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MINUTES OF A MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HAVERING Council Chamber - Town Hall 28 November 2012 (7.30 - 11.00 pm)

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

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

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

Apologies were received for the absence of Councillors Michael Deon Burton, Lesley Kelly and John Mylod.

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.

50 **MINUTES (agenda item 3)**

The minutes of the meeting of the Council held on 19 September 2012 were before the Council for approval.

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

That the minutes of the meeting of the Council held 19 September 2012 be signed as a correct record.

51 **COUNCILLORS MARK LOGAN AND FRED OSBORNE (agenda item)**

On behalf of the Council, the Mayor welcomed Councillors Mark Logan and Fred Osborne on their returns, following recent spells of illness.

52 **DISCLOSURE OF PECUNIARY INTERESTS (agenda item 4)**

Councillors Rebecca Bennett, Sandra Binion, Paul McGeary, Barry Oddy and Michael White each declared a non-pecuniary interest in the subject matter of agenda item 12C (motion: Hospital A&E Services in North East London).

Councillor White indicated that he would not participate in the debate or vote on the motion.

53 **ANNOUNCEMENTS (agenda item 5)**

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

54 **MOTIONS WITHDRAWN AND PROCEDURAL MOTION (agenda item)**

With the consent of the Council, the Independent Residents' Group Motions at agenda items **12A (Olympic torch relay)** and **12B (Housing Policies)** were both withdrawn.

A procedural motion was proposed, that the order of agenda item 12 (Motions) be changed, so that the remaining motions would be taken in the following order:

- 12D (Number of Councillors)**
- 12C (Hospital A&E services) and**
- 12E (Permitted development rules)**

The procedural motion was agreed without division and it was **RESOLVED accordingly**.

55 **PETITIONS (agenda item 6)**

Pursuant to Council Procedure Rule 23, petitions were presented as follows, by Councillors:

- Councillor Linda Trew - from residents of Hainault Road, seeking traffic calming measures for vehicles travelling between the A12 Eastern Avenue and Collier Row Lane
- Councillor Pat Murray - seeking additional residents' parking facilities in Chippenham Road

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

56 **PROPOSED AMENDMENT OF PLEASURE GROUND BYLAW ON CYCLING (agenda item 7)**

The Ingrebourne Way Sustrans Connect2 project aimed to form a continuous, fully accessible walking and cycling route from Noak Hill to the River Thames at Rainham, as far as possible following the River Ingrebourne, using a number of parks and open spaces, as well as highway space, on its way.

The Council's current pleasure ground byelaws provided for qualified prohibition of cycling in many of the Council's parks. In order to permit cycling on signed, designated routes through Parks it was now proposed to make a single minor amendment to the existing byelaws, adopting the Department for Communities & Local Government model byelaw on cycling and amending byelaw 9(ii) to provide that:

No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles [or on a designated route for cycling].

The Governance Committee had now recommended that steps be taken to secure that amendment to the byelaw.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED:**

- 1 **That the new model byelaw on cycling as approved by the Department for Communities & Local Government be adopted.**
- 2 **That, simultaneous with the adoption of the new byelaw the current byelaw 9(ii) of the 1990 Pleasure Ground Byelaws be revoked**
- 3 **That the Assistant Chief Executive be authorised to take all steps necessary to secure the revocation of the existing byelaw and its replacement by the new byelaw as soon as practicable, including publication of all necessary notices and the securing of all necessary consents.**

57 **PROPOSED NEW PARLIAMENTARY CONSTITUENCIES - OUTCOME OF REPRESENTATIONS (agenda item 8)**

In November 2011, the Boundary Commission for England had published proposals for new Parliamentary Constituencies for Havering, two of which

would be wholly within the borough, with a third partly covering Havering and parts of eastern Barking & Dagenham.

On the recommendation of the Governance Committee, the Council had subsequently expressed the view to the Commission that the proposals were unacceptable as they stood, and alternatives were suggested.

The Commission, having considered the representations submitted, had prepared new proposals, broadly retaining the existing constituency boundaries (for Havering). The constituencies now proposed were as follows:

Constituency (Electorate)	Including the following Wards
Dagenham & Rainham (75,880)	Elm Park; Rainham & Wennington; and South Hornchurch (plus 7 wards in Barking & Dagenham, from Chadwell Heath in the north to River in the south)
Hornchurch & Upminster (79,568)	Cranham; Emerson Park; Gooshays; Hacton; Harold Wood; Heaton; St Andrew's; and Upminster
Romford (79,271)	Brooklands; Havering Park; Hylands; Mawneys; Pettits; Romford Town; and Squirrels Heath (plus Eastbrook Ward in Barking & Dagenham)

In general, the new proposals retained the current constituency boundaries, with the Eastbrook ward of Barking & Dagenham – which includes the Dagenham portion of Rush Green – added to the Romford constituency.

The Governance Committee had concluded that, while not entirely ideal, the new proposals were a significant improvement upon the unacceptable initial proposals and therefore recommended that the revised proposals be welcomed.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED:**

That the revised proposals for the Borough's Constituencies be welcomed.

58 **REVIEW OF THE OPERATION OF THE HIGHWAYS ADVISORY COMMITTEE (agenda item 9)**

The current procedure for the consideration of traffic management proposals by the Highway Advisory Committee often resulted in the service proposal being considered multiple times by the Advisory Committee. It

was proposed to streamline the work for the Advisory Committee while maintaining the consideration of representation on highway schemes.

Following review of the working of the Advisory Committee, it had been concluded the level of Member oversight involved appeared excessive compared with almost all other decisions made by the Council which affected the physical environment, and also resulted in staff time being deployed on schemes having little or no likelihood of proceeding.

It had therefore been proposed that the role and functioning of the Advisory Committee should be amended to streamline the current arrangements whilst maintaining the effective consideration of traffic schemes.

Accordingly, the Committee now submitted the following proposals:

- (a) That the general practice of reporting draft schemes to the Advisory Committee prior to them being sent out for public consultation cease, but that the Head of StreetCare may refer a draft scheme to the Advisory Committee if appropriate, with a minor change to the terms of reference to reflect this.
- (b) That the Head of StreetCare be authorised to determine whether initial requests for traffic schemes proceed further or not based on criteria approved by the Cabinet Member for Community Empowerment following consultation with the Committee.
- (c) That traffic schemes fully delegated to the Head of StreetCare be extended to include 'At any time' waiting restrictions at bends and junctions.
- (d) That Paragraph (a) of the Committee Procedure Rules for the Committees be amended to "*The Highway Advisory Committee will consider representations on all parking schemes which are not subject to officer delegation.*"
- (e) That Highway related matters outside the terms of the Committee are no longer considered.

The necessary changes to the Council's Constitution are set out in Appendix 2 to these minutes.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED that:**

The changes to the Highways Advisory Committee's Terms of Reference and Procedure Rules and to the Head of StreetCare's delegated powers be approved, as set out in Appendix 2.

In consequence of the new statutory regime for regulating Members' standards of conduct introduced by the Localism Act 2011, the Appointments Sub-Committee had interviewed four candidates for the appointment of an Independent Person for Standards of Members' Conduct and now nominated for the appointment **Keith Mitchell**, who was considered to possess the qualities needed to undertake the statutory role of Independent Person.

As there would be occasions when the Independent Person would be unable to act (for example because of illness or holiday, or because of a possible conflict of interest), a deputising arrangement was needed. Redbridge Council had indicated that it was willing to enter into an informal mutual support arrangement whereby the Independent Person appointed by that Council would be available when necessary to deputise for this Council's Independent Person, and *vice versa*.

Redbridge had appointed Kevin Madden as its Independent Person. Mr Madden had formerly been an Independent Member of this Council's Standards Committee. The Sub-Committee now recommended that the arrangement be approved.

The nomination and recommendation of the Appointments Sub-Committee were **APPROVED** without division and it was **RESOLVED** that:

1. **Keith Mitchell be appointed as the Council's Independent Person for Standards of Members' conduct, for the purposes of the Localism Act 2011.**
2. **The Independent Person, Kevin Madden, appointed by Redbridge Council be appointed to deputise for the Council's Independent Person when necessary; and that the Council approve this Council's Independent Person deputising for Redbridge.**

Mr Mitchell, who was present at the meeting, was introduced to Members.

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

Eight 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 3** to these minutes.

61 **NUMBER OF COUNCILLORS (agenda item 12)**

Motion on behalf the Independent Residents' Group

That this Council explore the possibilities of reducing the number of Elected Councillors to 2 per ward throughout the borough which would

make a total of 36 in the borough.

Amendment on behalf of the Administration

Amend to read

This Council will give consideration to the appropriate number of councillors for each ward following full consultation of councillors and the public upon the next review of the composition of London Boroughs.

Following debate, the Administration amendment was **CARRIED** by 45 votes to 0 (see division 1). The Administration amendment was then **CARRIED** as the substantive motion by 45 votes to 0 (see division 2).

RESOLVED that:

This Council will give consideration to the appropriate number of councillors for each ward following full consultation of councillors and the public upon the next review of the composition of London Boroughs.

62 **HOSPITAL A&E SERVICES IN NORTH EAST LONDON (agenda item)**

Motion on behalf the Labour Group

This Council notes with concern the recent report of BHRUT presented to the Joint Health Overview & Scrutiny Committee and in particular:-

- 1) That the timetable for the proposed improvements to the A&E Department at Queens Hospital will not be met;
- 2) That the required developments in community health to enable improvements to be delivered has been delayed; and
- 3) The consequent adverse financial impact identified in the report and its negative affect on the local health economy.

This Council calls upon NHS North East London and the City to reconsider its decision to close the A&E services at King George Hospital and develop policies to provide full A&E services at both Queens and King George Hospitals to meet the needs of residents in the outer north east London Boroughs of Havering, Redbridge and Baking & Dagenham.

Amendment on behalf of the Administration

Amend to read

This Council notes with concern the recent report of BHRUT presented to the Joint Health Overview & Scrutiny Committee and agrees with the Secretary of State's decision that the mergers of A&E on the Queen's Hospital site should only be done when it is clinically safe to do so.

Following debate, the Administration amendment was **CARRIED** by 29 votes to 19 (see division 3); and it was then **CARRIED** as the substantive motion without division.

RESOLVED that:

This Council notes with concern the recent report of BHRUT presented to the Joint Health Overview & Scrutiny Committee and agrees with the Secretary of State's decision that the mergers of A&E on the Queen's Hospital site should only be done when it is clinically safe to do so.

63 PROPOSED RELAXATION OF PERMITTED DEVELOPMENT RULES (agenda item)

Motion on behalf the Residents' Group

Further to the government's proposals to relax planning rules thus allowing house extensions of up to eight metres (26ft) to be built without planning permission or consideration for neighbouring properties, this council agrees to explore the following options and implement the action that will bring about the most significant impact:

- a) To write to the Secretary of State for Communities and Local Government conveying our serious reservations
- b) To join together with other councils expressing similar concerns (e.g. LB Richmond-upon-Thames and LB Sutton) to express our joint concerns
- c) To call upon the Local Government Association to express a collective concern to the Secretary of State for Communities and Local Government.

Amendment on behalf of the Administration

Amend to read

This Council notes that its Leader has written to the Secretary of State for Communities and Local Government conveying our serious reservations with regards to the Government's proposals to relax planning rules thus allowing house extensions of up to eight metres (26ft) to be built without planning permission or consideration for neighbouring properties and recommend the following action;-

- 1) To join together with other councils expressing similar concerns (e.g. LB Richmond-upon-Thames and LB Sutton) to express our joint concerns
- 2) To call upon the Local Government Association to express a collective concern to the Secretary of State for Communities and Local Government.

In view of the hour and in accordance with Council Procedure Rule 9.1(b), the motion was considered without debate and, on being put to the vote, the Administration amendment was **CARRIED** by 29 votes to 19 (see division 4); and it was then **CARRIED** as the substantive motion without division

RESOLVED that:

This Council notes that its Leader has written to the Secretary of State for Communities and Local Government conveying our serious reservations with regards to the Government's proposals to relax planning rules thus allowing house extensions of up to eight metres (26ft) to be built without planning permission or consideration for neighbouring properties and recommend the following action;-

- 1) **To join together with other councils expressing similar concerns (e.g. LB Richmond-upon-Thames and LB Sutton) to express our joint concerns**
- 2) **To call upon the Local Government Association to express a collective concern to the Secretary of State for Communities and Local Government.**

64 **VOTING RECORD (agenda item)**

The record of voting divisions is attached as **Appendix 4**.

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**MINUTES OF A MEETING OF THE COUNCIL OF THE
LONDON BOROUGH OF HAVERING
Havering Town Hall, Romford
19 September 2012 (7.30pm – 10.40pm)**

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

Councillors: Councillors June Alexander*, Michael Armstrong, Clarence Barrett, Robert Benham, Becky Bennett, Jeffrey Brace, Wendy Brice-Thompson, Dennis Bull, Andrew Curtin, Keith Darvill, Osman Dervish, Nic Dodin, David Durant, Brian Eagling, Roger Evans, Gillian Ford, Georgina Galpin, Peter Gardner, Linda Hawthorn, Linda Van den Hende, Lesley Kelly, Steven Kelly, Pam Light, Paul McGeary, Robby Misir, Ray Morgon, Pat Murray, John Mylod, Denis O'Flynn, Barry Oddy, Garry Pain, Roger Ramsey, Paul Rochford, Geoffrey Starns, Billy Taylor, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Linda Trew, Jeffrey Tucker, Keith Wells, Damian White, Michael White and John Wood

* for part of the meeting

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

Apologies were received for the absence of Councillors Sandra Binion, Denis Breading, Dennis Bull, Ted Eden, Mark Logan, Barbara Matthews, Eric Monday, Fred Osborne, Ron Ower and Melvin Wallace.

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.

32 **MINUTES (agenda item 3)**

The minutes of the meeting of the Council held on 18 July 2012 were before the Council for approval.

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

That the minutes of the meeting of the Council held 18 July 2012 be signed as a correct record.

33 **DISCLOSURE OF PECUNIARY INTERESTS (agenda item 4)**

Councillor Michael White disclosed an interest in the subject matter of agenda item 14F (motion: Hospital A&E Services in North East London).

34 **PROCEDURAL MOTION**

A procedural motion, that the motion at agenda item 14D (Political and Constitutional reform) be taken as the first of the motions to be considered and dealt with by vote only, was **CARRIED** by 39 votes to 3 (see voting division 1) and it was **RESOLVED accordingly**.

35 **ANNOUNCEMENTS (agenda item 5)**

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

In the course of her announcements, the Mayor presented a Mayor's Award to Mark Hunter, Honorary Freeman of the Borough, in recognition of his achievement in winning a Silver Medal in Rowing at the London 2012 Olympic Games.

The Leader of the Council announced that Her Majesty the Queen would be visiting the borough on 26 October 2012 formally to open the new Drapers' Academy.

36 **PETITIONS (agenda item 6)**

Pursuant to Council Procedure Rule 23, petitions were presented as follows, by Councillors:

- | | | |
|------------------|---|--|
| Linda Hawthorn - | | From 72 residents of Peterborough Avenue, Upminster, seeking resurfacing of that road; |
| Jeffrey Tucker - | 1 | From residents of Davis Close, Rainham, concerning possible over-development of the former Rainham Police Station; and |
| | 2 | Relating to the clamping of vehicles by a private company in the Rainham Village area. |

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

37 **ANNUAL REPORTS OF COMMITTEES AND MEMBER CHAMPIONS
(agenda item 7)**

The Council received and considered the Annual Reports of the following:

Member Champion for the Diploma Scheme (Councillor Paul Rochford)

Member Champion for Diversity (Councillor Osman Dervish)

Member Champion for the Historic Environment (Councillor Andrew Curtin)

Member Development Group (presented on behalf of the Group by Councillor Pam Light)

Member Champion for the Over 50s (Councillor Pam Light)

Pensions Committee (moved on behalf of the Committee by Councillor Damian White)

Standing Advisory Council for Religious Education (presented on behalf of that Council by Councillor Paul Rochford)

Member Champion for Standards (Councillor Wendy Brice-Thompson)

Member Champion for the Voluntary Sector Compact (Councillor Andrew Curtin)

Member Champion for Younger Persons (Councillor Garry Pain)

Each Annual Report was **ADOPTED** without debate or division.

The reports of the Member Champion for the Historic Environment and of the Member Champion for the Voluntary Sector Compact both contained recommendations, which the Council adopted without division.

RESOLVED:

That the Annual Reports as listed be approved and the recommendations therein be adopted.

38 **AMENDMENTS TO THE CONSTITUTION (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 the Constitutional amendments needed to be in place as soon as practicable.

The Council noted that review of the Council's Constitution, and recent legislation, had led to proposals for further amendment of the Constitution, which the Governance Committee now recommended for adoption. The proposed amendments are set out in **Appendix 2** to these minutes.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED**:

That the amendments to the Constitution set out in Appendix 2 to these minutes be approved.

39 **MEMBER CHAMPION FOR THE NEW DIPLOMA - PROPOSED ABOLITION OF APPOINTMENT (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.

The Government's decision to make significant changes to the school examinations system had led to discontinuance of the Diploma Scheme and thus rendered the post of Member Champion for the Diploma Scheme unnecessary. The Governance Committee had therefore recommended that it be abolished.

The recommendation of the Governance Committee was **APPROVED** without division and it was **RESOLVED**:

That the appointment of Member Champion for the Diploma Scheme be abolished.

40 **ADJUDICATION & REVIEW - REINSTATEMENT AS FULL COMMITTEE (agenda item 10)**

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 the decision needed to come into effect on 1 October.

Although the Council had decided in May 2011 that Adjudication & Review should become a Sub-Committee of the Governance Committee, it had subsequently been decided that the hearing of allegations of breaches of the Members' Code of Conduct and complaints by Council tenants (following reversion of housing management functions to the Council and winding-up of Homes in Havering) would be assigned to it. Accordingly, it was now appropriate to reinstate it as a full Committee.

Consequential amendments to the Constitution had been considered by the Governance Committee, which had accepted both the proposal and the amendments, and now recommended to the Council that they be put into effect. Details of the changes are set out in **Appendix 3** to these minutes.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED**:

- 1 That the Adjudication & Review Sub-Committee be reinstated as a full Committee with effect from 1 October 2012, with the functions set out in Appendix 3 to these minutes.**
- 2 That the Chairman (Councillor Ted Eden) and Vice-Chairmen (Councillors Barbara Matthews and Frederick Thompson) of the current Sub-Committee be appointed as Chairman and Vice-Chairmen respectively of the new Committee, with effect from 1 October 2012.**

41 ESTABLISHING A HEALTH & WELLBEING BOARD (agenda item 11)

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 agreement on the shape of the new Board needed to be in place as soon as practicable.

The Health and Social Care Act 2012 required the Council by April 2013 to establish a Health and Wellbeing Board ("Board"), which would be a Committee to be treated as if it were appointed under section 102 of the Local Government Act 1972, notwithstanding that the new statute required the Board's membership to include certain Council officers and representatives of health other organisations.

The Governance Committee had endorsed a proposal that the membership of the Board is 12 members, comprising:

- Four councillors (to be appointed by the Leader)
- The director of adult social services
- The director of children's services
Note: the above two posts are separate at present but membership should reflect statutory role rather than people
- The chief executive
- The director of public health
- A representative of the Local HealthWatch organisation
- A representative of Havering Clinical Commissioning Group, preferably the Chair
- The Clinical Director/Lead for the Havering Clinical Commissioning Group
- The Accountable Officer (Designate), Havering Clinical Commissioning Group

The Chief Operating Officer, Havering Clinical Commissioning Group, would be an ex officio member without voting rights and, in accordance with S197

of the 2012 Act, a representative of the National Health Service Commissioning Board would be invited to attend when certain business was being dealt with. It was noted that further subordinate legislation was anticipated, which might require some adjustment to the present proposals.

The Governance Committee had accordingly recommended that the membership of the Health and Wellbeing Board, to be established on and from 1 April 2013, be agreed as now proposed, subject to any revisions necessary in the light of consequential legislation.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED**:

That the membership of the Health and Wellbeing Board, to be established on and from 1 April 2013, be agreed as now proposed, subject to any revisions necessary in the light of consequential legislation.

42 **OVERVIEW AND SCRUTINY RULES - EXCEPTIONS TO THE CALL-IN (REQUISITION) PROCEDURE (agenda item 12)**

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) Department for Communities and Local Government Weekly Collection Support Scheme;
- 2) The use of Section 106 commuted sums for the provision of affordable housing; and
- 3) Building works to Hilldene Primary School.

The Council **NOTED** the report.

43 **MEMBERS' QUESTIONS (agenda item 13)**

Ten 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.

44 **POLITICAL AND CONSTITUTIONAL REFORM (agenda item 14D)**

In accordance with the procedural motion (see minute 34 above), the following motion and amendment were taken as the first of the motions, and dealt with by vote only.

Motion on behalf of the Conservative Group

This Council:

1. Recognises the stated aim of Government is to decentralise powers and increase local democratic accountability.
2. Recognises there is an appetite for more opportunities for local decision-making and greater freedom from centralised control.
3. Welcomes:
 - a) the joint campaign between the Local Government Association (LGA) and Political and Constitutional Reform Select Committee (PCRSC) to stimulate debate about the relationship between central and local government.
 - b) the opportunity, through the Select Committee's inquiry on the Prospects for codifying the relationship between central and local government, to comment on these issues.
4. Resolves to write to local Members of Parliament supporting the joint LGA and PCRSC campaign and outlining local ambitions for the central-local government relationship.
5. Urges all political parties and central government to engage with the Select Committee and the LGA to consider whether an entrenched statutory codification of the independence of local government should be part of our constitutional settlement.

D1: Amendment on behalf of the Labour Group

Delete the following:

- "1. Recognises the stated aim of Government is to decentralise powers and increase local democratic accountability"

and insert in its place the following:

- "1. Is disappointed at the Government localisation initiatives including its recent planning policy proposals but notwithstanding its disappointment urges Government to decentralise powers and increase local democratic accountability"

On being put to the vote, the Labour amendment **LOST** by 10 votes to 27 (see division 2). The Administration motion was then **CARRIED** by 36 votes to 0 (see division 3).

RESOLVED that:

This Council:

1. **Recognises the stated aim of Government is to decentralise powers and increase local democratic accountability.**
2. **Recognises there is an appetite for more opportunities for local decision-making and greater freedom from centralised control.**
3. **Welcomes:**
 - a) **the joint campaign between the Local Government Association (LGA) and Political and Constitutional Reform Select Committee (PCRSC) to stimulate debate about the relationship between central and local government.**
 - b) **the opportunity, through the Select Committee's inquiry on the Prospects for codifying the relationship between central and local government, to comment on these issues.**
4. **Resolves to write to local Members of Parliament supporting the joint LGA and PCRSC campaign and outlining local ambitions for the central-local government relationship.**
5. **Urges all political parties and central government to engage with the Select Committee and the LGA to consider whether an entrenched statutory codification of the independence of local government should be part of our constitutional settlement.**

45 **PROCEDURAL MOTION**

A procedural motion, that the motion at agenda item 14E (Free car parking in the pre-Christmas period) be dealt with by vote only, was **LOST** by 15 votes to 26 (see division 4).

46 **REVENUE BUDGET MONITORING (agenda item 14A)****Motion on behalf the Residents' Group**

Following the reported £6.7 million under-spend in the revenue budget for 2011/12, this Council agrees to consider the following actions in order to establish a robust, transparent and accountable monitoring regime at member level:

- a) a quarterly statement is reported to Cabinet setting out progress against each saving target
- b) where there are projected variations, the items are automatically referred to the relevant Overview & Scrutiny Committee for further consideration
- c) that a full bi-annual budget statement is provided to each Overview and Scrutiny Committee tailored to the remit of that committee

A1: Amendment on behalf of the Administration

Amend to read

This Council noting that the provisional reported under-spend of £6.7 million in the revenue budget for 2011/2012 will be reduced to nil following the planned transfer to transformation/strategic reserves and that the use of such reserves has been important in achieving very difficult savings targets reaffirms its support for:

- a) the posting quarterly on the Intranet of the revenue monitoring reports
- b) the inclusion of detailed analysis in Cabinet financial reports as part of the Financial Framework
- c) the Constitutional freedom of Overview and Scrutiny Committees to set their own agendas.

Following debate, the Administration amendment was **CARRIED** by 26 votes to 16 (see division 5); and it was then **CARRIED** as the substantive motion by 26 votes to 16 (see division 6).

RESOLVED:

This Council, noting that the provisional reported under-spend of £6.7 million in the revenue budget for 2011/2012 will be reduced to nil following the planned transfer to transformation/strategic reserves and that the use of such reserves has been important in achieving very difficult savings targets reaffirms its support for:

- a) **the posting quarterly on the Intranet of the revenue monitoring reports**

- b) the inclusion of detailed analysis in Cabinet financial reports as part of the Financial Framework
- c) the Constitutional freedom of Overview and Scrutiny Committees to set their own agendas.

47 **FREE CAR PARKING IN THE PRE-CHRISTMAS PERIOD (agenda item 14E)**

Motion on behalf the Residents' Group

Following on from the initiative to open up the Angel Way Multi-Storey Car Park on Sundays to provide free car parking prior to Christmas 2011, and in order to boost business and promote our local economies over the coming Christmas/New Year period, this Council agrees to extend free parking for the first two hours in all council managed car parks across the borough, covering the weekends of 15th/16th December, 22nd/23rd December and from 24th December through to 1st January inclusive.

In view of the hour and in accordance with Council Procedure Rule 9.1(b), the motion was considered without debate and, on being put to the vote, was **LOST** by 12 votes to 26 (see division 7).

48 **MOTIONS WITHDRAWN**

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

Item 14B – Olympic Torch Relay – by the Independent Residents' Group

Item 14C – Housing policies – by the Independent Residents' Group

Item 14F – Hospital A&E Services in North East London – by the Labour Group

49 **VOTING**

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

Mayor
28 November 2012

**APPENDIX 1
(Minute 35)**

MAYOR'S ANNOUNCEMENTS

What a glorious summer it has been! The London 2012 Olympic and Paralympic Games were truly spectacular. Havering had the privilege of hosting the Olympic Torch, which passed through Romford, Hornchurch and Rainham at the end of July.

A total of 150,000 people packed into our town centres and lined the Torch Route to cheer on the official Torchbearers, and together they made this a day to remember.

I was lucky enough to see the Torch in both Hornchurch and Rainham, and can tell you it was a wonderful precursor to the Games. I am so proud of all our Havering Ambassadors and volunteers who helped out on the day.

There were the astonishing Opening and Closing Ceremonies, Britain's record haul of medals in both Games, and the truly awe-inspiring achievements of all our athletes and competitors. I was cheering on Mo, Jessica, Ellie, Bradley and all the rest.

And who could forget Havering's own Amy Marren? She's only 14 and was making her debut at the Paralympics; she did really well in her swimming races. We're so proud of her and all of TeamGB!

I'm delighted to announce we are giving a ~Mayor's Award this evening to our very own Olympic champion, Mark Hunter, who is from this borough.

Mark amazed us by scooping the silver medal, with his rowing partner Zac Purchase, in the lightweight men's double scull race. We awarded Mark the Freedom of the Borough of Havering four years ago after he won the gold medal in Beijing. And I'm happy to present him with the Mayor's Award tonight.

At this point, Mark Hunter came forward, to a standing ovation, to receive the Mayor's Award.

Back to this summer: even though our Hornchurch Live music festival had to be sadly called-off because of bad storms, the skies did clear the following two days to enable us to hold yet another brilliant Havering Show. We know our residents love this annual show, which was free to attend once again. Thousands of families enjoyed a wide range of activities and splendid entertainment, from jousting knights and amazing stunts to music from the rock legend Suzi Quatro.

And last Saturday, we enjoyed another well-attended - and free - event in the borough. Pedalling into the Past was held in Hornchurch Country Park, and successfully mixed local history with cycling and fun for all the family. We even had a Lancaster Bomber fly over!

Now it's time for a quick look at what's coming up for the borough this autumn.

We will find out the winners of the Havering Business Awards in October, and there's a Havering Asks Q&A panel event in November.

And I'm delighted that The Royal Anglian Regiment will be marching through Romford on November 6 - time to be announced - to celebrate having the Freedom of the Borough. That's something we can all look forward to seeing.

Finally, a hat-trick of good news stories!

Last week, our Banking Protocol scheme won the best Public/Private Partnership award at the Association for Public Service Excellence Awards. Our Banking Protocol sees us working with local banks and partner agencies to keep vulnerable people safe from doorstep conmen. Well done to our staff in Trading Standards, Community Safety, Communications, and our partner agencies, who were all involved in the project.

During a visit to Havering by our twinned town of Ludwigshafen, the Leader was presented with a City of Ludwigshafen gold partnership medal in recognition of his long term commitment to the strong bond between them and us.

The Council has been presented with an award by the Ministry of Defence for the support we give our staff who are volunteer members of the armed forces reserves.

Finally, yesterday, I attended the London in Bloom Awards. I am most proud to say we were awarded 3 Golds, one each for Bedfords Park, Hornchurch Country Park and Bio Diversity across the Borough. In addition we were awarded 3 Silver Giltts. Bearing in mind the budget we have when compared to the likes of the City of London, these achievements are simply magnificent and those whose work led to them are to be highly commended.

AMENDMENTS TO THE CONSTITUTION**3.7.6 Head of Development & Building Control****1. Proposed new delegated powers 3.7.6 (dd)**

Section 127 of the Localism Act has introduced new Sections 225A-K to the Town and Country Planning Act.

These new provisions allow a local authority to serve a "removal notice", where advertisements are being displayed without consent, requiring the person responsible to remove the advertisement within at least 22 days. The local authority then can remove those advertisements subject to a removal notice that have not been removed and recover the costs of doing so.

These powers appear to be more straightforward than current powers under the London Local Authorities Act.

It would be beneficial for these to be delegated to the Head of Development and Building Control so that prompt action against unauthorised adverts can be taken.

Reason for proposed delegation

- (i) Serve Removal Notices under Section 225A of the Act;
- (ii) Remove unauthorised advertisements which have not been removed in accordance with a removal notice;
- (iii) Deal with appeals against removal notices under Section 225B of the Act;
- (iv) Issue removal notices on operational land in accordance with Section 225K of the Act.

3.3 Powers of Members of the Corporate Management Team**1. Proposed changes to text of delegated powers 3.3. Finance (d)**

To authorise the making of ex-gratia payments to individuals where the Local Government Ombudsman has recommended that such payment be made in local settlement of a complaint.

Reason for change

The Local Government Ombudsman on occasions recommends to the Council the payment of a relatively modest sum to a complainant as a way of settling a matter locally, i.e. without a full Ombudsman investigation. Currently the relevant delegation limits the amount that can be authorised to a figure set by the Head of Finance and Procurement. This is an unnecessary bureaucratic requirement, so it is proposed to delete this restriction.

It should be noted that in the event of a finding of maladministration by the Ombudsman the finding and the compensation will still have to be reported to members as at present.

3.5.6 Head of Children and Young People's Services

1. Amalgamation of two delegated powers 3.5.6 (m) & (q).

To approve payments for children in need, or of their families, and for children and young people in care and leaving care, in accordance with Part III of the Children Act 1989, and to make grants and/or loans to children and their relatives, up to the limit specified from time to time by the Head of Finance & Procurement; otherwise payment must be made in consultation with the Group Director Finance & Commerce.

Reason for change

Currently the Head of Children & Young People's Services has two delegated powers for the provision of financial assistance, one of which is up to a set limit and the other about that limit. There is no logical reason for such an arrangement, which probably relates to a historical sub-division of responsibilities which is no longer relevant. It is therefore proposed to amalgamate the two powers into one.

**APPENDIX 3
(Minute 40)**

ADJUDICATION & REVIEW

Amendments to the Constitution: Part 3: Responsibility for Functions

In section 1.2 Functions delegated to general council committees, Table of Committees, etc:

1. Before the entry for the Audit Committee, insert:

Council committee	Functions
<p>Adjudication & Review</p>	<p>Appeals and complaints</p> <p>To determine an appeal against any decision made by or on behalf of the authority, including in relation to housing services, except where statute provides for some other route of appeal (see Part 3, section 4: functions not to be the responsibility of an authority’s Executive) (group B functions) and Part 3, section 5: local choice functions) – see Hearings Panels below</p> <p>Admission and exclusion of pupils</p> <ul style="list-style-type: none"> • To make arrangements pursuant to Chapter I of Part III of the School Standards and Framework Act 1998 (admission appeals), including children to whom section 87 applies (appeals by governing bodies) • To make arrangements pursuant to Chapter 3 of Part 3 of Education Act 2002 (exclusion reviews) <p>These powers are exercisable in relation to maintained schools and, subject to appropriate contract, may be exercised in relation to Academies</p> <p>Governing bodies</p> <p>To hear appeals from teachers about early retirement decisions by governing bodies</p> <p>Members’ conduct</p> <p>To consider allegations of breaches by Members of the Code of Conduct and the appropriate sanctions, if any, to be applied in consequence of a finding that the Code had been breached.</p>

2. In the Sub-Committees section, **omit:**

- (a) The entry for the Adjudication & Review Sub-Committee
- (b) The entry for the Sub-Committees of the former Standards Committee

MEMBERS' QUESTIONS

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 WEED SPRAYING CONTRACT**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Ray Morgon

Would the Cabinet Member confirm why the weed spraying contract was not agreed until May which meant that that the first spray was months behind schedule making many of the roads in Havering look very poor for most of the summer?

Answer:

The weed control contract was included in the East London Solutions (ELS) programme of intended contracts. Officers from four of the boroughs had been meeting for many months prior to the intended tendering date to agree the specification and benefit from the economies of scale this process would deliver. As Havering had led on the Highways contract, the London Borough of Barking & Dagenham agreed to lead on the weed control contract. The contract specification was drawn up for the participating boroughs but unfortunately, Barking & Dagenham decided to withdraw their assistance and undertook their own tendering exercise.

This information was forwarded to us in late-2011, and we then began the process of tendering our own contract, with an adjusted start date of May 2012.

2 MOTHBALLED SCHOOL CLASSROOMS**To the Cabinet Member for Children & Learning (Councillor Paul Rochford)**

By Councillor Keith Darvill

How many mothballed classrooms are there in primary and secondary schools in Havering and in which schools are they?

Answer:

The term 'mothballed' classrooms refers to accommodation which was taken out of general education use when pupil admission numbers previously reduced in some primary schools as a result of falling rolls. Whilst the reference to 'mothballing' may suggest that this space was locked up and placed out of use by the school concerned, in most cases the 'surplus' space has been used by individual schools to accommodate various educational uses such as IT suites, school libraries, art/resource rooms, SEN use etc.

With primary school pupil projections now rising once again, our strategic planning to accommodate this expansion has included discussions with Headteachers to explore scope to re-commission this accommodation for general education use. As a first phase of this programme, classrooms at Parsonage, Pinewood and Wykeham schools were successfully re-commissioned over the recent summer holidays and are already back in general education use. Our plans to accommodate increased rolls for September 2013 involve the use of other previously 'mothballed' space in the same manner.

Unfortunately, it is not possible to accommodate the projected increase over the next 4-5 years in this manner as schools need to accommodate an entire form of entry ranging from Reception to Year 6 (Primary - 7 classrooms), or Key Stage 1 (Infants - 3 classrooms)/Key Stage 2 cohort (Juniors - 4 classrooms), so that an expanded Reception class can subsequently progress through the same school. As a result, individual classrooms 'dotted' around the borough would not be practical and consequently net expansion to some schools is inevitable.

I am happy to provide/have provided to Councillor Darvill the list of those primary schools having rooms exceeding 54sq.m. that are not allocated to general education use i.e. those referred to as 'mothballed'.

Our pupil projections do not identify any pressure on secondary spaces for some years to come and the majority of the secondary portfolio has now transferred to Academy status.

In response to a supplementary question, the Cabinet Member responded that it had not been possible to indicate earlier the schools at which the recommissioning programme would apply as discussions had not been completed with all Headteachers and Governing Bodies. The Cabinet Member agreed to reply in due course to the questioner about an outstanding Freedom of Information enquiry.

3 IMPACT OF WELFARE ALLOWANCES ON PROVISION OF COUNCIL SERVICES

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Jeffrey Tucker

Along with other Group Leaders and Members, I recently received an e-mail urging me to write to the Prime Minister as refugees and immigrants to this country allegedly received a £250 weekly allowance, a £225 spouse allowance and a £100 additional weekly hardship allowance. The e-mail went on to state that this contrasted with an Old Age Pensioner who received only £106 weekly allowance, £25 spouse allowance and no weekly hardship allowance. If these claims are true, could the Cabinet Member advise what he feels will be the impact on future Council services?

Answer:

I do not believe these claims to be accurate, for example according to the UK Border Agency a weekly cash allowance for a single person aged over 18 is in fact £36.62.

As the Member is aware, this Council has no control over the welfare allowances he lists. This is the responsibility of central government. These allowances are therefore unrelated to the provision of Council Services.

In response to a supplementary question, the Cabinet Member reiterated that he did not believe the assertions within the email were accurate.

4 **LICENSING: EFFECT OF SATURATION POLICY**

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

By Councillor John Mylod

In respect of licensing applications, would the Cabinet Member confirm that the Saturation Policy is fully considered when dealing with applications and are there any examples where this policy is overridden by other factors?

Answer:

Yes, the Sub-Committee fully consider the Saturation Policy when it is raised by anyone in a valid representation. The Saturation Policy does not mean that every application can be refused simply because the policy exists. Applications must be heard on their merits, but a cumulative impact policy in an area will mean that the burden is on the applicant to show that their application/premises will not add to cumulative impact upon any of the licensing objectives. Those objecting to the license are still required to provide evidence however of how the objectives are likely to be affected. Therefore the policy is not absolute, and indeed it cannot be. The term "overridden" is inappropriate. The other thing to consider is that by the Sub Committee granting licence applications but reducing hours and adding tighter conditions, are examples of the policy working (within its legislative/Guidance based constraints), and the fact that some applications in these areas are nonetheless approved does not mean the policy is not being considered, or even that it is ineffective.

In response to a supplementary question, the Cabinet Member reiterated that all licensing applications were dealt with on their respective merits and the Saturation Policy could only be applied where there was proper cause to do so.

5 **LONG GRASS MEADOWS IN PARKS**

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

By Councillor Denis O'Flynn

What is the average area left uncut as Long Grass Meadow in our parks?

Answer:

I am very grateful for Councillor O'Flynn's question.

We have had a rolling programme for the development of meadow areas in parks in partnership with Friends of Parks groups and local nature conservation groups since 2007.

Our aim is the protection and enhancement of the flora and fauna of this borough, which have a significance that makes them important to nature conservation in general beyond the borders of our borough as well as within them. I am very glad that the importance of our work in this area was recognised with the Gold award from London in Bloom for Biodiversity in 2011 and unprecedentedly also this year.

We believe that a richer natural environment contributes to a visually interesting and stimulating environment. This is an important part of the particular character of this borough marking us out from others around us. It is important to health and wellbeing and the development of children and young people, and the particular significance of habitats in this borough mean that we have a particular part to play in tackling the decline in species of plant, insect, animal and bird life which has been evidenced and published over a number of years, including in the report published by the charity "Plantlife" last week.

The introduction of meadow areas does not just involve leaving areas of grass uncut. Areas are selected to enhance the particular ecology of each area, and to ensure that all in the borough have access to nature. Resources are then shifted to provide measures that ensure active conservation, such as increasing litter picks, as nature doesn't like rubbish either.

The grass areas are then cut on a two year cycle, with half of the grass on each site being cut and removed annually. This ensures that invertebrate habitat is not completely removed and allows the insects to relocate into the areas of the site that have not been cut, which helps to maintain a sustainable population.

The average area of park that is maintained like this in the borough is 6.53%.

Surveys by nature conservation groups and feedback from residents record an increase in species of butterfly such as Small Heath Butterfly, Small Skipper Butterfly and Six Spot Burnett Moth. In addition song birds have increased particularly Goldfinch and Greenfinch in the borough, along with an increase in the variety of habitat. We now have more Cuckoo Flower, which feeds the Orange Tip Butterfly, Birdsfoot Trefoil which is the food plant for the Common Blue Butterfly and White Clover which is a favourite plant of bees in the borough, which is very welcome.

In response to a supplementary question, the Cabinet Member undertook to investigate whether pathways might be provided through some long grassed areas in order to provide low-hazard passage through them for people who were less sure of foot.

6 USE OF SECTION 106 AGREEMENTS

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Michael Deon Burton

Following an article in the media where it is stated a couple who wanted to build their own home were presented with a £44,000 charge for a Section 106 agreement by Rutland Council, are our hard pressed Havering residents in danger of the same insensitive demands of monies being made upon them in these economically challenging times?

Answer:

No they are not. Infrastructure charges relate to developers and the development of new properties not to ordinary residents who might want to build an extension.

From 1 April 2012, a tariff of £6,000, or £4,500 in Havering Riverside, per new additional dwelling has been applied through S106 agreements as part of planning permission. This

represents a discounted charge for infrastructure provision considered necessary in relation to the impacts of new housing in the Borough.

The charge only applies to additional dwellings so someone building a replacement dwelling would not be subject to a charge. The discount was calculated with regard to viability and is considered to be reasonable in relation to the uplift value in land as a result of planning permission being granted. It is certainly a lot less than the example given by Councillor Burton.

The Planning obligations Supplementary Planning Document (SPD) was published for consultation purposed on 1 April with Cabinet approving its application for all planning applications received from that date. The SPD is due to be adopted shortly.

The overall infrastructure requirement relating to new housing was calculated to be £20,444 per dwelling. In most cases, residential development within Havering cannot currently support the full cost of the infrastructure requirement it generates and remain viable, so a discounted rate taking account of viability is applied.

In response to a supplementary question, the Cabinet Member gave assurance that this approach would remain in force for the foreseeable future.

7 REDUCTION IN CABINET POSITIONS

To the Leader of the Council (Councillor Michael White)

By Councillor Brian Eagling

The Leader is to be congratulated for recognising the need to reduce the number of Cabinet positions, as consistently suggested by the Residents' Association in their budget proposals. However would he agree to bring forward the plan to cut three Cabinet Posts as he would be saving the council tax payers of Havering some £150,000 in allowances over the remainder of this Administration?

Answer:

The Cabinet posts earmarked for deletion are required until 2014 due to the current projects and programmes that each of those Cabinet members is responsible for.

This Council has already been making savings approaching £40 million pounds and this has meant that we are one of the best placed authorities in terms of budget management and keeping our costs under control.

The party opposite has consistently come up with token savings - £10,000 here, £20,000 there – what they need to realise is that running the Council in economically difficult times is not about making politically easy decisions and saving a few thousands pounds, but is about making hard choices where savings can total millions of pounds.

In response to a supplementary question, the Leader of the Council reminded the questioner that flexibility was required in order to respond to circumstances changing as a result of government initiatives and statutory obligations. For the present, the need for a Cabinet of 10 Members remained but that would be reviewed and change in the future.

8 **RELAXATION OF PLANNING REGULATIONS**

To the Leader of the Council (Councillor Michael White)

By Councillor Paul McGeary

Does the Leader of the Council welcome the recent Coalition Governments announcement relaxing the planning regulations to allow larger extensions to be built as permitted development?

Answer:

The Government has announced that full details of the relaxation of planning regulations in relation to house extensions will be published shortly. The Council will respond to the consultation if it considers that there are likely to be serious adverse implications for residents of this Borough who may adjoin large extensions.

Subject to suitable limitations, I support proposals that seek to lift the burden of obtaining planning permission for householders who wish to improve their property, that will generate economic activity especially for small businesses and that will enable Council Planning departments to concentrate on facilitating important and major development proposals.

In response to a supplementary question, the Leader of the Council invited to the questioner to draw to his attention any individual cases of difficulty so that he could look into them.

9 **EFFECT OF IMMIGRATION ON HAVERING**

To the Leader of the Council (Councillor Michael White)

By Councillor David Durant

Does the Council Leader agree with Government plans to reduce immigration to 'the 10s of thousands' and what consequences does he foresee for Havering if this Conservative election promise is not fulfilled?

Answer:

Yes I do agree.

However, I think it is very important to note that many people from overseas who have come to Britain have made a substantial contribution to our economy and our society.

The world as we know it is unlikely to end if this election promise is un-fulfilled, however immigration has been falling steadily since the Government took office. This has mainly been made up of falling numbers of overseas students.

The vast majority of people from overseas who move to Britain are hard working, tax paying, skilled individuals, who make a substantial contribution to our economy and way of life.

In response to a supplementary question, the Cabinet Member reminded the questioner that the government had legislated for referenda to be held if the European Union sought

the transfer of further powers from Member States: to date, the need for such a referendum had not arisen.

10 REQUEST FOR AN UPMINSTER CONSERVATION AREA

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

By Councillor Linda Hawthorn

In answer to my question at last Council requesting a Conservation Area around the St Laurence Church area of Upminster, the reply stated that 'while the five listed buildings are all very valuable, the quality of the remaining buildings is variable, and most of the infill buildings are not of architectural or historic interest.....and the designation of a conservation area would not provide any additional planning controls or benefits for the listed buildings'. Would the Cabinet Member explain:

- a) Which infill buildings are being referred to?
- b) The NPPF advises that every new build in Conservation Areas should be of sufficient quality to complement the area – why is this advice seemingly being ignored?

Answer:

- a) In the previous response, it was the buildings in-between the heritage assets (the five listed buildings) that were referred to as 'infill' buildings, include the following:

- New Windmill Hall
- Old Windmill Hall
- Millfield House
- Upminster Junior School
- Lincoln House
- The new buildings on Gridiron Place

When a conservation area is designated, the usual process is to designate a length of streetscape that includes not only heritage assets, but all buildings within the area and the public realm. It's recognised that the listed buildings which Cllr Hawthorn has suggested should be captured within a conservation area make a strong and positive contribution to the streetscene. However the buildings in-between these highly important assets in the streetscape are not considered of historic or architectural interest. Therefore they do not provide a high quality streetscape with either a unique or uniform character so it is considered that they do not warrant the designation of a conservation area.

Whilst these buildings don't warrant inclusion within a conservation area, the designation of a conservation area would not provide any additional protection for the statutorily listed buildings.

- b) In my opinion, in recent years Havering's Regulatory Services Committee has ensured that new build in conservation areas is of excellent quality and does complement the particular and distinct character of our conservation areas by defining spaces, creating fine views and making thoughtful use of materials,

massing, form and volume to enhance links between buildings and spaces in conservation areas. I would highlight the new library and flats in Rainham Village Conservation Area and the proposed development in Angel Way and in Romford Conservation Area as particularly fine examples of this.

There have been occasions where I feel that the National Planning Inspectorate has been less helpful than it could have been in relation to our conservation areas, and I would cite North Street in Romford and Dovers Corner as examples of this, but my experience of the work of our Regulatory Services Committee in recent years is that members do give due consideration to issues of design, setting and conservation when considering applications in conservation areas, and that we have results to be proud of.

The areas between listed buildings in Upminster about which Councillor Hawthorn is quite rightly concerned all clearly form the settings of the listed buildings near them, which are so important to the visual interest of the environment of the town.

In this light, anyone seeking to develop in the area should be employing an architect able to respond to the particular opportunities which these locations offer, paying particular regard to scale, materials and the relationship of buildings and spaces to one another to create visually pleasing ensembles if they are not to fall foul of the standards for conservation and enhancement of the historic environment contained in Havering's Local Development Framework and reinforced by the National Planning Policy Framework.

In response to a supplementary question, the Cabinet Member commented that the declaration of a Conservation Area did not preclude the inclusion of modern buildings within it.

11 CHILDREN IN HOMELESS PERSONS HOSTELS

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

By Councillor Pat Murray

How many children under the age of 16 years of age are currently resident with their parents in Havering Homeless Persons Hostels?

Answer:

The exact make up of hostel households fluctuates from time to time but as at 12th September 2012 there were 63 households with children in the hostels with a total of 102 children. The average stay for a household is around 12 weeks.

12 NEW RAINHAM LIBRARY: PROGRESS

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

By Councillor Jeffrey Tucker

Can the Council please advise on the latest development regarding the building of Rainham Library next door to the station and the bus interchange station with a timescale of how long it will be before completion.

Answer:

The Rainham Library and Lifelong Learning Centre is a central project within the Rainham Compass regeneration programme. It will provide a valuable community resource, additional residential units and support educational achievement within the Rainham area. Site works and construction to ground floor slab have already been completed but progression to the main construction stage has been interrupted by the dissolution of the London Thames Gateway Development Corporation and the transfer of its assets and funding to the GLA.

Contractors for the scheme, Roof, have already been selected via a competitive tender process. They are able to mobilise immediately upon signing of the funding agreement. The construction programme is expected to be of 66 weeks duration, including lead in / mobilisation periods, which would envisage completion early in 2014.

We expect outstanding documents to be exchanged in the next few weeks.

13 REDEVELOPMENT OF ST GEORGE'S HOSPITAL, HORNCURCH

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Ray Morgon

Would the Cabinet Member please confirm:

- a) The services that are currently been provided at St George's Hospital in Hornchurch and where these will be provided when the hospital is redeveloped?
- b) Any additional services that will be provided on site after the hospital has been redeveloped?

Answer:

a) The CCG will develop a proposal for the future services to be provided at St Georges, engaging closely with the local authority. All of the services (other than the beds) will continue to operate from St Georges in the short term.

b) The details will be developed as above but will include a primary care service.

14 PARK HOMES - PRIVATE MEMBERS BILL

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

By Councillor Keith Darvill

Will the Council support the change in the law proposed in the Park Homes Bill to be laid in Parliament by Peter Aldous MP and will it write to Havering Members of Parliament to urge them to support the Bill and attend sessions in Parliament to ensure that it becomes law?

Answer:

The Park Homes Bill is not in the public domain and, as such, its exact proposals are unclear. However, the Government published a consultation paper, *A Better Deal for Mobile Home Owners*, in April this year. If the provisions of the Bill are in accordance with the proposals in this paper, the Council will generally support the Bill, but must reserve its position until the precise provisions are known.

15 ON-STREET PARKING IN RAINHAM VILLAGE**To the Cabinet Member for Community Empowerment (Councillor Robert Benham)**

By Councillor David Durant

An important attraction of the Rainham one-way system was the increase in parking spaces this would facilitate by the local shops in Rainham Village.

The latest proposals involve 'pay and display' parking bays, but make other parking restrictions more severe, when they could be eased. For example, 8.30am - 6.30pm restrictions are being replaced with 'anytime', rather than one hour restrictions!

Ward councillors have had meetings with Officers about this, but can the Cabinet Member for Community Empowerment review the proposals to ensure that more parking spaces are provided by the shops in Rainham Village?

Answer:

The Rainham Traffic Management System will create 14 new short stay parking bays and 4 loading bays directly outside the shops in the Village centre. At present parking is restricted throughout the Village shopping area by single and double yellow lines and there is no legal parking provision when these restrictions apply. This project will therefore support shopping in Rainham Village, which is why it received overwhelming support during the detailed consultation undertaken on the scheme.

Motorists often chose to park illegally outside shops and they contribute to the high levels of congestion in the Village. The Rainham Traffic Management System is seeking to alleviate this by making Upminster Road South a one way road which will allow for parking or loading on one side of the road where none currently exist and create a much safer and attractive environment for shoppers and pedestrians.

Where anytime parking restrictions are proposed these are generally opposite areas of parking where it is essential to keep one side of the road clear permanently to allow traffic including buses and emergency vehicles to flow freely and not block the road.

The Rainham Traffic Management System proposals were widely consulted upon with a specific meeting held with shopowners who approved of the scheme as is being built. In addition a recent consultation on the traffic management orders required to implement the new parking bays outside the shops is also underway.

During this consultation it has become apparent that shop keepers would like further additional parking bays and Officers are considering how this could be achieved without

compromising the safe flow of traffic. The results of this work, together with the responses to the consultation, will be reported to the October HAC for consideration

16 **DOG FOULING: FINES**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

Would the Cabinet Member confirm how many fines have been issued since the last Cabinet report dealing with dog fouling?

Answer:

Since the last Cabinet report three fixed penalties have been issued.

Because of the nature of the offence it is difficult to catch offenders in the act of not clearing up their dog's mess. Where it has not been possible to identify the dog owner letters have been distributed in the general area of the offence asking dog owners to be more considerate and to clear up after their dog. Signs have also been fixed to lamp posts in the area.

It is anticipated that the new Cleaner Havering campaign including a web based report form and publicity will enable officers to establish a regular time and place where owners fail to clear up after their dogs and will enable officers to target known hotspots where offences regularly take place.

17 **RIVER INGREBOURNE FLOODING – DE-SILTING**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor David Durant

In response to an earlier question about flooding and the River Ingrebourne, I was informed that 'it would be beneficial to de-silt from Squadrons Approach to the new A13 to ensure maximum flow can be optimised which reflects what was noted during the 10th July inspection with the Environment Agency'. And 'as some of this run is within a Site of Scientific Special Interest, a sensitive approach needs to be undertaken to such works'.

What progress has been made regarding this matter?

Answer:

Further to an initial individual inspection by the Environment Agency on 10th July, a further joint inspection is to be undertaken on 19th September as a section of the River Ingrebourne appears severely constricted from the A1306 downstream to the Thames.

As this section of the river will be initially addressed by the Environment Agency, it may be that the works they undertake alleviate the flooding issues experienced from Squadrons Approach through the Site of Scientific Special Interest land. Officers will continue to work closely with the Environment Agency to ensure a remedy to this issue is forthcoming.

18 VISITORS' CENTRE AND PRODUCTION OF MAGAZINE**To the Leader of the Council (Councillor Michael White)**

By Councillor Ray Morgon

Would the Leader confirm why in times of reducing funds available to the council, money has been spent on a fully staffed Visitors Centre and the full cost of the 72-page glossy magazine?

Answer:

The Visitor Centre offers a vital service to the Borough's businesses and attractions in these difficult times and, as Cllr Morgon knows, the success and survival of local businesses will have a direct impact on Council funding in the future, as the Government moves to a model for funding local authorities that is based on a retention of the business rates. So we need to encourage people to come here and spend money in Havering. I would add that the running costs for the centre are being met using grant monies for two years – meaning there's no revenue costs to Council tax payers at all.

The Centre is highly valued and well-used, both by visitors to the Borough and by local people who want to learn more about what's happening in Havering. Over this incredible summer of celebration, it's been buzzing with activity, managing approximately 450 enquiries a week and 10,350 since it opened almost six months ago. The Centre has helped people from as far afield as China, Australia and Argentina, as well as a large number of visiting servicemen and women from the Hainault camp, who did such a fantastic job during the Olympics.

And the Discover Havering Guide has been a roaring success, given out not just at the centre, but at libraries, at events, at local hotels and at other visitor centres across the South East. We produced 13,000 copies and, after advertising income and external funding is factored in, it cost just over £2,000 – making it great value for money.

19 USE OF REGULATION OF INVESTIGATORY POWERS ACT**To the Cabinet Member for Community Safety (Councillor Geoff Starns)**

By Councillor Clarence Barrett

Would the Cabinet Member state if powers available under Regulation of Investigatory Powers Act (RIPA) have been used in any surveillance operations on any residents in Havering over the past two years and, if so, how many and under what circumstances?

Answer:

Powers available under Regulation of Investigatory Powers Act (RIPA) have been used on the following occasions over the past two years:

- 3 occasions to investigate potential benefit fraud, and
- 2 occasions to investigate allegations of harassment by the same landlord, but involving different private rented properties

20 **RENEWAL OF FOOTWAYS AND CARRIAGEWAYS****To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor John Mylod

Would the Cabinet Member provide a list of roads (by ward) that have had their footway or carriageway completely renewed since 2006?

Answer:

There is limited information available covering this length of time, however I can provide the Member with details of the overall spend for renewals for each year since 2006, totalling in a spend of £14.25m.

21 **OLYMPICS 2012: COUNCIL EXPENDITURE****To the Cabinet Member for Value (Councillor Roger Ramsey)**

By Councillor Ron Ower

Would the Cabinet Member confirm how much each Directorate spent on events directly or indirectly connected with the 2012 Olympics?

Answer:

Culture and Community spent the following amounts on core Olympic related activities in 2012:

Events	Expenditure (£k)
Cultural Olympiad Programme	£25
Olympic Torch Relay (2012)	£49k
Paralympic Flame Celebration (2012)	£0.5k

The other directorates did not level expenditure on Olympic connected events.

22 **CONTRACTS****To the Cabinet Member for Value (Councillor Roger Ramsey)**

By Councillor Ray Morgon

Would the Cabinet Member provide a list of all contracts with in-house and external providers and the date the current contracts are due to expire?

Answer:

The production of a list of all contracts with in-house and external providers regardless of value would take a disproportionate amount of staff time. However I understand that the member is particularly interested in the contracts recorded on the Council's Contracts register. This can be found along with the contracts of other boroughs at:

www.londoncontractsregister.co.uk/public_crs/organisations/lb-havering/?search=&filter=all&page=3

23 CLOSURE OF WAITROSE STORE, HORNCHURCH**To the Cabinet Member for Community Empowerment (Councillor Robert Benham)**

By Councillor John Mylod

Given the decision by Waitrose to close their store in Hornchurch High Street, would the Cabinet Member set out what measures were pursued in order to support the ongoing viability of the business and whether the Council was aware that car parking charges of the adjacent car park increased from 20p to £1 on the day the store opened?

Answer:

The Leader met with Waitrose shortly after the announcement that they were closing their store in Hornchurch. Waitrose were very positive about Hornchurch as a trading location and remain interested in the borough as a place for their business.

Unfortunately the store format that they trialled in Hornchurch has not been successful for Waitrose and they are no longer opening stores of this size across the country. In addition, they did not provide any parking which could be controlled by Waitrose for the benefit of their customers and were reliant on the private car park next door. The Council does not control parking or charges on this privately owned and managed site and while private charges have increased the Council car parks continue to offer 2 hours for 20 pence.

Clearly Waitrose closure is disappointing for Hornchurch, but the Council is determined to support businesses in this important town centre and met with Waitrose to offer support to them when they moved into the town. During Waitrose time in the town centre, we have delivered an ongoing programme of support in Hornchurch including a shop local campaign that has seen competitions, community events and bespoke Hornchurch merchandise to entice shoppers to rediscover Hornchurch and its shopping offer.

We secured a £225k grant from the GLA in the latter half of 2011 and a large amount of this funding was utilised to advertise and promote the town centre, to produce merchandise and a directory for Hornchurch and provide advice and support to local businesses. We have set up a Facebook page and raised the profile of Hornchurch at the recent Havering Town Show. We continue to provide support for the Hornchurch Christmas Cracker event, which last year attracted an additional 2,500 people into the town.

We hold a wide range of events and festivals in Hornchurch that attract people from a wider area to the town, including the highly successful torch relay event, which attracted over 6,000 people to the town.

We are also part way through a £2.5m investment programme in the High Street funded by Transport for London that will bring improvements to the look of Hornchurch, improve accessibility and make it easier to shop and enjoy the town.

24 **COMMUNITY BUDGET**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Would the Leader confirm whether this Council is pressing for this Authority to operate a community budget?

Answer:

In many areas we already operate community budgets, for example the Council's work to support Troubled Families to improve their outcomes. The focus is on families in need of support who reside in Harold Hill and is a multi-agency partnership to align resources and services to get better outcomes for local families.

25 **OUT OF COURT DISPOSALS**

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

By Councillor John Wood

Would the Cabinet Member confirm whether the local Police use what are known as 'Out of Court Disposals'?

Answer:

Yes, the Police use Out of Court Disposals.

The different types of disposal options used are:

- Penalty Notice Disposal (PND)
- Caution
- Conditional Caution
- Cannabis Warning
- Reprimand (Youth)
- Final Warning (Youth)

26 **FUTURE OF NHS MEDICAL FACILITIES**

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Nic Dodin

Would the Cabinet Member confirm what steps, if any, are being taken to retain medical facilities buildings under local control to avoid them being removed in April 2013 and vested in the NHS Property Services Company?

Answer:

The CCG will develop a proposal for the future services to be provided at St Georges, engaging closely with the local authority. All of the services (other than the beds) will continue to operate from St Georges in the short term.

27 PRUNING OF STREET TREES**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Gillian Ford

Would the Cabinet Member confirm what additional sum would be required in the tree budget to ensure all street trees were pruned every 3 years?

Answer:

Although it would not be particularly good arboricultural practice to prune every highway tree every three years, it is anticipated that the increased pruning would cost an approximate additional £150,000 per annum.

28 COSTS OF SOCIAL CARE ASSESSMENTS**To the Cabinet Member for Individuals (Councillor Steven Kelly)**

By Councillor Linda Van den Hende

Would the Cabinet Member confirm the average cost per social care assessment and review and how this compares with other London boroughs?

Answer:

An analysis of Council PSSEX1 returns for 2010-11 (the most recent data published) identifies that Havering Adult Social Care has the second lowest cost in Outer London of £810 per Assessment or Review. This cost compares to an average cost in Outer London of £1,300 and £1,400 approx in London overall.

29 EXTERNAL PERFORMANCE INSPECTIONS**To the Leader of the Council (Councillor Michael White)**

By Councillor June Alexander

Would the Leader provide a list of external performance inspections carried out on the council over the past three years and indicate if any are scheduled for the future?

Answer:

The Council is no longer subject to as many mandatory performance inspections since the Conservative Government abolished the regulatory performance regime that used to be in place for councils including the mandatory National Indicator set and Comprehensive Area Assessment, which were abolished in May 2010.

Compulsory inspection is now really only carried out in Children's and Adults Social Care, which I'm sure you'll agree due to the nature of these services, is only right and proper.

We are also subject to various annual audits, including an audit of our Benefit Subsidy Grants claim by our external auditors and of course the annual audit of our accounts.

Over the last three years, we have been subject to the following inspections from Central Government:

2009

Homes in Havering ALMO re-inspection

CAA Organisational Assessment (although this was more of a desk based assessment rather than an inspection)

2010

Children's Social Care - Duty and Assessment (OFSTED)

2011

Children's Social Care - Harold Court Children's Centre (OFSTED)

Children's Social Care - Collier Row Children's Centre (OFSTED)

Children's Social Care - Duty and Assessment (OFSTED)

Children's Social Care - Youth Offending Service (HM Inspectorate of Probation)

Children's Social Care - Fostering (OFSTED)

Children's Social Care - Safeguarding and Looked After Children (OFSTED)

Children's Social Care - Ingrebourne Children's Centre (OFSTED)

2012

Children's Social Care - Adoption (OFSTED)

Children's Social Care - Pyrgo Children's Centre (OFSTED)

Adult Social Care - Reablement and in-house homecare services (CQC)

Following on from the Audit Commission's regime of compulsory corporate inspection being abolished, the government have been keen to give local authorities the opportunity to develop their own approach to challenging performance, and the Local Government Association have responded by developing Peer Reviews,

With this in mind I can announce that Havering Council will undergo its Corporate Peer Review, during the week of 29th October 2012.

Following the abolition of the mandatory CPA and CAA inspections by the audit commission, the local government association has been working with councils to devise a 'critical friend' challenge programme to help councils learn from each other and share best practice. The peer reviews will be entirely voluntary and free to all LGA Member authorities every three years. They will focus on:

- Our understanding of the local context and priority setting
- Financial planning and viability
- Political and managerial leadership
- Governance and decision-making
- Organisational capacity.

And we've also asked them to specifically look at our transformation journey so far, in terms of establishing how well we achieved the savings we needed to and to act as a critical friend in testing how well prepared we are as a council for further difficult decisions that might lie ahead in transforming our services to deliver the best possible service for Havering residents.

As well as corporate peer reviews, the LGA are also offering more in depth service-specific reviews and the Council has invited a peer review of Children's Services to take place in January 2013, to support our focus on continuous improvement and self evaluation in delivering the very best services for our children and young people.

30 CLAIMS AGAINST THE COUNCIL

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor John Wood

Would the Cabinet Member confirm for each of the past 6 years the number and value of claims that have been paid, via local authority or external insurers, for:

- a) Tripping injuries on the footway or carriageway?
- b) Damage to vehicles caused by defective carriageways?
- c) Damages to property from highway trees?

Answer:

a) Tripping claims on footway or carriage- way	2006	2007	2008	2009	2010	2011	2012
No of claims submitted	73	87	97	126	92	95	39
No of claims paid	13	15	16	12	7	0	0
Cost of paid claims £	260826.57	266557.45	215361.07	216946.70	184967.78	0	0

b) Damage to vehicles caused by defective carriage- ways	2006	2007	2008	2009	2010	2011	2012
No of claims submitted	43	50	36	80	191	129	27
No of claims paid	5	12	10	10	27	14	0
Cost of paid claims £	1517.66	2592.17	2289.31	2166.08	9149.19	7527.61	0

c) Damages to property from highway trees	2006	2007	2008	2009	2010	2011	2012
No of claims submitted	61	47	46	34	54	28	18
No of claims paid	28	21	22	14	20	2	0
Cost of paid claims £	351683.40	199246.90	37582.50	48596.04	26206.84	6594	0

<i>DIVISION NUMBER:</i>	1	2	3	4	5	6	7
The Mayor [Cllr. Lynden Thorpe]	O	O	O	O	O	O	O
The Deputy Mayor [Cllr. Eric Munday]	A	A	A	A	A	A	A
<u>CONSERVATIVE GROUP</u>							
Cllr. Michael White	✓	X	✓	X	✓	✓	X
Cllr. Michael Armstrong	✓	X	✓	X	✓	✓	X
Cllr. Robert Benham	✓	X	✓	X	✓	✓	X
Cllr. Becky Bennett	✓	X	✓	X	✓	✓	X
Cllr. Sandra Binion	A	A	A	A	A	A	A
Cllr. Jeff Brace	✓	X	✓	X	✓	✓	X
Cllr. Wendy Brice-Thompson	✓	X	✓	X	✓	✓	X
Cllr. Dennis Bull	A	A	A	A	A	A	A
Cllr. Andrew Curtin	✓	X	✓	X	✓	✓	X
Cllr. Osman Dervish	✓	X	✓	X	✓	✓	X
Cllr. Ted Eden	A	A	A	A	A	A	A
Cllr. Roger Evans	✓	X	✓	X	✓	✓	X
Cllr. Georgina Galpin	✓	X	✓	X	✓	✓	X
Cllr. Peter Gardner	✓	X	✓	X	✓	✓	X
Cllr. Lesley Kelly	✓	X	✓	X	✓	✓	X
Cllr. Steven Kelly	✓	X	✓	X	✓	✓	X
Cllr. Pam Light	✓	X	✓	X	✓	✓	X
Cllr. Robby Misir	✓	X	✓	X	✓	✓	X
Cllr. Barry Oddy	✓	X	✓	X	✓	✓	X
Cllr. Frederick Osborne	A	A	A	A	A	A	A
Cllr. Gary Pain	✓	X	✓	X	✓	✓	X
Cllr. Roger Ramsey	✓	X	✓	X	✓	✓	X
Cllr. Paul Rochford	✓	X	✓	X	✓	✓	X
Cllr. Geoffrey Starns	✓	X	✓	X	✓	✓	X
Cllr. Billy Taylor	✓	X	✓	X	✓	✓	X
Cllr. Barry Tebbutt	✓	X	✓	X	✓	✓	X
Cllr. Frederick Thompson	✓	X	✓	X	✓	✓	X
Cllr. Linda Trew	✓	X	✓	X	✓	✓	X
Cllr. Melvin Wallace	A	A	A	A	A	A	A
Cllr. Keith Wells	✓	X	✓	X	✓	✓	X
Cllr. Damian White	✓	X	✓	X	✓	✓	X
<u>RESIDENTS' GROUP</u>							
Cllr. Clarence Barrett	✓	✓	✓	✓	X	X	✓
Cllr. June Alexander	✓	A	A	A	A	A	A
Cllr. Nic Dodin	✓	✓	✓	✓	X	X	✓
Cllr. Brian Eagling	✓	✓	✓	✓	X	X	✓
Cllr. Gillian Ford	✓	✓	✓	✓	X	X	✓
Cllr. Linda Hawthorn	✓	✓	✓	✓	X	X	✓
Cllr. Barbara Matthews	A	A	A	A	A	A	A
Cllr. Ray Morgon	✓	O	✓	✓	X	X	✓
Cllr. John Mylod	✓	O	O	O	X	X	✓
Cllr. Ron Ower	A	A	A	A	A	A	A
Cllr. Linda Van den Hende	✓	✓	✓	✓	X	X	✓
Cllr. John Wood	✓	X	O	✓	X	X	✓
<u>LABOUR GROUP</u>							
Cllr. Keith Darvill	✓	✓	✓	✓	X	X	✓
Cllr. Denis Breading	A	A	A	A	A	A	A
Cllr. Paul McGeary	✓	✓	✓	✓	X	X	✓
Cllr. Pat Murray	✓	✓	✓	✓	X	X	O
Cllr. Denis O'Flynn	O	✓	✓	✓	X	X	✓
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>							
Cllr. Jeffery Tucker	X	O	O	✓	X	X	O
Cllr. Michael Deon Burton	X	O	O	✓	X	X	O
Cllr. David Durant	X	O	O	✓	X	X	O
Cllr. Mark Logan	A	A	A	A	A	A	A
TOTALS							
✓ = YES	39	10	37	15	26	26	12
X = NO	3	27	0	26	16	16	26
O = ABSTAIN/NO VOTE	2	6	6	2	1	1	5
ID = DECLARATION OF INTEREST/NO VOTE	0	0	0	0	0	0	0
A = ABSENT FROM MEETING	10	11	11	11	11	11	11
	54	54	54	54	54	54	54

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APPENDIX 1 (Minute 53)

MAYOR'S ANNOUNCEMENTS

What a spectacular autumn this has been for Havering.

We were extremely honoured to have Her Majesty The Queen visit Drapers' Academy in Harold Hill last month.

She spent a full morning there, and officially named the main hall as the Diamond Jubilee Hall. She was serenaded by the school choir, watched pupils doing science experiments, and joined them for lunch in the school canteen. It was a wonderful day for all involved and made us very proud that Her Majesty had chosen to visit our lovely borough in what is her glorious Diamond Jubilee year.

Last month I was delighted to see thousands of local residents and visitors thronging the streets of Romford to cheer on the 1st Battalion, The Royal Anglian Regiment – who we also know locally as The Vikings.

They were exercising their right to march through the town centre, as they have the Freedom of the Borough of Havering. They marched proudly up from South Street to the Market Place, where I had the immense honour of helping to inspect the troops. The Royal Anglians are a true credit to this borough and it was a privilege to see them in full uniform, with their band playing, drums beating, and colours flying.

On a more sombre note, I was among the dignitaries who laid a wreath on Remembrance Sunday in Coronation Gardens, Romford. It was an extremely moving service and I was very proud to represent the Council. I was joined by more than 1,200 residents, local groups and veterans, who had also wanted to pay their respects and say a quiet thank you to those brave souls who made the ultimate sacrifice for our freedom today.

Remembrance ceremonies also took place that morning across Havering, including in Rainham, Hornchurch, Harold Hill, Havering-atte-Bower, Upminster, Collier Row and Elm Park. And in January, we will again pay our respects at Holocaust Memorial Day.

Last week, I was very happy to see this Council Chamber full of residents, who were attending the very first Havering Community Questions event. This event was very important, in terms of local democracy, and the panel were able to meet and engage with many people and talk about a wide range of issues. I look forward to the next meeting!

And did you know that we also helped stage a special Q&A session with students at Havering College? The event gave 150 young people the chance to debate issues which affect and concern them with some prominent people, including the human rights campaigner Peter Tatchell.

It was chaired by the BBC journalist Richard Lindley and was a superb success. I enjoyed watching it very much, and I know the students had a good time taking part. They filmed the event and are editing it right now, to put on the YouTube website.

Some snippets of good news now:

We heard some brilliant news yesterday – Havering has done exceptionally well in the Ofsted primary school league tables. We are joint 25th best of all local authorities nationally, with 79% of our pupils attending schools which are described as ‘good or outstanding’, and we are joint 11th best in London. It just proves that Havering really is ‘top of the class’!

The accolades continue to come in for Havering’s banking protocol scheme, which has been shortlisted in the prestigious Local Government Chronicle Awards 2013.

Banking protocol is a very important scheme. It sees the Council working with local banks and other partners to protect elderly and vulnerable people from having their savings plundered by conmen. For example, if a bank cashier is concerned that an elderly person is withdrawing a large sum of money, they can take swift action to find out why and, if necessary, protect them.

Also in the LGC Awards, our Havering 2014 programme, to make the Council more efficient to meet savings targets while protecting frontline services, has been recognised in the Business Transformation category. The awards will be judged in January.

Over two days this week, I had the great pleasure of handing out 70 awards to our parks and StreetCare staff, who had taken part in the equivalent of NVQ qualifications. We are all so proud of them and their achievements.

I was delighted to meet some of the borough’s most green-fingered gardeners who had won the Havering in Bloom awards. Over the past year, many residents have been busy digging, planting, potting and growing, and it was a pleasure to see the ‘fruits’ of their labours!

And I was honoured to attend our Caring Neighbours Awards ceremony, which is organised by the Over 50s Forum. It was very touching to see how many of our residents, young and old, have been quietly working behind the scenes to help and look after their neighbours. It’s nice that these unsung heroes receive some recognition for their compassion and good deeds. This is the true definition of community spirit!

We are in the midst of our traditional Christmas lights and Christmas Fayres season. I hope you enjoyed the switch-on events we have already had in Romford, Elm Park and Hornchurch.

We still have Christmas Fayres and events to come in Rainham this Saturday; Harold Hill next Thursday; and Collier Row next Friday. It is a wonderful way to welcome in the winter months.

And therefore may I be one of the first to wish you all a very Merry Christmas and a Happy New Year.

Finally, I’d like to invite all of our Councillors to join me for a Christmas Reception in the Mayor’s Parlour and Committee Room 1 on Wednesday, December 19 at 6.30pm.

AMENDMENTS TO THE CONSTITUTION

3.7.6 Head of Development & Building Control

1. Proposed new delegated powers 3.7.6 (dd)

Section 127 of the Localism Act has introduced new Sections 225A-K to the Town and Country Planning Act.

These new provisions allow a local authority to serve a "removal notice", where advertisements are being displayed without consent, requiring the person responsible to remove the advertisement within at least 22 days. The local authority then can remove those advertisements subject to a removal notice that have not been removed and recover the costs of doing so.

These powers appear to be more straightforward than current powers under the London Local Authorities Act.

It would be beneficial for these to be delegated to the Head of Development and Building Control so that prompt action against unauthorised adverts can be taken.

Reason for proposed delegation

- (i) Serve Removal Notices under Section 225A of the Act;
- (ii) Remove unauthorised advertisements which have not been removed in accordance with a removal notice;
- (iii) Deal with appeals against removal notices under Section 225B of the Act;
- (iv) Issue removal notices on operational land in accordance with Section 225K of the Act.

3.3 Powers of Members of the Corporate Management Team

1. Proposed changes to text of delegated powers 3.3. Finance (d)

To authorise the making of ex-gratia payments to individuals where the Local Government Ombudsman has recommended that such payment be made in local settlement of a complaint.

Reason for change

The Local Government Ombudsman on occasions recommends to the Council the payment of a relatively modest sum to a complainant as a way of settling a matter locally, i.e. without a full Ombudsman investigation. Currently the relevant delegation limits the amount that can be authorised to a figure set by the Head of Finance and Procurement. This is an unnecessary bureaucratic requirement, so it is proposed to delete this restriction.

It should be noted that in the event of a finding of maladministration by the Ombudsman the finding and the compensation will still have to be reported to members as at present.

3.5.6 Head of Children and Young People's Services

1. Amalgamation of two delegated powers 3.5.6 (m) & (q).

To approve payments for children in need, or of their families, and for children and young people in care and leaving care, in accordance with Part III of the Children Act 1989, and to make grants and/or loans to children and their relatives, up to the limit specified from time to time by the Head of Finance & Procurement; otherwise payment must be made in consultation with the Group Director Finance & Commerce.

Reason for change

Currently the Head of Children & Young People's Services has two delegated powers for the provision of financial assistance, one of which is up to a set limit and the other about that limit. There is no logical reason for such an arrangement, which probably relates to a historical sub-division of responsibilities which is no longer relevant. It is therefore proposed to amalgamate the two powers into one.

**APPENDIX 3
(Minute 60)**

MEMBERS' QUESTIONS

Note: Questions 1 to 8 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 PARKING AT LAKESIDE SHOPPING CENTRE

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Clarence Barrett

In a recent consultation regarding the expansion of Lakeside Shopping Centre, this Council commented that 'Havering considers the proposal is unacceptable because it makes no commitment to the introduction of a parking charging and management regime. Free parking will give Lakeside an unreasonable competitive advantage over other town centres in Essex and outer London including Romford.'

Would the Cabinet Member expand upon why he feels that Lakeside should introduce parking charges?

Answer:

Havering Council considers that the provision of free car parking allows Lakeside to enjoy an unreasonable competitive advantage over other town centres in Essex and Outer London, including Romford. This advantage is derived from promoting and prioritising customer travel by car, over other less environmentally damaging forms of transport, with customers being attracted to Lakeside from an extensive area.

Havering is keen to tackle congestion and rising traffic levels in the borough to ensure that it remains an attractive place for people to live, work and do business. Lakeside's ability to attract significant numbers of car-borne customers through the provision of free parking not only undermines the Council's efforts to reduce traffic levels, but also poses a threat to the vitality of Romford Town Centre and other town centres in the borough. The Council is keen to protect Romford and other shopping centres, to ensure that Havering residents continue to have good local opportunities for employment and leisure activities.

In response to a supplementary question, the Cabinet Member did not disagree that an offer of free parking in the run to Christmas might be helpful but reminded the questioner that there had been considerable investment in the Romford Town Centre and income from car parking fees played a considerable part in paying for that.

2 BUS STOP, BROADWAY, RAINHAM

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Jeffrey Tucker

To remove bus route congestion and enhance the Rainham Village Conservation Area can the Administration assist local residents and councillors in preventing them from using it as a changeover.

Answer:

Following a similar request in the summer, officers contacted Transport for London who responded that it would not be possible to move the bus stop.

For information, however, I can inform the Councillor that there are plans to create a new bus stop at the War Memorial opposite the existing stop outside the Redberry Guest House. The carriageway is of sufficient width to accommodate this and has been approved by TfL.

In response to a supplementary question, the Cabinet Member agreed to meet the questioner on site in due course to review the situation once the new traffic scheme had been implemented but reminded the Council of the difficulties that had been experienced with TfL elsewhere in getting changes made,

3 USE OF WASTE DISPOSAL FACILITIES AT FROG ISLAND

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Barbara Matthews

From last month Bedford Borough Council entered into a six year contract with Shanks to manage the local authority's black bin waste. This will amount to treating some 50,000 tonnes per annum, which had previously been sent to landfill and incineration, saving Bedford approximately £1 million per year. This process will be undertaken using the mechanical and biological treatment (MBT) plant at Frog Island. Given that this borough, along with the East London Waste Authority partners, have paid for this facility what benefit will we derive from this arrangement?

Answer:

Household waste tonnages have reduced across the East London Waste Authority (ELWA) region, resulting in there being excess processing capacity at the Mechanical and Biological Treatment Facilities. ELWAs Integrated Waste Management Contract allows the operator, Shanks, to seek commercial/non contract waste to fill any spare capacity and to pay ELWA a royalty amount in respect of each additional non-ELWA tonne of waste processed.

ELWA officers are currently in negotiations with Shanks to ensure the best financial outcome for ELWA from the Shanks/Bedford arrangement. These negotiations are confidential because they are commercially sensitive.

Any additional income received by ELWA as a result of these negotiations will be reflected in future levy calculations and payments made by the Boroughs.

In response to a supplementary question, the Cabinet Member confirmed that Members would be advised in due of the income generated by this use of spare capacity and the effect of that on the borough's payments to ELWA.

4 USE OF ALLOTMENT LAND

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

By Councillor David Durant

Allotments are a popular and genuine green idea that should be promoted by the Council.

Therefore will the Administration promise not to appropriate for planning purposes any allotment land, before a full audit of allotment usage and waiting lists is carried out to ensure all registered allotment land throughout Havering is being fully utilised?

Answer:

The Administration believes that allotment gardening is important to society for three main reasons - other than the obvious one of it being a great source of pleasure and enjoyment for many people.

We believe it is important to the health and wellbeing of Havering residents, providing another way for people to get exercise but also, importantly, being an excellent source of fresh fruit and vegetables, which are so important to good health. As a result allotment gardening contributes strongly to the preventative strands of the Health and Wellbeing Strategy, particularly those relating to obesity, physical activity and diet-related illness.

We believe it is important to the green character of, and nature conservation in, the borough, and work with allotment societies has played a part in gaining the impressive nature conservation results in Havering which were reported at the last Council meeting. Specifically, we have worked with the borough's allotment societies to promote the use of sustainable means of pest control, promote species habitats, and with societies and Essex Beekeepers to identify sites for hives, which both help with the pollination of crops and help to conserve bee species.

Finally, we believe that the strength of the allotment societies in the borough is a central part of a strong community infrastructure and voluntary sector, with all the social benefits which flow from this.

For these reasons we have always promoted allotment gardening, in partnership with all the borough's allotment societies and other community groups, and as a result of this allotment gardening is thriving in Havering.

Working together with allotment societies we regularly audit allotment usage and waiting lists through an annual survey of site stewards, the results of which are reported to the Allotment Liaison Group, involving the local authority and all societies, which I chair. Working together, we use the results of the audits to plan increases in allotment provision and capital spend in a strategic way.

As a result of these audits and our shared strategic approach with societies, we have been able to create over 500 extra allotment places throughout Havering since 2008. Among others these include;

- 8 more places at Archibald Road.
- 29 at Ashvale Gardens.
- 44 at Bretons Farm.
- 11 at Chase Cross.
- 17 at Chelmsford Avenue.
- 10 at Dunningford.
- 33 at Grey Towers (North).
- 22 at Grey Towers (South).
- 20 at Havering Grange.
- 12 at Heath Park.
- 35 at Keats Avenue.
- 10 at MacDonald Avenue.
- 6 at Macon Way.
- 14 at Maylands.
- 6 at Melville Road.

- 5 at Mungo Park.
- 18 at Norfolk Road.
- 172 at Pretoria Road.
- 3 at Robin Close.
- 8 at Sowrey Avenue.
- 16 at Stewart Avenue.
- 2 at Uphaving Terrace.

The gap between the number of plots currently vacant in the borough and the number of people on the waiting list is 39 people. We propose to provide for more than half of these places by creating 20 extra plots at Melville Road, even though the waiting list there is only 4 people. We recognise, however, that people from the north or middle of the borough may not find spaces in the south of the borough convenient or accessible, and so we will continue to work with allotment societies to seek ways of providing extra allotment places in all communities across the borough.

Since 2007 an extra £225,000 has been invested in Havering allotments by the Council, a sum often added to by the borough's excellent allotment societies. This has funded the provision of toilets at sites, and other improvements including fencing and paths. The number of active sites in the borough has been increased from 26 to 27.

Allotment gardening, allotment societies, and the relationship between societies and the Council are all thriving in Havering, something which marks Havering out from other boroughs, and I am glad that we are continuing to improve and expand allotment provision.

In response to a supplementary question, the Cabinet Member emphasised that the Council had adopted a "green" approach to its strategic operations.

5 **WYKEHAM PRIMARY SCHOOL**

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

By Councillor Ray Morgon

Last month there was an article in the Romford Recorder about changes in facilities at Wykeham Primary School provided by the Cabinet Member. Two weeks later there was a letter from the Head Teacher at the school in the same newspaper contradicting the information. Would the Cabinet Member confirm who is correct?

Answer:

The article in the Romford recorder on 28 Sept 2012, 'Rooms to be Converted...', referred to the Council's plans for meeting the pressing need to provide additional primary places at a large number of schools by bringing former general teaching class rooms back into use, as well as by providing additional accommodation where the need could be clearly demonstrated. In many cases these would be class rooms that had been converted into libraries and ICT bases at the time primary school rolls were falling.

The Head of Wykeham Primary, Mahrukh Katpitia-Mistry, wrote to the Recorder (12 Oct 2012) because she felt the article failed to give an accurate impression of the work Wykeham were doing to improve their facilities. The school were not closing IT centres, art rooms or libraries and the Head wanted to clarify to parents that these facilities were not being taken away – all the facilities needed would still be provided.

Both the article and letter from the Head of Wykeham were correct and as the Head indicated in her letter:

“We have exciting plans for the development of our primary school which includes developing new facilities for our older years and I am looking forward to teaching the borough's children in a school well equipped for the future.”

In response to a supplementary question, the Cabinet Member declined to comment on the questioner's lack of direct response from the school but reiterated that the Council and the school were agreed on the way forward.

6 ST HELEN'S COURT, RAINHAM

To the Cabinet Member for Housing (Councillor Lesley Kelly)(answered in Councillor Kelly's absence by Councillor Barry Tebbutt)

By Councillor David Durant

The approach road to St Helen's Court, off Upminster Road South, Rainham is an un-adopted road. As a result the road is used for commuter parking.

Now that St Helen's Court, formerly managed by Homes in Havering, is under direct council control, can this approach road be adopted by the Council and parking restrictions introduced to remove commuter parking to assist Rainham Village Conservation Area and shopping centre?

Answer:

This is one of many requests we have received to carry out works to control parking and improve road facilities for residents. The fact that Homes in Havering have been brought in house makes no difference to the process of deciding whether to adopt a road or not, or to install one type of parking system or another. The issues are ones of process, cost and priority.

In principle, the road can be adopted as public highway, but it would require a check that the Council is the land owner for all areas proposed for adoption, otherwise other landowners would also need to be party the proposal which complicates the process to a certain extent.

The areas proposed for adoption would need to be brought up to a standard which does not create excessive and unreasonable burden on Streetcare's maintenance budget and from a cursory look at the road it is apparent that the carriageway and footway are likely to require repairs, the street lighting would need to be upgraded and we would need to look at the condition and status of surface water drainage and gullies.

We would also need to look at the pedestrian routes in the road. There is pedestrian guardrail placed everywhere very close to the footway edge which potentially gives us a risk in terms of vehicle damage and claims therein as the recognised set back is greater for a highway. Additionally, all footway dropped kerbs would need to be upgraded to be flush and with the requisite tactile paving.

A parking scheme could be proposed during the process and ideally agreed to coincide with adoption, but this would need to be funded, designed, consulted and reported through the Highways Advisory Committee process. In addition, a similar process would be required to impose the local 20mph speed limit on the road.

On the subject of investment in either the road or parking scheme, the Homes and Housing Service have received a number of requests for parking schemes, and are currently identifying all

the areas where parking is a problem, and to develop an overall plan for prioritised investment in parking schemes to address problems of commuter parking, and the mismatch between car ownership and car parking space.

In response to a supplementary question, the Cabinet Member stated that, although the length of road in question might be short, the amount of work required to bring it up to adoption standard would be likely to cost considerable sums of money and there was no guarantee that the private land owners affected would be willing to co-operate in such an exercise.

7 HORNCHURCH POLICE STATION

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

By Councillor Barbara Matthews

Would the Chairman of the Crime & Disorder Committee please set out what representations he has made to ensure that Hornchurch Police Station remains open?

Answer:

The Council has made initial enquiries regarding the review of assets being undertaken by the Mayor's Office for Policing and Crime (MOPAC) and the potential closure of Hornchurch Police Station as a result of this.

We are informed that the Mayor's Office for Policing & Crime (MOPAC) estate contains over 800 buildings many of which, including some police stations, are considered as providing poor working conditions for staff, and as being inefficient for modern day policing and these are being replaced by more modern, efficient and geographically responsive facilities.

The MPS is currently reviewing the whole of its property estate to ensure that best use is being made of it and to identify efficiency savings that can be reinvested into operational policing.

As part of this the MPS are looking at Hornchurch police station and what facilities will be needed in the future to meet operational policing requirements in the borough.

To date, no proposals for this building have been put to the MOPAC, but this could provide an opportunity to improve the estate at the same time as delivering substantial savings that will allow the MPS to protect operational capability.

No decision is likely to be made by the MOPAC until later this year. In accordance with the sale of previous buildings in the borough, it is anticipated that the Metropolitan Police will provide the necessary communication with the community at the appropriate time.

We have requested further information on any firm proposal to close Hornchurch Police Station so that we can then give a considered response.

In response to a supplementary question, the Cabinet Member reiterated that, while the police were looking at improving their operational arrangements and that representations were being made on behalf of the Council as opportunity arose to them about the impact of police station closures.

8 **SALE OF ELECTORAL ROLL INFORMATION**

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

By Councillor Clarence Barrett

Would the Cabinet Member set out how much income the Council has received over each of the last three years by selling personal details from the electoral roll to individuals and organisations?

Answer:

The Electoral Registration Officer has no say in whether the Electoral Register is sold or not as the supply and sale of the Electoral Register is strictly controlled by the Representation of the People (England and Wales) Regulations 2001.

Since 2002 persons have been able to opt out of the 'Edited Register' which is the version of the Register which may be supplied to anyone and may be used for any purpose including commercial and marketing purposes.

The 'Full' version of the Register may only be sold to government departments and other bodies and credit reference agencies and their usage is severely restricted in the Regulations.

The Regulations also specify the price both Registers must be sold for which has not been altered since 2001.

Details of the sales of both Registers for the last three years, by Havering, are given below:-

2009 Register

Full Register Sales – Equifax (£508.00p) ; Experian (£486.50p); Call Credit (£486.50p); Crediva (£486.50p); and Aristotle (£293.00p) bought a copy of the whole Borough; i_CD publishing (£113.00p) bought a copy of the Hornchurch Constituency.

Edited Register Sales - The Hair Exchange (£74.00p) bought a copy of the Hornchurch Constituency; Searchlight (£174.50p); and Bell Pottinger Public Affairs (£174.50p) bought a copy of the whole Borough and the Church of the English Martyrs (£78.50p) bought a copy of several Wards.

2010 Register

Full Register Sales - Experian, Equifax, Callcredit and Crediva: whole register plus monthly updates (£489.50), Aristotle: whole register only (£296).

Edited Register Sales - JBSM Driving School, Romford only (£33)
Individual Hornchurch & Upminster, Dagenham & Rainham, (£113)

2011 Register

Full Register Sales - Experian, Callcredit and Crediva: whole register plus monthly updates (£489.50) Equifax: whole register plus monthly updates and overseas (£505)
Aristotle: whole register only (£299)

Edited Register Sales - Coast Insurance, polling district HT2 (£23)

In response to a supplementary question, the Cabinet Member stated that the cost of the details sold varied according to the specific sections requested by the purchaser.

9 USE OF BED & BREAKFAST ACCOMMODATION

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ray Morgon

Would the Cabinet Member confirm how many families are being housed by this council in Bed and Breakfast accommodation, and how many of these have been there for over six weeks?

Answer:

The Housing Service is not currently housing any families or single people in Bed and Breakfast accommodation. The Housing Service only uses B&B accommodation on the extremely rare occasions that the Council's hostels are full. This most recently occurred earlier this year when Abercrombie House was being completely refurbished and four or five rooms were consequently out of action at any one time. Even then, only eight households had to spend some time in a B&B, with the average stay being three nights. The maximum one of these families stayed in a B&B was six nights.

Children's Services have duties towards parents and children who have no recourse to public funds while they await Home Office decisions, such households could not be assisted by the Housing Service. Such households are placed in B&Bs. There are currently two lone mothers, each with a child, accommodated in B&Bs. One of these has been in the B&B for more than six weeks.

10 PROCESSING OF PLANNING APPLICATIONS

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Ray Morgon

In respect of planning applications and appeals, over the past three years would the Cabinet Member set out:

- a) How many planning applications have been submitted?
- b) How many appeals have been lodged?
- c) The number of refused applications that went to appeal?
- d) How many appeals the council lost?
- e) The cost of the lost appeals to the council?

Answer:

- a) Planning Applications Submitted

2009/10 – 1715

2010/11 – 1869

2011/12 – 1822

2012/13 (year to date) – 953

b) & c) Appeals are most commonly lodged against refusal, with very few, if any, each year being appeals against non-determination (figure given in brackets)

2009/10 - 79 (0)

2010/11 – 51 (0)

2011/12 – 52 (2)

2012/13 (year to date) – 48 (0)

d) Appeals Allowed or Part-Allowed

2009/10 – 25 (32%)

2010/11 – 12 (24%)

2011/12 – 15 (29%)

2012/13 (year to date) – 12 (25%)

e) No separate data is held on the costs associated with appeals – such costs are absorbed within the overall cost of the Planning Service.

11 **LIBRARY USERS - NUMBERS**

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

By Councillor Linda Hawthorn

Would the Cabinet Member advise the number of registered library users in each of the last three years and how this is monitored?

Answer:

A registered library user is someone who has a library card. When a resident joins Havering Library Service this is recorded by the Libraries Management computer system and the ongoing figures are monitored by the Library Services Manager and Libraries Management Team for action as appropriate.

In the seven months that we have figures for so far in 2012, 158, 375 people are members of Havering Library Service. This is 69% of the local population, making the Library Service easily the most popular service of choice which the local authority offers. This is already two thousand more than the figure for the whole of 2011/12, when 156,533 people were members. In 2010/11 there were 167,712 members.

These figures do not include those who the Library service work with in schools, academies and playgroups, leading the development of literacy and reading among children, young people and families. Nor do they include work with groups for whom reading has particular health and social benefits, such as MIND, the Mental Health Forum, Robert Beard Disability Group and the Queen's Hospital. The Reader Development Team made 1,628 such visits last year.

Figures for library issues are included in the Members' performance Pack, and showed an increase in the last quarter. In addition to this there have been just under 290,000 visits to the Havering virtual online library so far this year.

12 **AIDS FOR THE DISABLED****To the Cabinet Member for Individuals (Councillor Steven Kelly)**

By Councillor June Alexander

Would the Cabinet Member confirm how many requests for aids in the home for disabled people have been received by the Council in each of the past four years and how many of these were agreed, what were the budgets and what was the expenditure?

Answer:

We currently have the following information on the number of Aids and Adaptations agreed for the last two years, (2011/12 and 2010/11).

Items of Aid and Adaptation agreed, budget and expenditure

Year	2011/12	2010/11
Number Agreed	6036	4518
Budget	£1,026,510	£1,137,090
Expenditure	£1,020,253	£1,006,788

However to obtain the information for the years 2009/10 and 2008/09 would require significant officer time. Officers will provide this information and forward to Councillor Alexander at a later date.

13 **SALE OF DUNNINGFORD SCHOOL SITE – CAPITAL RECEIPT****To the Cabinet Member for Value (Councillor Roger Ramsey)**

By Councillor Barbara Matthews

Would the Cabinet Member set out what capital receipt was received for the sale of the Dunningford School site in Elm Park and what will this sum be used for?

Answer:

£9,699,057 was the sale price for Dunningford. The Council does not ring fence any capital receipts. All proceeds from disposals are accumulated together to finance the Council's capital programme, which is approved by Council as part of the annual budget setting process. However the programme to create two new primary schools proceeded on the basis that the proceeds of Dunningford and other sites vacated would enable the Council to build two new schools. To date the building costs stand at £8.9m in respect of Hylands Primary and £8m re Elm Park Primary. Spend was incurred before the receipts were realised thus it was necessary to utilise other sources of funding in order to manage the cash flow.

14 ENFORCEMENT OF PAVEMENT PARKING CONTROLS WHERE MARKINGS HAVE BEEN OBLITERATED

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Linda Van den Hende

Would the Cabinet Member explain what the rule is, in enforcement terms, where white lines on pavements which permit parking have been partially covered due to footway patching making the designated area incomplete?

Answer:

If the circumstances as described have taken place, then the restriction still applies in that motorists are required to park within a footway parking bay markings. However, the Civil Enforcement Team will make a judgement in each circumstance as to whether the condition or potential obstruction of the restriction or parking bay would lead to a motorist to be unsure of the restriction etc. and therefore be directly the reason why a vehicle has been parked in contravention.

15 RECOVERY OF LOSSES FROM ICELANDIC BANKS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ron Ower

Would the Cabinet Member set out how much we have recovered to date from the £12.5 million invested in Icelandic Banks?

Answer:

The recovery process for the money held with Icelandic banks is still ongoing. To date we have received just over £7m.

16 ASH TREES: DIEBACK DISEASE

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

By Councillor Linda Hawthorn

In view of the dieback disease which is now affecting our native Ash trees, what measures have been taken to check our trees are fungus free, as the advice which has been circulated is that any affected trees should be felled and burnt as soon as the disease is detected?

Answer:

The Parks Team, Parks Grounds Maintenance and Highway Tree Team are currently surveying the Ash Trees in the borough. Officers will take advice from the Forestry Commission should the disease be found.

17 **PROCEEDS OF MAYOR'S CHARITABLE APPEALS**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ron Ower

The Mayors' Charities always provide an excellent focus for raising funds for worthy causes. Would the Cabinet Member set out how much has been raised in each year since 2002?

Answer:

When funds are donated in response to a mayoral appeal payment these may in some cases be made directly to the nominated charity rather than through the Council. Payments made to the Council are processed through the "The Mayor of Havering General Appeal Fund". In accordance with the relevant regulations records are kept for a set period and for each financial year as opposed to each mayoral year. It is therefore not feasible to give a full account of funds raised in each mayoral year or for the period requested. However efforts of our mayors in promoting worthy local causes deserve the support of all members.

<i>DIVISION NUMBER:</i>	1	2	3	4			
The Mayor [Cllr. Lynden Thorpe]	O	O	O	O			
The Deputy Mayor [Cllr. Eric Munday]	O	✓	✓	✓			
<u>CONSERVATIVE GROUP</u>							
Cllr. Michael White	✓	✓	ID	✓			
Cllr. Michael Armstrong	✓	✓	✓	✓			
Cllr. Robert Benham	✓	✓	✓	✓			
Cllr. Becky Bennett	✓	✓	✓	✓			
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	✓	✓	✓	✓			
Cllr. Georgina Galpin	✓	✓	✓	✓			
Cllr. Peter Gardner	✓	✓	✓	✓			
Cllr. Lesley Kelly	A	A	A	A			
Cllr. Steven Kelly	✓	✓	✓	✓			
Cllr. Pam Light	✓	✓	✓	✓			
Cllr. Robby Misir	✓	✓	✓	✓			
Cllr. Barry Oddy	✓	✓	✓	✓			
Cllr. Frederick Osborne	A	A	A	A			
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. Melvin Wallace	✓	✓	✓	✓			
Cllr. Keith Wells	✓	✓	✓	✓			
Cllr. Damian White	✓	✓	✓	✓			
<u>RESIDENTS' GROUP</u>							
Cllr. Clarence Barrett	✓	✓	X	✓			
Cllr. June Alexander	✓	✓	X	✓			
Cllr. Nic Dodin	✓	✓	X	✓			
Cllr. Brian Eagling	✓	✓	X	✓			
Cllr. Gillian Ford	✓	✓	X	✓			
Cllr. Linda Hawthorn	✓	✓	X	✓			
Cllr. Barbara Matthews	✓	O	X	✓			
Cllr. Ray Morgon	✓	✓	X	✓			
Cllr. John Mylod	A	A	A	A			
Cllr. Ron Ower	✓	✓	X	✓			
Cllr. Linda Van den Hende	✓	✓	X	✓			
Cllr. John Wood	✓	✓	X	✓			
<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	O	O	X	O			
Cllr. Michael Deon Burton	A	A	A	A			
Cllr. David Durant	O	O	X	O			
Cllr. Mark Logan	O	O	X	O			
TOTALS							
✓ = YES	45	45	29	41			
X = NO	0	0	19	5			
O = ABSTAIN/NO VOTE	5	5	1	4			
ID = DECLARATION OF INTEREST/NO VOTE	0	0	1	0			
A = ABSENT FROM MEETING	4	4	4	4			
	54	54	54	54			

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