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MINUTES OF A MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HAVERING Council Chamber - Town Hall 12 June 2013 (7.30 - 10.55 pm)

Present: The Mayor (Councillor Eric Munday) in the Chair

Councillors: June Alexander, Michael Armstrong, Clarence Barrett, Robert Benham, Becky Bennett, Sandra Binion, Denis Breading, Wendy Brice-Thompson, Andrew Curtin, Keith Darvill, Michael Deon Burton, 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, Barbara Matthews, Robby Misir, Ray Morgon, Pat Murray, Denis O'Flynn, Barry Oddy, Fred Osborne, Garry Pain, Roger Ramsey, Paul Rochford, Geoffrey Starns, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Linda Trew, Jeffrey Tucker, Melvin Wallace, Lawrence Webb, Damian White, Michael White and John Wood.

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

Apologies were received for the absence of Councillors Jeffrey Brace, Ted Eden, Pam Light, Mark Logan, Paul McGeary, John Mylod, Ron Ower, Billy Taylor and Keith Wells.

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 Reverend Clare Luhman of Cranham Baptist Church.

The meeting closed with the singing of the National Anthem.

10 **MINUTES (agenda item 3)**

The minutes of the Extraordinary and Annual meetings of the Council held on 22 May 2013 were before the Council for approval.

It was noted that part of the minute for agenda item 9 of the Annual Meeting of the Council should read as follows:

Member Champion for the Armed Forces

Nomination by:	Councillor	Votes cast (see division 7)
Administration	Peter Gardner	25
Residents' Group	John Mylod	21

Councillor Peter Gardner was declared **ELECTED**.

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

That the minutes of the Extraordinary and Annual meetings of the Council held on 22 May 2013 be signed as a correct record subject to the minor amendment above.

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

There were no disclosures of interest.

12 **PROCEDURAL MOTION (agenda item 5)**

A procedural motion was proposed by the Administration that agenda item 7 (Announcements by the Mayor, by the Leader of the Council or by the Chief Executive) be taken before agenda item 6 (Statement by the Leader of the Council and debate),

The procedural motion was **CARRIED** without division.

13 **ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (agenda item 7)**

The Leader of the Council gave a statement to Council. The text of the statement is set out as **Appendix 1** to these minutes.

14 **STATEMENT BY THE LEADER OF THE COUNCIL AND DEBATE
(agenda item 6)**

Deemed Motion on behalf of the Administration

That the statement by the Leader of the Council be received.

Amendment on behalf of the Residents' Group

Amend to read:

Given the ongoing and future financial challenges referred to in the Leader's Address, this Council agrees to promote a greater degree of involvement of all 54 members in the decision making process of the Council, particularly through the provision of timely and relevant information, and, as suggested in the LGA Peer Review, to improve the effectiveness of the Overview and Scrutiny function.

A2: Amendment on behalf of the Labour Group

Amend to read:

The Council rejects the Leader's statement as it fails to address the needs of the Borough and its residents.

Following debate, the amendment by the Residents' Group was **LOST** by 25 votes to 14 (see division 1) and the Labour Group amendment was **LOST** by 26 votes to 4 (see division 2).

The deemed motion by the Administration was then **CARRIED** by 25 votes to 15 (see division 3).

RESOLVED that:

The statement by the Leader of the Council be received.

15 **PETITIONS (agenda item 8)**

Pursuant to Council Procedure Rule 23, a petition was presented by Councillor Georgina Galpin concerning obstructions at the corner of Savoy Grove and Osborne Road.

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

16 **CHANGES TO STAGE THREE OF THE CORPORATE HEARING PROCESS (agenda item 9)**

Following a review of the changes to the process for managing Stage Three of the Council's Corporate Complaints Procedure, the Adjudication and Review Committee had adopted an "assessment" phase to determine whether a complaint should proceed to a full hearing. Since 2009 this Initial Assessment Panel (IAP) had met with increasing regularity and had reduced the number of costly and time-consuming formal hearings by over 60%.

Governance Committee, at a meeting held on 29 May, accepted that this was a positive refinement of the process which not only saved the Council cost, but also ensured that both officer and Member time was used efficiently and effectively. The Committee now invited Council to formally accept the assessment phase as part of the Stage Three process. This would require amendment of the Council's "responsibility for functions" section of the Constitution.

The changes to the Constitution would ensure that, in the event of a challenge to any decision to reject a hearings request by a complainant because the IAP was not a formal part of the procedure, the Council had taken steps to eliminate any such charge and thereby eliminated any potential claim for damages or charge of maladministration.

The amendments to the Council "responsibility for functions" section of the Constitution to give authority to these arrangements are set out in **Appendix 2** to these minutes.

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

- 1 **That the use of Initial Assessment Panels as a permanent part of the Council's Corporate Complaints procedure be approved**
- 2 **That the changes to the relevant Council responsibility for functions set out in Appendix 2 to these minutes be approved.**

17 **APPOINTMENT OF THE VICE-CHAIRMAN OF THE TOWNS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE (agenda item 10)**

Motion on behalf of the Residents' Group:

That Councillor June Alexander be appointed Vice-Chairman of the Towns and Communities Overview and Scrutiny Committee.

Amendment by the Administration:

That Councillor Wendy Brice-Thompson be appointed Vice-Chairman of the Towns and Communities Overview and Scrutiny Committee.

Nomination by:	Councillor	Votes cast (see division 4)
Residents' Group	June Alexander	15
Administration	Wendy Brice-Thompson	26

Councillor Wendy Brice-Thompson was declared **ELECTED**.

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

Fifteen questions were asked and replies given.

The text of the questions, and their answers, are set out in **Appendix 3** to these minutes.

19 **MAINTENANCE OF FRONT AND REAR PREMISES (agenda item 12A)**

With the agreement of the Council, this motion was withdrawn by the Residents' Group.

20 **NATIONAL REGISTER OF PRIVATE LANDLORDS (agenda item 12B)**

Motion on behalf of the Labour Group

This Council calls upon the Government to introduce a national register of private landlords.

A1: Amendment on behalf of the Administration

This Council calls upon the Government to consider & investigate a national register of private landlords.

In view of the time, and in accordance with Council Procedure Rule 9.1 (b) the motion and amendment were dealt with by vote only.

The Administration amendment was **CARRIED** by 34 votes to 4 (see division 5) and it was then **CARRIED** as the substantive motion without division.

RESOLVED that:

This Council calls upon the Government to consider & investigate a national register of private landlords.

21 **MOBILE HOMES ACT 2013 (agenda item 12C)**

Motion on behalf of the Labour Group

This Council welcomes the Mobile Homes Act 2013 as a first step in legislating to protect residents of park home sites from unscrupulous site owners and will review its internal procedures to ensure that the new laws will be enforced against those owners who attempt to circumvent regulations.

In view of the time, and in accordance with Council Procedure Rule 9.1 (b) the motion was dealt with by vote only.

The Labour Group motion was **CARRIED** by 44 votes to 0 (see division 6).

RESOLVED that:

This Council welcomes the Mobile Homes Act 2013 as a first step in legislating to protect residents of park home sites from unscrupulous site owners and will review its internal procedures to ensure that the new laws will be enforced against those owners who attempt to circumvent regulations.

22 **VOTING RECORD**

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

Mayor

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Leader's Speech to Council – 12th June 2013

I would like to begin this evening by formally congratulating Councillor Eric Munday on becoming the Mayor of Havering - something I was unable to do that at the Mayor-making, owing to illness.

I would like to thank Members for their good wishes while I was ill. On a more serious note, I am not sure which made me feel more sick – the Norovirus or watching on the webcam how a former Member with 24 years service was treated by this Council.

Tonight, Mr Mayor, I move the motion to receive my Annual Speech to Council. It is a speech that I was unable to deliver, so I thank all of you who have taken the time and trouble to read it.

Before I give way to debate, I'd like to deliver a summary of the main points.

Mr Mayor, as we enter the last year of this current Administration, we have the chance to reflect on our achievements and set out our approach for the year ahead.

This time last year, we were all looking forward to a summer like no other.

The magical summer of 2012 in Havering was a reminder of what this Borough is all about – tradition; patriotism; community; energy – all of us joining together in celebration.

But of course, last year wasn't just about those heady days of summer.

2012 also brought more challenges to local government. Our budgets continued to fall and the pressures on our services continued to rise.

The years ahead will be no different. We will need to balance an ever-tightening budget with a relentless demand from our residents to do the things they have come to expect: – keep the streets clean, protect the vulnerable and spend their money wisely.

And of course, we politicians will want to go further.

Whatever our background, opinions, politics or ideals, I'm sure we all shared a common motivation, pushing us to get involved in local politics.

We want to make things better for our families, friends and neighbours

We want to make a difference.

And, as we reflect this evening, Mr Mayor, it's a chance to ask ourselves: "Have we made a difference?"

Have we made a difference for local people – by addressing their priorities and meeting their needs?

Have we made a difference to the Council - by squeezing more value from the organisation, without slashing frontline services?

Mr Mayor, I believe we have made a difference.

Over the last decade, this is a borough where:

£78 million pounds has been invested into roads and pavements

Where 5 new primary schools have been opened;

And where nearly 3,000 new affordable homes have been built;

We've made the sort of difference that improves the quality of life for local people.

And we've made that difference because we've taken bold decisions;

We've held to strong principles

And we've had safe hands, when dealing with taxpayer's money.

From the outset, this Administration has taken bold and creative decisions to improve the quality of life in Havering.

We enshrined our approach in our Living Ambition and its five goals.

And we have developed a leaner, smarter council which delivers greater value for money, is more focussed on the needs of its residents and meets its promises.

So our goals for the Environment, Learning, Towns & Communities. Individuals and Value, will remain our guiding principles for the future.

Those Goals have led us to be bold.

We have been bold on libraries – recognising their place at the heart of communities across Havering.

Where other councils looked to rationalise their libraries, reduce hours, or simply shut them down - we were different.

This Administration, with Cllr Curtin in pole position, set about refurbishing and rebuilding libraries across the Borough.

Our library service now sets the standard in London, for the quality of its service; for its engagement with customers and for the high quality environment enjoyed by library visitors.

That's the difference we have made.

We took a bold approach to re-energising our communities.

In Harold Hill and Rainham, we rejected the disjointed tinkering of the past, to develop broad strategic plans that we could properly discuss with local people.

Harold Hill Ambitions is transforming the Hill and the opportunities for its residents.

Just last year, we opened Myplace. A fantastic facility for local people on the Hill which was used for Community Questions last Monday.

It's a striking place to visit, and it's also a centre for the sort of work that transforms young lives and has a positive impact on the area as a whole.

And myplace is one small part of an all-encompassing strategy.

We've improved the environment, we've built new homes, we've developed new facilities and we've worked with the community on projects like the Harold Hill Festival, which has now taken on a life of its own.

Harold Hill Ambitions has been led by Councillor Steven Kelly and has had many achievements. And I'd like to single out one aspect of his project that has grown beyond Harold Hill – and which demonstrates what can be achieved with a bold idea and gritty determination.

We will shortly deliver our 100th home, built on the site of old, run-down, derelict garage sites across Harold Hill and beyond.

That's a remarkable achievement. It's given homes and hope to hundreds of people; it's brightened neighbourhoods and it's been extremely cost-efficient.

It's not surprising that the Garage Project is on the shortlist for this year's prestigious MJ awards.

At the opposite end of the Borough, Councillor Mike Armstrong's Rainham Compass Project is no less impressive.

Together with a range of partners and funding bodies, we have drawn up a vision for Rainham that is preserving its heritage and re-creating the historic look of the village;

Opening up access to the riverside and the marshes to make Rainham an attractive destination for visitors;

Encouraging business growth – like the hundreds of jobs arriving with the Tesco distribution centre

And improving facilities for local people – like the refurbished school and health centre. I met the Duke of York last Wednesday and we spoke about the vision for Rainham including the UTC at CEME and the BID centre.

That's the difference we have made, Mr Mayor – and there's lots more to come.

I can only scratch the surface of what we've achieved through Harold Hill Ambitions and Rainham Compass. Or through the other eight projects that this Administration set in motion in 2010.

So over the coming months, each Cabinet Member will provide a report back to Cabinet on difference made by their projects.

The people of this Borough are proud of their parks and here too we have been bold.

Ten years ago, this Borough had no parks that were judged worthy of a coveted green flag. Since then we have won and retained eight of them. We have some of the best parks around and some fantastic staff to keep them that way.

We have been bold in providing support and services for older people.

We are having a real and lasting effect on the health and wellbeing of our older residents - whether through measures to support dementia sufferers or through the introduction of a groundbreaking banking protocol to protect our elderly from fraudsters.

I would like to thank the Deputy Leader of the Council, Councillor Steven Kelly and his team for all that they have done to support and protect the most vulnerable in our community.

But we want to do more than that.

We want our older residents to be social, healthy, supported and involved.

That's why we've launched the *Active Living* programme. From free swimming to the Havering Circle, *Active Living* is all about promoting a better quality of life for older people in Havering.

I would also say that the integration of Public Health into the council opens up a huge new opportunity for us.

Not only can we change the way we care for people who require our support, but we can also improve the health of all Havering residents – whether known to us or not.

We can work more closely with the health service to improve the way we tackle serious diseases like cancer and longer-term health conditions that limit the life chances of young and old alike.

So we will continue to be bold on health and social care, Mr Mayor. And we will continue to take further bold decisions in other areas.

We have done the deal with Morrisons to develop a brand new leisure centre in Romford that will provide a swimming pool in the heart of the town and protect ice skating in Romford for future generations.

Work is underway on another new library – this time in Rainham. And Harold Hill Library will follow soon. Two more new libraries, Mr Mayor - as other Boroughs lock the doors on theirs.

There will be a new sports park at Broxhill - as part of Harold Hill Ambitions, but of interest across the Borough. This will be

something special to encourage young and old alike to play more sport.

We will begin a new drive to bring businesses to Havering, as well as provide support and nurture for our home-grown entrepreneurs.

Bold ideas make a difference, Mr Mayor – as do strong principles.

Last year, I spoke about the need to be on the side of local people.

Mr Mayor, that is one of the strong principles that have helped us make a difference.

Over the last few years we have gone out of our way to understand the priorities of local people.

In 2011, thousands of people responded to the first Your Council, Your Say survey, telling us clearly what their priorities were. And we have responded.

They told us that they wanted more money invested in pavements and roads, so we have continued to do so, with at least a further £5 million to be spent over the next year.

Our residents also told us that they wanted the Borough to be clean and tidy. In response, we launched the Spring Clean survey, seeking detailed information about every street, park and town centre across Havering.

We've since installed 100 new bins across the Borough, put up additional lighting where it was needed, put in new benches and trees, carried out dog fouling campaigns, community clean-ups and anti-litter drives.

Keeping Havering clean and tidy makes a big difference – with Councillor Barry Tebbutt leading the charge.

Residents told us they want Havering to be as safe as possible and we have continued to work very closely with the police.

Cllr Geoff Starns leads on Community Safety and we have achieved a great deal in recent years by launching schemes to improve public safety and reduce crime. These range from taxi marshalling to the Yellow card scheme for troublemakers who might otherwise spoil an evening out in our town centres.

In our parks, we have developed our Parks Protection Service into a much valued uniformed presence that both deters anti-social behaviour and helps keep our parks welcoming and clean.

Though we are one of London's safest Boroughs, this Administration will continue to work with our police colleagues to make it safer still.

Our residents tell us they value our schools. Under the watchful eye of Cllr Paul Rochford, school results in Havering have gone from strength to strength.

In the key measure of five or more GCSEs including maths and English, Havering is comfortably outstripping the national average.

We are embracing new models of education, with the bulk of our secondary schools joining the brand new – and very successful - Drapers Academy as academy schools. We also welcomed the Queen to open the Academy and we recently had confirmation, Mr Mayor, that a proposed new Free School in Romford has taken another major step forward.

Many councils say they listen, when actually they just react to the loudest complaints. We have a proud principle of encouraging everyone to have a say, so that we can do the right thing by our residents.

Another key principle that we have stood by in recent years, is to provide more and better local homes for local people.

Cllr Lesley Kelly has overseen a major overhaul of our housing system to prioritise local people in genuine housing need.

We have now enshrined the principle that only Havering residents of at least two years standing should be able to apply for Havering council homes.

And those homes are getting better. We are confident of completing the Decent Homes programme by 2015 – a year earlier than planned.

We're also looking to reward those people who give back to their community. Volunteers will now be prioritised for housing, alongside those other selfless servants of our Borough and indeed our country – our servicemen and women.

This Council is proud to support our armed forces. Every year, we mark Armed Forces Day with a well-attended and popular parade.

Last year, we awarded the Royal Anglians the freedom of the Borough and watched with pride as they marched through Romford. And we are developing plans to mark next year's 100th anniversary of the start of the First World War.

And those parades and events hint at another principle – that we're not just here to clean the streets and provide social care. We can also enrich lives and instil civic pride.

Our events, from the Havering Show to the Christmas lights switch on, are always attended by thousands of people.

First because they're very good – thanks to the effort of Cllr Robbie Benham. And second, because they're free.

For many people who are struggling in difficult times, these events provide a free day out for their families.

They cheer people up.

They make a difference.

We've also made a difference – perhaps the greatest difference of all, by having safe hands, when it comes to the Council's budget.

We accept the need for councils to look to their budgets and share the burden of deficit-reduction with the rest of the public sector.

But that doesn't make it easy.

I would like to take this opportunity to thank Councillor Roger Ramsey for his peerless leadership on financial matters; for ensuring the financial health of this organisation and for protecting the pockets of our residents.

The last time council tax went up in Havering was five years ago. In the last three years alone we have put around £200 back into the pocket of an average council tax payer by freezing and cutting council tax.

It's not been easy. It has meant new thinking on how we can save money, without slashing frontline services or raiding taxpayers' pockets.

It's that principle that has governed our transformation programme, led by Councillor Mike Armstrong. It's led us to new partnerships with other councils and with other organisations.

It led us to introduce sector-leading technology to cut the cost of bureaucracy and allow us to prioritise the frontline services that matter most to residents.

I would like to recognise here, the incredible work of our staff, led by our Chief Executive.

On behalf of all members, I'd like to thank them for their continuing efforts.

Alongside the savings and the freeze to council tax, we have also frozen councillors expenses for six years.

We've used our assets to fund major capital investment in our borough – from road repairs to new libraries – without relying on taxpayers' money.

We've frozen car park charges.

And this Administration has cut the cost of on-street parking – to boost the high street and reduce still further the cost of living for local people.

That's a real statement of intent. We will not take the quick and easy path to close budget gaps. We will continue to find new and innovative ways to save taxpayers money.

In the year to come we will announce more partnerships and more innovation.

We will continue to have safe hands and we will continue to demonstrate to our residents that they can trust us with their money.

And we will remain a Council that is committed, in all that we do, to making a difference for the people we serve.

Thank you.

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APPENDIX 2 (Minute 16)

Proposed changes in the Council's Constitution

It will be necessary to make mention of Initial Assessment Panels in Part 3, 1.2 Functions delegated to general council committees. The changes will be:

- a. To change the status of Adjudication and Review from sub-committee back to committee.
- b. Add wording in "Hearings Panels, General hearings" to read:

"Initial Assessment Panels – To assess complaints referred to Members for their adjudication under the agreed Corporate Complaints procedure"

And amend existing wording to read:

"To consider complaints by service users referred to them by Initial Assessment Panels relating to the service made available to them in accordance with the authority's agreed Corporate Complaints procedure."

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COUNCIL, 12TH JUNE 2013

MEMBERS' QUESTIONS

1 DISMISSAL OF STAFF

To the Leader of the Council (Councillor Michael White)

By Councillor Ray Morgon

Would the Leader of the Council agree that this council should no longer dismiss staff with secret payoffs and signing of compromise agreements, but adopt robust HR procedures so that if any member of staff at whatever level is failing to perform they should be dismissed without compensation paid for by Havering residents.

Answer:

I totally agree that people failing to perform should not receive compensation.

We rarely use compromise agreements. However when they are signed, this is to protect the council's position from long and protracted employment tribunals which would cost more because of the legal fees involved.

Payments linked to compromise agreements often cover statutory redundancy and notice periods which employees are legally entitled to in any case - whereas legal fees could amount to thousands of pounds to manage even spurious claims.

2 DAMAGE TO ROADS AND FOOTPATHS IN HAROLD HILL

To the Deputy Leader of the Council (Councillor Steven Kelly)

By Councillor Pat Murray

What steps is the Administration taking to ensure that damage caused to roads and footpaths by contractors engaged in the redevelopment of garage blocks and open spaces in Harold Hill are being repaired quickly and to a good standard of workmanship.

Answer:

The Administration is taking great efforts to minimise any inconvenience to those living around the garage sites being redeveloped in Harold Hill, and elsewhere.

During the last 12 months, nine incidents relating to damage to highways and/or paths have been reported to the Garages Redevelopment Project Manager. Five

of these incidents were the responsibility of the house developer, with the necessary repairs works being carried out within 10 working days in each case.

Of the other four incidents, one was due to BT, one was due to a Decent Homes contractor, with the remaining two caused by dust-carts. In these cases, the relevant Council Services remedied the situation as quickly as possible.

There have also been complaints about mud in the road around the garage redevelopment sites, especially in bad weather. In these cases, the developer has been instructed to clean the roads on a daily or even more frequent basis.

In response to a supplementary question, the Deputy Leader confirmed that areas would be returned to their original condition once works had been completed, unless the area concerned formed part of the commitment to improve roads in Harold Hill. Poor standards of repairs should be reported by Members to the building manager or by e-mail to the Deputy Leader.

3 ANNUAL COUNCIL HONOURS

To the Leader of the Council (Councillor Michael White)

By Councillor Jeff Tucker

Following the last Annual Council meeting. What steps will this Administration now take to ensure all future nominees for honours at Annual Council meetings are addressed in the manner they should be.

Answer:

Honour was surely missing. I sat at home, horrified, watching what happened to a man who gave 24 years of his life to this borough - being treated in such an appalling way.

There will be no honours in this Chamber for a long time to come because we as a group won't accept any.

4 COUNCIL TAX BILLS AND THE COST OF EU DIRECTIVES

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Lawrence Webb

In the document YOUR COUNCIL TAX YOUR SERVICES 2013-2014, the Leader of the Council states "we've been spending your money wisely" and the rest of the document then gives some indication of how this money has been spent.

Some mention is given to the levy incurred by the council for landfill tax, but NO mention is given to the true origin of this tax, the EU landfill directive 1999/31/EC.

I am sure that people would be very interested to learn that the cost of implementing the EU Energy Efficiency Directive (2012/27/EU) is behind the closure of many of our public buildings such as police stations and hospitals.

At my first council meeting in March you very eloquently extolled the virtues of openness and transparency when talking about the operation of the council; it is in the spirit of this openness and transparency that I ask, can any future breakdown of council tax bills clearly state the cost of implementing EU directives.

Answer:

We do our best to be as open and transparent as possible but it would not be feasible for us to separate out the cost of meeting EU directives from the cost of meeting any other elements of British legislation.

5 SPITTING

To the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

In response to my question at full Council in March 2012, the Leader announced that the Administration is to bring in a bye-law to ban spitting in public. Over a year later, we are still waiting. Would the Leader explain why there is such a delay

Answer:

To date the Department of Communities and Local Government hasn't approved any of the first wave of applications for a bye-law banning spitting. Until the DCLG has clarified its approach to such a bye-law the Council's desire for one is frustrated.

In response to a supplementary question, The Leader confirmed that the Council was aware that spitting had been classified as waste under a bye-law introduced in Waltham Forest. While there may be a risk of challenges to a bye-law of this type, the Council was investigating whether it would be possible to introduce a similar bye-law in Havering.

6 HEATH & SAFETY REGULATION COMPLIANCE

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

By Councillor Denis O'Flynn

What arrangements do the Council put in place to ensure that Contractors and Sub Contractors comply with Health & Safety Regulations.

Answer:

The council has a strict health and safety policy in place that all contractors and sub-contractors are expected to follow. In addition there is also a corporate training course for staff so that they understand their responsibilities. This is accredited by the institute of occupational safety and health. Schools are also expected to adhere to this process as well although they manage contracts directly.

In response to a supplementary question, the Cabinet Member agreed to provide to all Councillors the contact details of the relevant officers, should Members have concerns of public health being put at risk.

7 CHILDRENS SERVICES**To the Cabinet Member for Children & Learning (Councillor Paul Rochford)**

By Councillor Deon Burton

A recent Ofsted Inspection team rated Havering's child protection service as 'Adequate overall'. A most encouraging standard, but one we should not be complacent about or allow to be put in jeopardy.

Given the Executive would agree that looking after vulnerable children is one of our highest priorities.

In light of the recent legal action against our colleague London Borough of Haringey, where they have been successfully sued for what was deemed their wrongful accusation against parents in regards to the protection of a child.

- A.** What clear and specific steps are being taken by this authority to protect officers, Members and the Authority from such a fate ?
- B.** What considered guidance since the judgement, has been provided to our residents to allay the fears of any who are concerned that they too could face legal action, if they make statements about their neighbours conduct towards children.'

Answer:

Following the Haringey case, we have taken legal advice and reviewed our process around referrals made to us by anyone who has concerns about a child, including anonymous tip-offs. We have also made some changes to our referral forms to ensure it is clear that parental consent is needed before we, or any of our partners, provide or share information about a child or family.

All our partners have been reminded that consent should be obtained before making a referral, unless there are extenuating circumstances not to, such as placing a child at risk.

In the Haringey case, the referral came from an anonymous source and was not identified in court. Havering residents can be confident that we will always protect their anonymity if they raise concerns about a child.

In response to a supplementary question, the Cabinet Member agreed to supply to Councillor Deon Burton in writing, details of what specific actions were being taken to improve the OFSTED rating for the child protection service.

8 EXPENDITURE OVER £500

The Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Gillian Ford

Would the Cabinet Member explain why details of expenditure over £500 has not been updated on the Council website since January 2013.

Answer:

With the end of the financial year a backlog arose in the preparation and checking of the data, which takes a considerable amount of time to ensure that personal data is not included. The data to the end of April should now be on the website, and May's will appear before the end of the month.

In response to a supplementary question, the Cabinet Member explained that it was not possible to give a guarantee that expenditure data would be published within the 30 days timeframe due to the need to check the data thoroughly to avoid any fraudulent use and due to the large change to Council structures that had taken place this year.

9 HILLDENE SHOPS – PAY & DISPLAY PARKING AND RESIDENTS PARKING PERMITS.

To the Cabinet Member for StreetCare (Councillor Barry Tebbutt)

By Councillor Paul McGeary

Have the Administration an implementation plan for the introduction of Pay & Display Parking and Residents Parking permits at the Hildene Shopping Area taking into account the numerous development proposals close by and the disruption likely to be caused by the developments during the construction phases

Answer:

The Council has planned a number of projects in the Hildene area to improve quality of life for residents of Harold Hill, including the construction of a new Library, increased parking and construction of new affordable homes for local people.

A Project Board has been established to oversee implementation of the projects, including the implementation of the Pay and Display Parking. The Board has a plan which phases works around the Hilldene area to minimise the disruption to local residents, shop-keepers and the general public using the shops.

In response to a supplementary question, the Cabinet Member agreed to supply a copy of the relevant implementation plan, should such a plan be available.

10 ELMHURST LODGE- TORRANCE CLOSE - HORNCHURCH

To the Deputy Leader of the Council (Councillor Steven Kelly)

By Councillor Mark Logan

A Council care home at Torrance Close Hornchurch was closed down and the large parcel of land sold to a developer, was this done to provide urgently needed homes in LB Havering and to help first time buyers get a foothold onto the property ladder.

Answer:

Elmhurst Lodge was one of our remaining in-house care homes and in 2004 we began looking into the future of these homes as they were no longer fit-for-purpose to provide the high-quality of care our elderly residents deserve.

Following a consultation in 2005, we began the process to close the homes and provide the service externally.

The full legal process took several years but by 2010 the site of Elmhurst Lodge was ready to be sold to a developer and transferred into much-needed new homes for local people.

We know how important it is to provide affordable homes for local people and that's why we have been working closely with developers across the borough to provide homes where they are most needed. On this site, we ensured there would be six flats which will be affordable housing.

11 FREEDOM OF INFORMATION REQUESTS

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

By Councillor Linda van de Hende

Would the Cabinet Member confirm how many Freedom of Information requests have not been completed within the statutory timeframe over the past 12 months

Answer:

The number of FOI requests received by the Council have quadrupled since 2005 from just under 300 requests that year to more than 1200 requests in 2012 - with no increase in staffing resources to co-ordinate the answering of them. The questions are also getting more complex, so they are taking longer to research.

The Council normally responds to over 85% of FOI requests within the 20 day time limit, which is the Information Commissioner's target figure for Councils. However the performance in 2012 was affected by changes to the supporting technology which meant that 218 requests were answered after the 20-day limit – equating to approximately 18% of requests. We expect the performance figures to improve this year.

In response to a supplementary question, the Cabinet Member explained that the contents of the Members' information Pack were decided by the Administration and there were no plans at present to alter this to include performance on Freedom of Information requests.

12 DETERRING “COLD CALLERS”**To the Cabinet Member for Housing, with responsibility for Public Protection (Councillor Lesley Kelly)**

By Councillor Denis Breading

Will the Administration facilitate the provision of a standard “No Cold Callers” sign for residents to place in a doorway or front window of their property to deter “Cold Callers”

Answer:

A multi-agency Bogus Callers Group has been established to address crimes against older and vulnerable residents by bogus traders.

Officers from our trading standards and community safety teams, alongside Havering Police, have recently developed a Stop Cold Calling pack which will be piloted in a small area of the borough this summer.

Depending on its success, the Bogus Callers Group will seek funding to roll it out to other areas.

In response to a supplementary question, the Cabinet Member explained that it would not be possible to make all areas of Havering Cold Caller zones as this would not have any effect. It was important to prioritise vulnerable residents.

13 RE-DESIGNATION OF COMMON LAND**To the Deputy Leader of the Council (Councillor Steven Kelly)**

By Councillor David Durant

The land status of open spaces in Havering varies and has different levels of protection from development.

For example, Green Belt land is protected and Council parkland and recreational grounds are mostly protected, but common land has only limited protection.

This is why where appropriate, popular common land used by the community should be re-designated as Council parkland or recreational grounds to ensure the green character of Havering and quality of life of residents is retained!

Therefore please explain how a resident who wants common land re-designated as parkland or recreational ground should submit a request to the Council and how their request would be processed?

Answer:

Firstly, I'd like to clarify what we mean by 'common land'. In Havering we have four areas of designated 'common land, across Upminster, Havering-atte-Bower and Gidea Park. This is land which is registered under the Commons Registration Act 1965.

These are all protected by a range of legislation, including the Commons Act 2006, the Road Traffic Act 1988 and the Open Spaces Act 1906. Common land is also protected through planning policies and guidance.

We are content that in Havering all our open space which needs protection is protected, while also bearing in mind the importance of ensuring land is available for essential needs such as housing, infrastructure and jobs.

Our own planning policies also allow us to ensure open spaces used by the whole community are taken into account when we look at planning applications and the Government's National Planning Policy Framework provides protection for green spaces which are of local importance through local and neighbourhood plans.

If anyone wanted to suggest that an area become a park they would have the opportunity when the Council prepares its new Havering Local Plan. They would need to make this suggestion during the planning stage by commenting on the emerging plan.

Any comments would be considered. The procedure for making a local plan means that other people would also have the chance to comment on any proposals for a new park being included before the plan is completed and put in place.

We are currently undergoing a review of all of our byelaws which includes protecting both common land and parks and pleasure grounds.

In response to a supplementary question, the Deputy Leader confirmed that both common land and Green Belt in Havering would be protected against any attempts to use it for housing etc.

14 BLUE BADGE APPLICATIONS

To the Cabinet Member for Transformation (Councillor Mike Armstrong)

By Councillor Barbara Matthews

At full Council in July 2012, we were advised that the turnaround time for a blue badge application was two weeks for an automatic application and up to four weeks for a mobility assessed application. Would the Cabinet Member advise what turnaround times have been achieved expressed in numbers of applications and the amount processed within the timescales.

Answer:

We are in the process of moving blue badges onto a National Database which currently does not capture all pertinent information on timescales. However, to ensure the quality and speed of service, we carry out monthly sampling of Blue Badge processing timescales.

These currently show that automatic applications (where the customer fully qualifies) are taking approximately 10 working days, from the application being received to the customer receiving their badge. It can take up to 4 weeks for a mobility application to be fully processed. Mobility applications can require assessment, so the total length of time is dependent on how quickly customers book their assessment after having been advised they require one.

These timescales have been the average for some time now.

15 PRIMARY SCHOOL PLACES

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

By Councillor Keith Darvill

Will the Lead Member for Children Services make a statement about the number of Primary School Places required for September 2013 and the plans he has to ensuring that all primary age children will be provided with a place.

Answer:

As per last September's Cabinet report, a total of 12 permanent forms of entry for primary schools, amounting to 84 classes and 2,250 places, were required for September 2013. Nine of the 15 schools we identified for expansion required statutory approvals and I can confirm that all these are now in place. Building works are underway and progress is good in all schools needing building works.

Currently, all children who have applied for a place in September have been allocated one. However, our school admissions team have identified that we may need to provide further places in some areas of the borough. Discussions are well underway with schools and we need to do this in the coming weeks.

In response to a supplementary question, the Cabinet Member confirmed that the Council had a good idea of the areas affected by the need for further school places and was talking to several schools in those areas in order to ensure these additional places were provided.

<i>DIVISION NUMBER:</i>	1	2	3	4	5	6
The Mayor [Cllr. Eric Munday]	O	O	O	O	O	O
The Deputy Mayor [Cllr. Linda Trew]	O	X	X	X	✓	✓
<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	X	X	✓	X	✓	✓
Cllr. Jeff Brace	A	A	A	A	A	A
Cllr. Wendy Brice-Thompson	X	X	✓	X	✓	✓
Cllr. Andrew Curtin	X	X	✓	X	✓	✓
Cllr. Osman Dervish	X	X	✓	X	✓	✓
Cllr. Ted Eden	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	A	A	A	A	A	A
Cllr. Robby Misir	X	X	✓	X	✓	✓
Cllr. Barry Oddy	X	X	✓	X	✓	✓
Cllr. Frederick Osborne	X	X	✓	X	✓	✓
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	A	A	A	A	A	A
Cllr. Barry Tebbutt	X	X	✓	X	✓	✓
Cllr. Frederick Thompson	X	X	✓	X	✓	✓
Cllr. Lynden Thorpe	X	X	✓	X	✓	✓
Cllr. Melvin Wallace	X	X	✓	X	✓	✓
Cllr. Keith Wells	A	A	A	A	A	A
Cllr. Damian White	X	X	✓	X	✓	✓
<u>RESIDENTS' GROUP</u>						
Cllr. Clarence Barrett	✓	O	X	✓	✓	✓
Cllr. June Alexander	✓	O	X	✓	O	✓
Cllr. Nic Dodin	✓	O	X	✓	O	✓
Cllr. Brian Eagling	✓	O	X	✓	✓	✓
Cllr. Gillian Ford	✓	O	X	✓	✓	✓
Cllr. Linda Hawthorn	✓	O	X	✓	✓	✓
Cllr. Barbara Matthews	✓	O	X	✓	✓	✓
Cllr. Ray Morgon	✓	O	X	✓	✓	✓
Cllr. John Mylod	A	A	A	A	A	A
Cllr. Ron Ower	A	A	A	A	A	A
Cllr. Linda Van den Hende	✓	O	X	✓	✓	✓
Cllr. John Wood	✓	O	X	✓	✓	✓
<u>LABOUR GROUP</u>						
Cllr. Keith Darvill	✓	✓	X	✓	X	✓
Cllr. Denis Breathing	✓	✓	X	✓	X	✓
Cllr. Paul McGeary	A	A	A	A	A	A
Cllr. Pat Murray	✓	✓	X	✓	X	✓
Cllr. Denis O'Flynn	✓	✓	X	✓	X	✓
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>						
Cllr. Jeffery Tucker	O	O	O	O	O	✓
Cllr. Michael Deon Burton	O	O	O	✓	O	✓
Cllr. David Durant	O	O	O	O	O	✓
Cllr. Mark Logan	A	A	A	A	A	A
<u>UNITED KINGDOM INDEPENDENCE PARTY</u>						
Cllr. Lawrence Webb	O	O	O	O	O	✓
TOTALS						
✓ = YES	14	4	25	15	34	44
X = NO	25	26	15	26	4	0
O = ABSTAIN/NO VOTE	6	15	5	4	7	1
ID = INTEREST DISCLOSED/NO VOTE	0	0	0	0	0	0
A = ABSENT FROM MEETING	9	9	9	9	9	9
	54	54	54	54	54	54

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