the Council for approval.

Procedural motion on behalf of the Independent Residents' Group

Amend the minutes of the Annual Council meeting to provide a true and accurate record and to encourage orderly conduct by Members.

In Minute 7 (Appointment of the Chairmen and Vice-Chairmen of Committees) (Supplementary Agenda page 10), **Amend** last paragraph to read:

The Administration, Independent Residents' Group and Residents' Group nominations for Chairmen of the following Committees were then debated. During the debate Madam Mayor only had to raise her voice once to rebuke the Council Leader and some Conservative Members for lowering the tone of the Annual Council meeting. Following the debate the nominations were put to the vote, as follows:

In accordance with Council Procedural Rule 12.1(a), the procedural motion was put to the vote without debate and was **LOST** by 4 votes to 46 (see division 1).

The minutes as submitted were then **AGREED** without division and it was **RESOLVED**:

That the minutes of the Extraordinary Meeting and of the Annual Meeting of the Council, both held on 23 May 2012, be signed as a true record.

12 **DECLARATION OF INTERESTS (agenda item 4)**

There were no declarations of interest.

13 **ANNOUNCEMENTS BY THE MAYOR (agenda item 5)**

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

14 **PETITIONS (agenda item 6)**

The Mayor had agreed that the following petition should be presented, notwithstanding that there had not been proper notice of it.

A petition with some 40 signatories was presented by Councillor David Durant, from residents of Warwick Road, Rainham concerning a planning application relating to premises in that road.

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

15 **DEBATE ON LEADER'S STATEMENT (agenda item 7)**

In accordance with the Council's previous decision that there should be opportunity to debate the Statement by the Leader of the Council at the Annual Meeting, the Leader of the Council, the Group Leaders and a number of Members spoke about aspects of that Statement.

At the conclusion of the debate, the Council **NOTED** the Statement.

16 **MEMBERS' CODE OF CONDUCT (agenda item 8)**

The Mayor had agreed pursuant to s.100B(4) of the Local Government Act 1972 that the report referred to in this minute should be considered as a late item. The Governance Committee meeting at which it was considered had taken place after the publication of the final agenda for this meeting but a decision on the matter was required before 1 July.

The Governance Committee reported that, in accordance with the Localism Act 2011, the Council was obliged to adopt a new Members' Code of Conduct, to be effective from 1 July 2012. The Committee now recommended the adoption of a new Code, based on model codes suggested by the Department of Communities & Local Government and by the Local Government Association, together with a procedure for dealing with allegations of breaches of the Code.

The Code and Procedure are set out as **Appendices 2A and 2B** to these minutes respectively.

Amendment by the Independent Residents' Group

Both the Members Code of Conduct and the Procedure for dealing with allegations need to be withdrawn and re-written, because:

- The Members Code of Conduct reads like an Employee Code of conduct. For example: the sentence 'Members will be expected to comply with the Council's policies on Equality in Employment, Equality in Service Provision and Harassment and Bullying at Work' should not be in a Members Code of Conduct. This is because Members are elected Representatives of the People, not employees of the Council and should not be expected to comply with the Council's policies.
- The Procedure for dealing with allegations should include an appeals procedure.

Following debate, the amendment by Independent Residents' Group was **LOST** by 38 votes to 4 (see division 2). The Governance Committee's recommendations were then **AGREED** as the substantive motion by 40 votes to 4 (see division 2) and it was **RESOLVED**:

That the Council adopt the draft Code of Conduct set out in Appendix 2A and the procedure for dealing with complaints set

out in **Appendix 2B**, noting that the **Monitoring Officer** will amend the section of the Code that deals with interests if necessary to comply with any subsequent secondary legislation on interests.

17 AMENDMENTS TO THE CONSTITUTION (agenda item 9)

The Mayor had agreed pursuant to s.100B(4) of the Local Government Act 1972 that the report referred to in this minute should be considered as a late item. The Governance Committee meeting at which it was considered had taken place after the publication of the final agenda for this meeting but a decision on the matter was required in order to implement the proposed changes at the earliest opportunity.

Continued review of the Council's schemes for the delegation of responsibility for its various functions had identified the need for a number of comparatively minor changes in the Constitution, to reflect changes of circumstance and in ways of working.

The Governance Committee now invited the Council to approve a number of changes to the Council's Constitution, as set out in **Appendix 3** to these minutes.

The Committee's recommendations were **ADOPTED** without debate or division and it was **RESOLVED**:

That the Council approve the proposed delegations as set out in Appendix 3 to this report.

18 EXCEPTIONS TO THE CALL-IN (REQUISITION) PROCEDURE (agenda item 10)

The Council was reminded that, under paragraph 18e of the Overview and Scrutiny Procedure Rules, the Leader of the Council was required to submit quarterly reports to Council on decisions taken by himself, Cabinet or individual Cabinet members, or key decisions made by a member of staff where, in the previous three months, the Chairman of the relevant Overview and Scrutiny Committee had agreed that the decision be excepted from call-in and, as the case may be, also from entry in the Forward Plan.

It was now reported that there had recently been three such decisions, relating to:

- 1) The disposal of Pages Barn, Pages Lane, Harold Wood, Romford;
- 2) Revision to the agreed Executive Decision of 9 August 2011 for the disposal of the existing Rainham Library and the acquisition of land for a new library at the junction of Ferry Lane and the Broadway, Rainham; and

- 3) Use of Section 106 commuted sums for provision of affordable housing

The Council **NOTED** the report without debate or division.

19 **MEMBERS' QUESTIONS (agenda item 11)**

As the time remaining was insufficient for questions to be dealt with at the meeting, the Council **NOTED** that the questions that were to have been asked would be treated as having been put for written answer. The questions and answers are accordingly set out in **Appendix 4** to these minutes.

20 **MOTIONS FOR DEBATE (agenda item 12)**

With the agreement of the Council, the following motions were withdrawn:

Item 12A – The Council's constitutional arrangements – by the Labour Group

Item 12B – The Right to Buy: Review – by the Independent Residents' Group

21 **VOTING RECORD (agenda item)**

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

Mayor

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APPENDIX 1 (Minute 13)

MAYOR'S ANNOUNCEMENTS

It would be remiss of me if I didn't mention some of the notable events I have attended during this special time in our lives. I am sure you will all have your own special memories of the celebrations of our Queen's 60 glorious years as our Sovereign. So where to begin..

In the run up to the Jubilee week-end I attended celebrations at some of our primary schools, and it was wonderful to see the schools celebrating with such imagination and enthusiasm. Pageants, special songs, crown making competitions and seas of red, white and blue everywhere. I also visited the festivities at Royal Jubilee Court where residents from 19 of our sheltered housing facilities, came together for a superb party. I have to say the staff and volunteers were amazing. They went the extra mile to ensure it was a perfect day.

David (my consort and husband) and I attended numerous street parties across the Borough, and even damp weather didn't deter the residents from celebrating wholeheartedly.

As for our Council, they pulled out all the stops to make the Jubilee festivities truly memorable for our residents.

The Sunday before the Jubilee, a party was organised for over 60 children and their families which took place on the Queen's Green. It was a very hot and sunny day and the children enjoyed the games and craft activities. The Giggly Pig lunch went down well as well!

There was a lovely feel to Romford Market on the Jubilee Saturday, with all the red white and blue flags. It was stunning.

The market never disappoints. We also went up to an Open Garden and Summer Fayre event at St. Francis Hospice. It was nice to see so many people helping with the event.

On Sunday many of us attended the service of Thanksgiving at St. Edwards' church in Romford market place. It was with some trepidation I read one of the lessons. As always the choir sang like angels, they are so gifted.

Romfest commenced in the afternoon and I met children who were there to attend their own special Romfest party.

We had provided a lot of entertainment for the residents and visitors from Chas (of Chas and Dave Fame) to a young lady called Hope Murphy who had sung her heart out on "Britain's Got Talent". We even had some fireworks. Wonderful.

On the Monday I opened the Sports Festival and helped give out 320 medals to the participants of the 5k Fun Run. David and I then carried on visiting street parties. I know the Deputy Mayor and Deputy Mayoress were also out meeting and greeting. We were all enjoyably busy.

The grand finale of the Monday celebrations was the lighting of the Beacon in Havering -atte-Bower. I co-lit the Beacon at 10pm that evening with the Member of Parliament for Romford, Mr. Andrew Rosindell. This event had been organised by The 3rd

Havering St. James Scouts. So well done to them. Over 4000 beacons were lit in the UK and around the world. So Havering was part of something really big and historical and will probably never be seen again in our lifetime.

Last Sunday we rounded off our Borough's wonderful Jubilee celebrations with a Summer Concert at Langtons, free to all who wished to attend.

I have to say what with the flag waving, bunting etc it truly was like "the last Night of the Proms". At both the Romfest and Langtons I was approached by visitors from other parts of London who wanted to shake my hand as a thank you to Havering for putting on these events. I was proud to do so.

I have to say I thought it was a lovely endorsement of all our staff who work so hard to make these events happen. From our events and parks people to everyone else involved. They are a credit to our Borough.

Finally, just to remind you this isn't the end of this summer of fun. The Olympic Torch will be coming to Havering on Sunday 22nd July.

Then we will have our two day Havering Show on August Bank Holiday week-end and the Hornchurch Live Music event on the Saturday evening of that week-end.

I also have one announcement to make. Leading Cadet Lucy May Croxall of St John Ambulance, Harold Hill cadet Division will be the Mayoral cadet for the Year.

Cadet Sergeant Andrew Murphy of 452 (Hornchurch) Squadron, Air Training Corps, will be the Deputy Cadet and I look forward to working with both of them.

Thank you, that concludes my announcements.

As there are no announcements from the Leader of the Council or the Chief Executive we will now move on to the business of the day, beginning with item 6, Petitions.

LONDON BOROUGH OF HAVERING

Members' Code of Conduct

Members or co-opted members of the Council of the London Borough of Havering have a responsibility to represent the community and work constructively with the Council's staff and partner organisations to secure better social, economic and environmental outcomes for all.

Principles of conduct in public office

In accordance with the provisions of the Localism Act 2011, when acting in the capacity of a Member, they are committed to behaving in a manner that is consistent with the following principles to achieve best value for the Borough's residents and to maintain public confidence in the Council.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

Personal conduct

Accordingly, Members must act solely in the public interest and:

- Never improperly confer an advantage or a disadvantage or seek financial or other material benefits for family members, friends or close associates
- Never place themselves under a financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties
- Make all decisions on merit alone

- Are accountable to the public for their decisions and must co-operate fully with whatever scrutiny is appropriate to their office
- Be open as possible about their decisions and actions, and those of the Council, be prepared to explain the reasons for those decisions and actions
- Disclose any private interests, pecuniary or non-pecuniary, that relate to their public duties and take steps to resolve any conflicts of interest that arise, including registering and declaring interests in accordance with the Council's agreed procedures
- Ensure that they do not use, nor authorise the use by others of, facilities provided by the Council for any purpose that would be improper, including for party political purposes, and must have regard to any Local Authority Code of Publicity made under the Local Government Act 1986
- Promote and support high standards of conduct when serving in their public post, in particular as characterised by the requirements of this Code, by leadership and by example

As a Member of the Council, each Member will in particular address the statutory principles of the code of conduct by:

- Championing the needs of all residents and putting those interests first.
- Dealing with representations or enquiries from residents, members of local communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including their own financial interests or those of others connected to them, to deter them from pursuing constituents' casework, the interests of the Borough or the good governance of the Council in a proper manner.
- Exercising independent judgement and not compromising their position by placing themselves under obligations to outside individuals or organisations who might seek to influence the way they perform their duties as members/co-opted members of the Council.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for their decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making the Council's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding members to account but restricting access to information when the wider public interest or the law requires it
- Behaving in accordance with all the Council's legal obligations, alongside any requirements contained within its policies, protocols and procedures, including on the use of the Council's resources.
- Valuing colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between Members and staff that is essential to good local government.
- Always treating people with respect, including the organisations and public they engage with and those they work alongside.

- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within the Council.

Members will be expected to comply with the Council's policies on Equality in Employment, Equality in Service Provision and Harassment and Bullying at Work.

Pecuniary and non-pecuniary interests

The Act further provides for registration and disclosure of interests and in Havering, this will be done as follows:

Registration

A disclosable pecuniary interest must be notified to the Monitoring Officer, who shall arrange for it to be registered in the Council's register immediately following receipt:

- (a) Within 28 days of taking office as a Member or Co-opted Member and
- (b) Forthwith in any other circumstances.

"Interest" includes not only interests of the individual Member but also those of the Member's spouse, civil partner (or a person with whom the Member lives as spouse or civil partner).

Notice of an interest will be placed in the public part of the register unless the Monitoring Officer is satisfied that, pursuant to s.32 of the Localism Act 2012 it is sensitive and should not be made public.

Disclosure

A Member must disclose a disclosable pecuniary interest at any meeting at which a matter to which it relates is considered. Once an interest has been disclosed, the Member may not participate in the discussion of, or voting on, that matter but may, with the permission of the Chairman of that meeting, remain in the meeting room.

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**Procedure for investigating and deciding
allegations of breaches of the Members' Code of Conduct**

- 1 All allegations that a Member (including a co-opted Member) has breached the Council's Members' Code of Conduct shall be referred in the first instance to the Monitoring Officer, who shall provide a copy of the allegation to:
 - The Member against whom it is made and
 - The Independent Person.
- 2 The Independent Person shall take such steps as he/she deems necessary to carry out the functions assigned to him/her by section 28 of the Localism Act 2011.
- 3 The Monitoring Officer shall consider the allegation initially to establish whether there is *prima facie* evidence of the alleged breach. The Monitoring Officer may make enquiries of the person submitting the allegations in order to clarify any point or reference within the allegation.
- 4 Upon conclusion of the initial consideration, the Monitoring Officer shall refer the allegation to an Initial Assessment Panel of three Members of the Adjudication & Review Sub-Committee. The Panel shall consider the report and any recommendation of the Monitoring Officer and may:
 - (i) Require the Monitoring Officer to seek (further) clarification of the person making the allegation and adjourn to reconvene when that clarification is to hand;
 - (ii) Dismiss the allegation as showing no, or insufficient, evidence of a breach warranting further investigation or
 - (iii) Require the Monitoring Officer formally to investigate the allegation and, upon completion of the investigation, to report thereon to a Hearings Panel.
- 5 A Hearings Panel (of three Members of the Adjudication & Review Sub-Committee, other than those who formed the Initial Assessment Panel) dealing with an allegation in accordance with paragraph 4(iii) shall consider the report of the Monitoring Officer and any recommendation made by him at a hearing, which shall take place in public unless the Panel decides that it should be heard, wholly or in part, in private if the nature of the information that might be disclosed is such as to warrant being treated as exempt in accordance with Schedule 12A of the Local Government Act 1972.
- 6 When considering the report, the Hearings Panel shall do so in an inquisitorial style. Those having a right to be heard shall be:
 - (i) The person making the allegation
 - (ii) The Member against whom the allegation is made
 - (iii) The Monitoring Officer
 - (iv) The Independent Person
 - (v) Any person named by the person making the allegation, the Member against whom the allegation is made or the Monitoring Officer as a material witness to the matter (provided that a witness may be invited to attend but shall be under no compulsion to do so)

- 7 Having heard all relevant evidence, the Hearings Panel shall retire to consider its decision in private. Once a decision has been reached, it shall be announced in public and a record of the proceedings published on the Council's website.
- 8 The Hearings Panel may decide:
- (i) That the allegation is proven, wholly or in part, and uphold it, wholly or in part
 - (ii) That the allegation is not proven, and dismiss it
- 9 Where the Hearings Panel decides that the allegation is proven and upheld, it shall decide what recommendation to make to the Council about the matter.
- 10 The sanctions that may be imposed upon a Member found to have breached the Code of Conduct include (but are not limited to):
- Censuring or reprimanding the Member in question
 - Where the Member is within a recognised Group, recommending to the relevant Group Leader that the Member be removed from any or all Committees or Sub-Committees of the Council
 - Where the Member is a Cabinet Member, recommending to the Leader of the Council that the Member be removed from the Cabinet, or relieved of particular portfolio responsibilities
 - Instructing the Monitoring Officer to arrange appropriate training for the Member
 - Removing any or all appointments to outside bodies held by that Member
 - Withdrawing facilities provided by the Council, such as computer facilities or equipment, website access and email
 - Excluding the Member from access to Council offices or premises, except so far as necessary for that Member to attend meetings of the Council, Cabinet and any Committee or Sub-Committee of which he or she is a Member.

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**APPENDIX 3
(Minute 17)**

AMENDMENTS TO THE CONSTITUTION

The proposed amendments are set out in the following Annexes.

Annex 1

GENERAL RULES

PART 3 – RESPONSIBILITY FOR FUNCTIONS

3.3 POWERS OF MEMBERS OF THE CORPORATE MANAGEMENT TEAM

Financial Responsibilities

- (a) To incur expenditure within the revenue and capital budgets for their allocated portfolio as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.
- (b) To oversee the delivery of programmes agreed by Council and Cabinet.
- (c) In consultation with the relevant Cabinet Member to apply for, accept and manage external funding up to a limit of £500,000 per grant in support of any function within their Directorate provided that any financial contributions by the Council are made from within existing budgets.
- (d) To authorise the making of ex gratia payments up to the limit specified from time to time by the Head of Finance & Procurement to individuals where the Local Government Ombudsman has recommended that such payment be made in local settlement of a complaint.

3.4 POWERS OF ASSISTANT DIRECTOR AND HEADS OF SERVICE

General Powers

- (c) To manage buildings and facilities under their control including letting, hiring or otherwise permitting the use of such premises and property for occasional purposes, and to dispose of obsolete, worn out and surplus stores, plant, equipment and vehicles, ensuring that value for money is obtained on all asset disposals.

Financial Responsibilities

- (a) To incur expenditure within the revenue and capital budgets for the relevant service as approved by the Council, subject to any variation permitted by the Council's contract and financial procedure rules.
- (b) To implement any approved financial programme, including the authorisation of expenditure and procurement of goods and services.

(c) To implement approved fees, charges, rents etc and to ensure that proper arrangements exist for their collection.

(d) In consultation with the relevant Cabinet Member, to apply for, accept and manage external funding up to a limit of £250,000 per grant in support of any function within their service provided that any financial contributions by the Council are made from within existing budgets.

3.7 FUNCTIONS RELATING TO THE FINANCE & COMMERCE GROUP OF SERVICES

3.7.1 Group Director Finance & Commerce

(d) To manage the Council's loan debt, investments, and temporary investments, pension scheme and pension fund, insurance fund, act as registrar of loan instruments, manage all banking arrangements including numbers and types of accounts and arrange insurance of property and the selecting and accepting of tenders for insurance cover and related services which are considered to offer best value for the Council promoting good risk management practices at all times.

3.7.3 Head of Finance & Procurement

(a) To instruct the Council's insurers and, upon their advice, to negotiate and settle insurance claims up to maximum of £145,000 for motor insurance, £147,750 for liability insurance, and £50,000 for property insurance.

(b) To review and, if necessary, amend the limits in (a) above on an annual basis, following discussion with the Council's insurers.

PART 4 – RULES OF PROCEDURE

FINANCIAL PROCEDURE RULES

Financial Systems & Procedures

15 Banking arrangements and cheques

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 funds held by the Council on behalf of others. All bank accounts must comply with the Council's investment principles set out in the Treasury Management Strategy approved by Council.

VIREMENTS AND KEY DECISIONS

PART 3: RESPONSIBILITY FOR FUNCTIONS

2.2 CORPORATE FUNCTIONS

Finance

(a) To take decisions on all matters relating to the Council's finances including but not exclusively:

(vii) virements £1 million or more

(viii) virements between services over £250,000 and up to and including £999,999

2.5 The following Functions may be delegated to individual Cabinet members by the Leader.

(m) To consider reports on the exercise of virement, within the Budget Framework Procedure Rules and/or Financial Procedure Rules set out in Part 4 of this constitution.

(u) To approve individual virements within a service above £250,000 up to and including £999,999.

PART 4 : RULES OF PROCEDURE

EXECUTIVE PROCEDURE RULES

Key decisions

(a) A key decision is an Executive decision which is likely

(i) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates. For this purpose "significant" is defined as:

(a) in excess of £500,000 or

(b) in excess of 10% of the gross controllable budget at Head of Service/Assistant Chief Executive level (subject to a minimum value of £250,000)

whether relating to revenue expenditure/savings or capital expenditure.

Financial Procedure Rules

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.

All virements, whether revenue or capital, are subject to the following authorisation process:

- (a) Virements of £1 million or more will require Cabinet approval.
- (b) Virements between £250,000 and up to £999,999 will require approval by the relevant Cabinet Members.
- (c) All other virements will need to comply with procedures specified by the Group Director Finance & Commerce.

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.

Annex 3

POWERS OF THE HEAD OF DEVELOPMENT & BUILDING CONTROL

1. Proposed change to text of delegated powers 3.7.6 (vi)

Planning applications for up to two residential units can currently be approved by Head of Development and Building Control under delegated powers. The Council has, however, introduced a requirement for all developers creating one or more net residential units to pay a tariff to contribute to the costs of community infrastructure.

To bind the applicant to paying the tariff requires prior completion of a Unilateral Undertaking which is a form of planning obligation. Currently any planning application involving a planning obligation of that nature is referred to the Regulatory Services Committee for determination.

Delegation of power to enable Head of Development and Building Control to accept the Unilateral Undertaking and to approve such applications would better streamline the process, for the Council and the applicant. It would also avoid applications unnecessarily filling up the Committee agenda.

Accordingly, it is proposed to amend paragraph **3.7.6(vi)** to read:

“Erect residential development where the number of dwellings does not exceed two, including proposals which require prior completion of a Unilateral Undertaking committing the applicant to paying the Council's Infrastructure Tariffs, the latter involving liaison during the process between Head of Development and Building Control and Head of Legal Services”.

2. Proposed New Delegated Power: 3.7.6 (cc)

The Crossrail Act 2008 (the Act) has conferred the right to construct and maintain Crossrail and in effect is similar to a grant of Outline Planning

Permission. Schedule 7 of the Act sets out items that require further detailed approval for both permanent works and construction arrangements, if a local authority chooses to become a “qualifying authority”. Havering is a qualifying authority.

In order therefore to ensure that applications are dealt with within 8 weeks, it would be appropriate for Schedule 7 Applications to be determined at delegated level, unless it is considered that the proposal raises significant issues (for instance, a large number of objections or significant judgement issues over impact).

Accordingly, it is proposed to add a new paragraph **3.7.6 (cc)**:

“To determine applications under Schedule 7 of the Crossrail Act 2008”.

3. Proposed additional text in 3.7.6 (xiii)

Proposals for school outbuildings and awnings are usually found acceptable and generally attract little public interest. Currently, however, they sit outside the scope of delegated powers so need to come to Committee unnecessarily. Incorporation into this delegated power will streamline the planning process for schools and the Council and reduce the number of applications requiring Committee determination.

Accordingly, it is proposed to add a new paragraph **3.7.6 (xiii)**:

“Extensions less than 1,000sqm, outbuildings, and freestanding shelters and awnings and boundary treatment including walls and fencing proposals in respect of school related applications unless objections have been received or the school is in the Green Belt.”.

4. Proposed additional text in 3.7.6 (xiv)

The following proposal addresses a small type of development which is usually approved and generates little public interest. Incorporating this in the existing delegated power will streamline the process for the Council and the applicant and will prevent applications unnecessarily lengthening the Committee agenda.

Accordingly, it is proposed to add a new paragraph **3.7.6 (cc)**:

“To decide all proposals under the advertisement regulations and applications for external building alterations including shop-fronts and canopies in respect of LBH applications which, were they not Havering properties, would be determined under staff delegation powers.”

MEMBERS' QUESTIONS

Note: No question was answered at the meeting as there was insufficient time available.

1 DUKE OF EDINBURGH'S AWARD SCHEME: SUPPORT

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

By Councillor Gillian Ford

Due to this administrations withdrawal of support for the Duke of Edinburgh scheme, could the Cabinet Member advise this Council when and where the young residents of the borough can complete their already started awards?

Answer:

I am delighted to reassure residents that we have an agreement with the Duke of Edinburgh Award scheme to provide the award on an open access basis in Havering and that the youth service will be launching the scheme in the summer. Young people including those who have already started will be able to join the scheme in September and complete in April next year.

2 "SECTION 106" AGREEMENT RECEIPTS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Keith Darvill

What is the total amount of unspent and/or unallocated Section 106 receipts currently held by the Council?

Answer:

As of 24 May 2012, the amount of unspent S106 receipts held by the Council was £6,181,440.81. All the monies are allocated in accordance with the terms of the individual S106 Legal Agreements.

3 CCTV COVERAGE IN RAINHAM & WENNINGTON

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

By Councillor Jeffrey Tucker

Are CCTV cameras an effective tool in deterring crime and if yes, what progress has been made in extending CCTV coverage to Rainham and Wennington ward

Answer:

CCTV has been shown to be a major crime deterrent and to have a beneficial effect on residents' perceptions of community safety. Analysis of national crime and incident data indicates that the presence of CCTV has a strong deterrent effect on burglaries, criminal damage and (non motor) vehicle theft and that cameras are most effective in reducing property crime, particularly burglary,

in town centres. CCTV control rooms can also act as control centres identifying incidents and using information to co-ordinate appropriate and effective responses from a range of partners including the Police, Fire Brigade, Ambulance and Council Services. Radio links between staff in pubs and shops, police officers and camera operators are also used successfully to monitor incidents and activate appropriate responses.

CCTV operates in 5 localities across the borough and deploys 79 cameras in total. There are currently no plans to extend the provision into Rainham and Wennington.

4 PAVEMENT DEFECTS

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

Would the Cabinet Member confirm the top ten roads in Havering where most pavement defects were reported during 2011?

Answer:

Information held on the councils CRM systems does not allow us to define a top ten table of pavements - there are a number of factors and a number of reporting routes via CRM, email, complaints and inspection. However each request is followed up and inspected and where appropriate added to the list of priorities for future works.

5 ALLOCATION OF PRIMARY PLACES IN THE BOROUGH

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

By Councillor Denis Breading

Will the Lead Member for Children & Learning make a statement about the allocation of primary school places in the Borough for the academic year commencing September 2012?

Answer:

The percentage of parents/ carers who were allocated a place in the Reception year at one of their top three preferred schools for the academic year commencing September 2012 was 95%. This figure compares very favourably with the average for all London boroughs of 90%

The number of applications processed for the September 2012 Reception intake increased by 126 over the previous year. All parents/ carers who applied for a Reception place for September 2012 were offered a school place.

An additional 135 Reception places have been added to schools across the borough to meet the forecast increase in demand. The following schools have increased their intakes for the September 2012 Reception intake: Pinewood Primary School (30), St Patrick's Catholic Primary School (15), Broadford Primary School (15), Harold Court Primary School (15), Wykeham Primary School (30), and Parsonage Farm Primary (30).

6 **NOTICE OF IMPENDING FOOTWAY REPAIRS**

To the Leader of the Council (Councillor Michael White)

By Councillor David Durant

When residents are informed by StreetCare of Footway Repair Works, they also receive a covering letter from the Council Leader informing them that StreetCare is about to undertake Footway Repair Works. The message from the Council Leader begins with, "I am pleased to inform you" etc.

I have no objection to this polite message from the Council Leader, but local ward councillors should be mentioned too!

Will the Council Leader now agree to change the wording to read, "I and your local ward councillors are pleased to inform you" etc?

Answer:

No.

The footway repair works programme was initiated by this administration so it would be incongruous for opposition ward councillors to be referenced in a way that suggested they were part of the decision-making process which brought the scheme into being.

7 **SUPERVISION OF CONTRACTORS PROVIDING SERVICES ON BEHALF OF THE COUNCIL**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Given the wide range of council services which are carried out by contractors, would the Leader set out how works are quality checked and whether contractors are still paid for works not completed or below an agreed standard?

Answer:

As recognised within the question, the Council now procures a diverse range of services covering functions within Streetcare, Culture and Leisure, Social Care and Asset Management to name but a few. The precise detail of each contract will inevitably vary, but as a broad principle each contract is managed by a specified Council officer acting as 'contract administrator' responsible for monitoring the quality of service provision and level of expenditure. As such, regular contract review meetings will take place between the contact administrator and service provider.

The means of quality checking will again vary depending on the nature of the contract and the agreed performance indicators, some of which may be quantitative, others qualitative. Large scale works e.g. building construction or highway maintenance will be monitored directly by the contract administrator but small scale/large volume works are more likely to be random sampled or subject to customer satisfaction surveys, e.g. housing repairs.

Clearly we would not as a broad principle, authorise payment to a contractor for works which have not been completed, or are of an unsatisfactory standard. In such cases the contract administrator would follow the dispute resolution provisions in the case of larger works, or invoke default/penalty clauses depending on the nature of the contract and scale of works concerned.

8 NEW HOMES: GOOSHAYS, HEATON AND HAROLD WOOD WARDS

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Denis O'Flynn

How many new homes are planned to be built in Gooshays, Heaton and Harold Wood Wards during the next 5 years?

Answer:

Planning do not keep record of all homes planned by ward, however major sites (10+ units) with either planning permission, sites currently seeking planning permission, or major sites where the principle of development has been approved, are listed below.

Harold Wood - 834

- Harold Wood Hospital - outline planning permission for 810 units
- Gubbins Lane - proposal for 16 units currently with Planning
- Garages programme - 8 units

Heaton - 333

- Whitworth Centre - permission for 144 units
- The Briar Estate - development proposals being finalised - up to 164 units
- Garages programme - 25 units

Gooshays - 438

- Gooshays Drive - outline permission for up to 242 units
- Hilldene North & East - approx 170 units - hope to make application June 2012
- Garages programme - 26 units

9 SHOPPING PARADES: SUPPORT FOR ROAD IMPROVEMENT AND PARKING SCHEMES

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Mark Logan

The shopping parades in Wennington Road and the northern part of Upminster Road South need road improvements and a parking regime that encourages rather than deters local trade.

Are these shopping parades eligible for help from the GLA outer-London fund and will the Administration support TfL funded road improvements and a Council parking regime that helps these local shops survive?

Answer:

The objective of the Outer London Fund is to strengthen the vibrancy and growth of high streets. In discussions with the funders, the GLA has identified the retail core within district centres as the most suitable areas for support. Rainham Village was successful in securing £200,000 in Round 1 and £900,000 in Round 2 of the Outer London Fund. This Funding has been used to strengthen the village centre and to support events to make it a focus for the wider area. In Round 2 it is proposed to continue this work and develop the appeal that Rainham has as a destination for people from throughout the borough

The shopping parades on Wennington Road and at the northern end of Upminster Road South are outside the core village area and are, therefore, not currently eligible for support in the current round of the Outer London Fund.

However, in Wennington Road, officers are currently completing a bus stop accessibility and parking scheme, which has included the resurfacing of the footways between Numbers.113 and 139a Wennington Road.

In Upminster Road South we have funding for this year, and aiming for next year too, through the TfL L.I.P. for an improvements package for the shops at the northern end of the area. Officers will start looking at some ideas over the summer months with a view to liaising with the businesses to try and get ideas which we can take to the detailed design and consultation stage.

Initial ideas provided concentrate on footway renewals, provision of parking by the shops, decluttering and possibly street lighting and road surfacing next year.

10 LANGTONS JUNIOR SCHOOL

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

By Councillor Ray Morgon

Last year, following a poor OFSTED report for Corbets Tey School, the Cabinet Member assured me that the Schools Inspection Team was on the case. The recent OFSTED inspection of Langtons Junior has placed them in special measures. Would the Cabinet Member explain why the Schools Inspection Team is not picking up under-performing schools before OFSTED do?

Answer:

Langtons Junior School was placed in Special Measures in February 2012, after the introduction of the new Ofsted Framework in January 2012, which was specifically designed to 'raise the bar' in education. Langtons Junior was one of the first schools in Havering to be inspected under this new, tougher framework.

Naturally, everyone is very concerned and disappointed with the inspection report. The School Improvement Services were indeed aware of the performance issues at the school. The LA's Schools' Monitoring Group determined that the school was a Local Authority 'School Causing Concern' and as a result had been receiving additional guidance and support to improve, and termly Progress Review Meetings were held with senior leaders and the Chair of Governors to assess progress.

11 FOOTBALL PITCHES, HAROLD HILL: REQUIREMENTS

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

By Councillor Pat Murray

What are the requirements of Sport England in respect of the provision of football pitches required as a result of the proposal of the Council to sell the land to the rear of the Albermarle Youth Centre Gooshays Drive?

Answer:

The requirements of Sport England are reflected in the conditions attached to the outline planning consent that was recently granted in respect of the land at Gooshays Drive. The conditions specify that two new pitches will be created at Dagnam Park and that suitable changing facilities will be provided. There is a further condition – initially proposed by the Council - which states that sports field areas within the Broxhill Centre site are to be levelled and new drainage installed to bring the areas into use as good quality pitches. The condition also states that suitable changing facilities

are to be provided to support these pitches. These pitches are to be used by Romford Royals FC who are the existing users of the pitches at Gooshays as they had already expressed to the Council that their preference was for a move to Broxhill. This is part of a programme of increasing the number of changing rooms and pitches in the borough which we have pursued over recent years. These proposals in Harold Hill will increase the overall provision of good quality pitches in Harold Hill, and the existing users of the pitches at Gooshays will enjoy improved facilities at their preferred location.

12 COST OF FUTURE COUNCIL-TAX BENEFIT PAYMENTS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Clarence Barrett

As part of the 2010 spending review, councils will become wholly responsible for Council Tax support payments as from April 2013. Central government funding for the new scheme will only amount to approximately 90% of current expenditure. Would the Cabinet Member set out how this council expects to discharge this responsibility and what are the implications for Council Tax?

Answer:

The Council - like all others to whom this responsibility is being devolved - will be developing proposals for a local scheme and the details of this will be presented to Cabinet in July. The proposals will then be issued for consultation. Once the responses to the consultation have been considered, a further report will be brought back to Cabinet later in the year. The financial implications of the scheme being proposed will be set out in these reports, and these in turn will be considered as part of the Council's budget development process.

13 ENFORCEMENT OF CARAVAN SITE LICENCE CONDITIONS

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Paul McGeary

Will the Council ensure that Caravan Site Licence conditions are enforced to ensure site owners comply with their obligations to Park Home Residents in the Borough?

Answer:

The Council will ensure that caravan site licence conditions are enforced, in accordance with the Council's Enforcement Policy, to ensure that site owners comply with their obligations.

14 EAST LONDON SOLUTIONS: BENEFITS OF MEMBERSHIP

To the Leader of the Council (Councillor Michael White)

By Councillor Linda Van den Hende

Would the Leader quantify what material benefits have been gained by Havering by being a member of East London Solutions and how much has the Council contributed to the organisation since its inception?

Answer:

As at the 31 March 2012; Havering contributed £40k and has committed to fund a further £20k in 2012/13.

ELS covers a number of programme areas including Children's Services, Adult Social Care, ICT and Procurement. The projects are numerous and a full report on the work of ELS can be found on the London Councils website within the May Board papers for Capital Ambition.

In respect of material benefits:

- Financial savings, for example:
 - Efficiencies from procurements being undertaken by others- £210k
 - Collaborative Highways and Street Lighting Procurement - 27% reduction in rates achieved on Highways and £100k on Street Lighting, with further potential for another £100k along with cost avoidance of £11k.
 - Collaborative Children Personal Support Framework in place and Havering identified savings potential of £50k per annum.
 - OT Equipment contract is in place and Redbridge have identified £70k savings per annum – awaiting Havering's.
 - Joint ICT arrangements expect £4m in savings
 - Shared Bulk Print Service includes reduced staffing requirement savings of £53k per annum with further savings from equipment and additional income.
 - Havering is now generating an income by sharing an Information Security Lead with 2 other boroughs.
 - Havering is benefiting from sharing a CAMHS Coordinator with another borough, taking advantage of their capacity, allowing for expertise to be accessed without employing a full time employee.
 - And more to come through several procurements and projects in progress.

- Service improvements have been enabled through the work to date, such as sub regional specifications to deliver improved service levels and services being more resilient with an ability to innovate.

- Sharing is more common place amongst the partners enabling smarter working through discussing issues and sharing resources not required on a full time basis.

- By speaking from a united front, boroughs are beginning to develop the market, as well as support providers to expand and diversify their current offers. Currently ELS has a Learning Disabilities Placements Project on-going which looks to reduce costs by collective supplier negotiations, maintain and improve quality as well as develop more sophisticated and joined up approaches so that local services can be developed.

- Boroughs are more engaged and aware generally, sub regionally and on matters that are pan London; they also have improved intelligence, market knowledge and awareness of issues through regular meetings between professional leads (such as the ELS Heads of Procurement, Heads of ICT and Directors of Children's and Adult's Services). A recent example is Children's and Finance leads attended an ELS workshop in April 2012 to discuss their understanding of the proposed changes to school funding, to ensure that all learning was shared.

- Projects taken forward through ELS are always conscious of supporting local providers and the community. The Independent Travel Training pilot that Havering have conducted as part of the wider ELS ITT Project has allowed 5 Havering residents to train as travel trainers and so finding employment. As this scheme continues this is likely to increase. Independent Travel Training is an important way for the borough to improve outcomes for the young people that it has been transporting to school and college. Based on 20 young people

successfully taking part the programme, the full-year notional transport saving after completion of training would be £100,000.

- All of the ELS savings already delivered or being worked towards are included in the MTFs.

15 NEW HOMES: HAROLD HILL AND HAROLD WOOD - INFRASTRUCTURE

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Paul McGeary

With the proposed future housing developments in the Harold Hill/Wood area increasing the households in the area by over 1500 in the next 3 to 5 years, will the Administration in co operation with their partners, outline how they will be addressing the impact on the future planning for the infrastructure such as police, health and school place provision in the area.

Answer:

Harold Hill Ambitions sets out a programme of infrastructure improvements to support the improvement of the area. This programme was agreed by Cabinet November 2008 following public consultation and included recognition of the future provision of new homes for local people.

The ambition for Harold Hill was described as: to create more opportunities for local people; to work with the police to stamp out unacceptable behaviour and crime; to build a learning village to provide a centre of educational excellence on Harold Hill; modernise and improve community facilities for everyone; create new housing opportunities; improve health and wellbeing; and provide excellent new sports and recreation facilities.

Since beginning the programme we have;

- Completed the My Place Youth Centre to provide opportunities for young people
- Opened Drapers Academy, which has increased the rolls from the former Kingswood School. The new school building work has progressed well and will be open in September 2012.
- Provided new community accommodation
- Increased parking provision for Hilldene Shopping Centre
- Worked with the community to establish and support the Briar Road Action Group and agreed an environmental improvement programme for the estate.
- Refurbished and extended the Betty Strathern Community Centre
- Re-established the Harold Hill Summer Festival, held Christmas events and delivered a small grants programme for local community groups.
- Begun demolition of the Broxhill site preparing for conversion to a new park.
- Undertaken significant investment in Roads and Pavements in Harold Hill

In addition since the beginning of the programme a new Poly-clinic has opened in Harold Wood providing a range of medical treatments under one roof as well as a new joint police and fire station in Ashton Road, Harold Hill.

There has, therefore, been substantial progress on providing improvements to local infrastructure for well in advance of new housing being built for local people.

Turning to the future, more infrastructure improvements in Harold Hill are planned as part of the Ambitions programme to improve the quality of life for local people and to support the long term development of new homes in the area.

Ensuring that the right provision of facilities for local people is made is a high priority for the council and we are working closely with partners to ensure that future services will meet the needs of residents.

A good example of this is the strategic Community Safety Plan, which is developed in partnership with the police and other agencies on an annual basis, using local crime, demographic and other data. The plan presents priorities for the borough and its localities and results in the development and delivery of action plans to address those priorities. There is a robust system of partnership monitoring and tactical planning to support the delivery of the plan, ensuring that resources are most effectively deployed to meet emerging short, medium and long term community safety needs.

In terms of health services, there are health centres in both Harold Hill and the new polyclinic in Harold Wood that are well placed to meet the needs of future residents. Ultimately many of the decisions around the provision and availability of healthcare services in these areas will in future be determined by the Clinical Commissioning Group, made up of Havering GPs, who will be responsible for commissioning health services in the borough. Changes in the population of Havering will be reflected in the funding the Clinical Commissioning Group receives. Through the Health and Wellbeing Board, chaired by the Deputy Leader, we will seek to influence the provision of accessible healthcare facilities sharing demographic and customer insight data with partners to ensure provision of health services evolve to reflect changes in demand across Havering.

Turning to schools, the Council has produced pupil projections, forecasting the numbers of children expected to be generated by local housing developments and is planning to provide sufficient additional places in local schools to accommodate the rising numbers. These schools include Harold Court Primary and Harold Wood Primary where feasibility works have begun on how they would be expanded.

Finally having a supply of new homes in the borough that can meet the needs of local people in the long term is crucial for families in our community. We are planning for the future needs of our residents and in Harold Hill and Harold Wood have plans in place to improve the quality of life of local people. We can also demonstrate our commitment to ensuring communities have access to improved facilities through the substantial progress we have made in delivering Harold Hill Ambitions.

16 PROCEEDS OF CRIME LEGISLATION: COUNCIL INCOME

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Would the Cabinet Member confirm how much money the Council has received each year as a result of the proceeds of crime legislation coming into force and where the income is contained within the Council's budgets?

Answer:

Under the proceeds of crime legislation, local authorities are enabled to recover monies gathered through criminal activities. The legislation covers a wide range of criminal acts and allows for a number of options for recovering the proceeds.

Having made enquiries amongst officers, this legislation is not relevant to most services. By their nature recovery activities tend to be concentrated in specific areas of the Council. In the main, this falls within Housing & Public Protection and Customer Services. In the case of H&PP, the relevant service is Trading Standards.

The following information comes from the Trading Standards budget:

Year	Income Target in Budget	Actual Income (approx)
08-09	£7,820.00	£7,471.00
09-10	£8,090.00	£21,891.00
10-11	£8,210.00	£34,985.00
11-12	£8,330.00	£90,636.00
12-13	£8,450.00	

No separate accounts for proceeds of crime income exist prior to 08-09 - until then it was incorporated with all court costs income, so it is not possible to distinguish separately. Income from POCA is ring fenced to be used for further regulation and pursuit of the confiscation of proceeds of crime.

The 11-12 income figure includes POCA awards relating to the Operation Augusta fake golf clubs case, this will increase over time but is required to offset costs already incurred by the Council in this case.

Within the housing benefit fraud area, around £20k has so far been recovered as a result of the proceeds of crime legislation. Whilst this is a relatively small sum, in broad terms, the legislation in place to recover both fraudulent and inadvertent benefit overpayments has enabled the council to recoup a significant element of such payments from beneficiaries. The threat of action under the POCA legislation acts as a deterrent. Use will be made of POCA in appropriate circumstances should recovery through other channels not prove effective.

17 **COST OF POT HOLE REPAIRS**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

Would the Cabinet Member confirm the cost of repairing a pot hole in the road (by square metre)?

Answer:

The cost to break out and reinstate one square metre of carriageway is £49.17 per square meter, in line with the current schedule of rates.

18 **LIMITING SUBSIDISED RENTS**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor John Wood

Would the Cabinet Member confirm whether any plans are being discussed to follow conservative Hammersmith and Fulham Council to limit subsidised rent to tenants who earn under a certain level of income?

Answer:

I think that the question is wrongly phrased. I suspect that what is asked is whether there is a plan to limit subsidised rent to tenants who earn ABOVE a certain level of income.

In the London Borough of Havering, we currently already have a financial test in our Allocations Policy. It states that

Ability to afford to privately rent, buy and/or commute

"We will ask you about your income and savings on your housing register application form to assess whether you can afford to privately rent or buy a property in Havering or reasonably commute if you do not currently live in borough.

Because of the severe shortage of affordable rented properties in the borough, if you have sufficient money to afford to rent privately in the borough, we will give you a lower priority than those who cannot afford to rent privately. Please note that we will judge that if you cannot afford to rent privately, you will not be able to buy a property either.

You should bear in mind that if you chose not to fill in the savings and income questions on the application form, we will assume that you have sufficient resources and will assess your application accordingly."

More detail about how we assess whether someone can afford to rent privately is set out in the Lettings Policy, which is available on the Intranet.

There are proposals to change the lettings policy further, which are currently subject to consultation. We are proposing to limit who may register for housing more strictly in the future, based on the new freedoms offered to local authorities as part of the Localism Act. We will be restricting the Housing Register to exclude owner occupiers (except in exceptional circumstances) and again, those who can afford to rent privately. There is not one fixed income band which causes a household to be excluded – it is based on their ability to pay, depending upon income and size of household.

19 MONITORING OF ACADEMIES AND FREE SCHOOLS

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

By Councillor Gillian Ford

Two Basildon academies were recently placed into special measures, with the authority stating it was "aware of the issues" but had limited powers to intervene. Could the Cabinet Member confirm what lobbying is being carried out with Ministers to address the growing concerns over the lack of external monitoring and the inability to intervene in Academy and Free school education?

Answer:

There is external monitoring that local authorities can take and this is taking place in Havering in relation to both LA maintained schools and Academies. Good relationships exist with Academies in Havering and many education 'traded' services are working in Academies in Havering and so we do have the opportunity to provide additional support to Academies in Havering.

In addition, where a local authority has concerns about the performance of an Academy it can contact both Ofsted and the Department for Education to raise any issues about the performance or otherwise in the school. However, it is governors who are now responsible for Academies'

performance. Ofsted and the DoE will then decide what action to take in relation to the information received.

20 USE OF CCTV ENFORCEMENT CARS

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

According to Government guidance, CCTV Smart Cars should only be used where enforcement is difficult, sensitive or not practical in being carried out by a traffic warden. Would the Cabinet Member comment on this statement?

Answer:

Much is written about the terminology of the Secretary of State's guidance on the use of CCTV enforcement and in particular the sentence;

"approved devices are used only where enforcement is difficult or sensitive and where (Conventional) Civil Enforcement Officer enforcement is not practical".

The guidance cannot be quantified in the simplest terms and is open to varying interpretation, however, the Council considers the Secretary of State's guidance as a measure of good practice and is content that due regard has been given to the guidance and to the multitude of practical factors and impacts, including the Health and Safety of Civil Enforcement Officers. It should be noted that since the introduction of CCTV enforcement, incidents of abuse and physical assault against Civil Enforcement Officers have decreased.

Whilst CCTV enforcement is not always welcomed by some, it has enabled the reasonable enforcement of sensitive areas and locations within the Borough that had otherwise proved difficult to manage. It should also be said that the Council's enforcement activity is fair and reasonable and of benefit to local residents and businesses.

21 EFFECTS OF PREVIOUS PRIMARY SCHOOL CLOSURES

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

By Councillor Nic Dodin

Given the predicted shortfalls in primary school places, would the Cabinet Member explain the rationale for the closure of Dunningford and Ayloff primary schools in 2008?

Answer:

Detailed analysis at the time showed that Dunningford Primary was closed in 2009 because of the expected long term falling rolls within the borough. Primary school numbers were projected to fall from around 18,300 in 2007 to some 17,868 by 2012. Pupil numbers were considered to increase marginally again from 2013 but it was difficult to assess the rate of growth given those pupils have yet to be born.

In the Rainham, South Hornchurch and Elm Park locality in which Dunningford was located, there was considered to be a need to reduce overall capacity as 15% surplus places was forecast by 2011/12. Neither Ayloff nor Dunningford had been recruiting to their admission capacity. For some time both had significant surplus places, the greater percentage being at Dunningford School. Removal of those places [315] was considered to be the way to improve the balance between

supply and demand in the area whilst maintaining a sensible geographical spread of places located in both newly built and modernised schools.

22 FUTURE OF STAFF SOCIAL CLUB BUILDING

To the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

Would the Leader advise if there are any plans for the Havering Staff Social Club building in Hornchurch and if it is to be retained in its current capacity?

Answer:

The question refers to the Unison (formerly NALGO) clubhouse in North Street, opposite the Queens' Theatre, which is let on a 21 year lease, granted in 1992 and is therefore due to expire next year.

Given the forthcoming lease expiry, consideration will need to be given as to the future of this arrangement, but no firm decision has been taken at this stage.

23 HIGH STREET INNOVATION SCHEME

To the Leader of the Council (Councillor Michael White)

By Councillor John Mylod

Would the Leader confirm whether Havering Council applied for any funding made available from DCLGs High Street Innovation scheme?

Answer:

To support local authorities in their efforts to improve the look of their high streets, DCLG allocated £10million as a High Street Innovation Fund to one hundred local authorities to help address the issues of riots and empty shops.

Town Centres in Havering are performing comparatively well and vacancy rates are below the national average. Havering was, therefore, not included in the 100 local authorities who could apply for the High Street Innovation Fund which was targeted at the top 100 locations in England with the highest Non Domestic vacancy rates.

The Council was, as a result, not eligible to apply for the High Street Innovation Fund.

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<i>DIVISION NUMBER:</i>	<i>1</i>	<i>2</i>
The Mayor [Cllr. Lynden Thorpe]	O	O
The Deputy Mayor [Cllr. Eric Munday]	x	x
<u>CONSERVATIVE GROUP</u>		
Cllr. Michael White	x	x
Cllr. Michael Armstrong	x	x
Cllr. Robert Benham	x	x
Cllr. Becky Bennett	x	x
Cllr. Sandra Binion	x	x
Cllr. Jeff Brace	x	x
Cllr. Wendy Brice-Thompson	x	x
Cllr. Dennis Bull	x	x
Cllr. Andrew Curtin	x	x
Cllr. Osman Dervish	x	x
Cllr. Ted Eden	x	x
Cllr. Roger Evans	x	x
Cllr. Georgina Galpin	x	x
Cllr. Peter Gardner	x	x
Cllr. Lesley Kelly	A	A
Cllr. Steven Kelly	x	x
Cllr. Pam Light	x	x
Cllr. Robby Misir	x	x
Cllr. Barry Oddy	x	x
Cllr. Frederick Osborne	x	x
Cllr. Gary Pain	x	x
Cllr. Roger Ramsey	x	x
Cllr. Paul Rochford	x	x
Cllr. Geoffrey Starns	x	x
Cllr. Billy Taylor	x	x
Cllr. Barry Tebbutt	x	x
Cllr. Frederick Thompson	x	x
Cllr. Linda Trew	x	x
Cllr. Melvin Wallace	x	x
Cllr. Keith Wells	x	x
Cllr. Damian White	x	x
<u>RESIDENTS' GROUP</u>		
Cllr. Clarence Barrett	x	O
Cllr. June Alexander	A	A
Cllr. Nic Dodin	x	O
Cllr. Brian Eagling	x	O
Cllr. Gillian Ford	x	O
Cllr. Linda Hawthorn	x	O
Cllr. Barbara Matthews	x	O
Cllr. Ray Morgon	x	x
Cllr. John Mylod	x	x
Cllr. Ron Ower	A	A
Cllr. Linda Van den Hende	x	O
Cllr. John Wood	x	O
<u>LABOUR GROUP</u>		
Cllr. Keith Darvill	x	x
Cllr. Denis Breading	x	x
Cllr. Paul McGeary	x	x
Cllr. Pat Murray	x	x
Cllr. Denis O'Flynn	x	x
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>		
Cllr. Jeffery Tucker	✓	✓
Cllr. Michael Deon Burton	✓	✓
Cllr. David Durant	✓	✓
Cllr. Mark Logan	✓	✓
TOTALS		
✓ = YES	4	4
x = NO	46	38
O = ABSTAIN/NO VOTE	1	9
ID = DECLARATION OF INTEREST/NO VOTE	0	0
A = ABSENT FROM MEETING	3	3
	54	54

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