



## MINUTES OF A MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HAVERING Council Chamber - Town Hall 23 November 2016 (7.35 - 10.25 pm)

**Present:** The Mayor (Councillor Philippa Crowder) in the Chair

**Councillors** Councillors June Alexander, Clarence Barrett, Robert Benham, Ray Best, Wendy Brice-Thompson, Michael Deon Burton, Joshua Chapman, John Crowder, Keith Darvill, Meg Davis, Ian de Wulverton, Osman Dervish, Nic Dodin, Alex Donald, David Durant, Brian Eagling, Gillian Ford, Jason Frost, Jody Ganly, John Glanville, Linda Hawthorn, David Johnson, Steven Kelly, Phil Martin, Barbara Matthews, Robby Misir, Ray Morgon, Barry Mugglestone, John Mylod, Stephanie Nunn, Denis O'Flynn, Ron Ower, Garry Pain, Dilip Patel, Viddy Persaud, Roger Ramsey, Keith Roberts, Patricia Rumble, Carol Smith, Frederick Thompson, Linda Trew, Jeffrey Tucker, Linda Van den Hende, Melvin Wallace, Lawrence Webb, Roger Westwood, Damian White, Reg Whitney, Julie Wilkes, Graham Williamson, Darren Wise and John Wood

Approximately 50 Members' guests and members of the public and a representative of the press were also present.

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

Reverend Philip Weston, Vicar, St Mary's Church, Gidea Park opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

### 53 **APOLOGIES FOR ABSENCE (agenda item 2)**

Apologies for absence were received from Councillor Michael White.

### 54 **MINUTES (agenda item 3)**

The minutes of the meeting of the Council held on 14 September 2016 were before the Council for approval.

It was **AGREED** that the minutes of the meeting of the Council held on 14 September 2016 be signed as a correct record.

**RESOLVED:**

**That the minutes of the Council meeting held on 14 September 2016 be signed as a correct record.**

**55 DISCLOSURE OF INTERESTS (agenda item 4)**

Councillors Darvill and O'Flynn disclosed personal interests in agenda item 11B (motion on Trade Union Act 2016) as members of a Trade Union.

**56 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (agenda item 5)**

The Mayor thanked all Members and staff who had supported her Christmas Bring a Toy appeal. The Mayor also thanked the Royal British Legions for organising the recent Remembrance Sunday commemoration events as well as the Lightning Drama Group who had taken part in the Rainham event.

The Mayor had recently attended the opening of the temporary ice rink in Romford town centre and thanked the Romford Raiders and Birmingham Ice Freestylers for their participation. Thanks were also recorded to officers who organised the Christmas events in Hornchurch and Romford.

The text of the announcements made by the Leader of the Council is attached as appendix 1 to these minutes.

**57 PETITIONS (agenda item 6)**

Pursuant to Council Procedure Rule 23, the following petitions were presented:

From Councillor Donald concerning a request for road humps on Ashflower Drive.

From Councillor Mugglestone concerning the requested installation of road safety measures in Woburn Avenue, Elm Park.

From Councillor Wise concerning a request for a pedestrian crossing and more speed cameras in Shepherds Hill.

From Councillor Rumble concerning the shortage of parking in Retford Close.

From Councillor O'Flynn concerning the proposed solar panel farm in Dagnam Park.

**58     OUTLINE PROPOSALS TO ADDRESS EARLY YEARS, PRIMARY, SECONDARY AND SEN RISING ROLLS - UPDATE TO PHASE 3 AND PHASE 4 EXPANSION PROGRAMME (agenda item 7)**

A report of Cabinet set out various options to meet the increased demand for school places in Havering, as a result of rising birth rates. This covered demand for places at Early Years, Primary, Secondary and Special Educational Needs facilities.

The report was **AGREED** by 46 votes to 5 (see division 1) and it was **RESOLVED**:

**That, in respect of the Capital Programme, the following items of funding be added to the budget:**

- i.    £2.5m of unallocated S106 developer contributions for Education purposes**
- ii.   £1.4m early years grant referred to in recommendation 7 of the Cabinet report (subject to bid being successful)**
- iii.   £5m estimated 19/20 basic need grant (to be adjusted to final grant allocation once announced). Note, tenders would not be awarded to commit expenditure against this grant prior to confirmation of the grant. The inclusion within the capital programme at an earlier stage will however enable schemes to be developed.**

**In addition,**

**That the detailed schemes outlined in the exempt Appendix 3 to the report to Cabinet on 12 October 2016 be approved for inclusion in the Capital Programme (subject to any revisions following confirmation of any grant funding).**

**59     ANNUAL TREASURY MANAGEMENT REPORT 2015/16 (agenda item 8)**

A report of Cabinet asked Council, as required under the Treasury Management Code of the Chartered Institute of Public Finance and Accountancy, to consider and note a report covering treasury activity and the associated monitoring and control of risk.

The report was **AGREED** without division and it was **RESOLVED**:

**That the report be considered and noted.**

60     **OVERVIEW AND SCRUTINY RULES - EXCEPTIONS TO THE CALL-IN (REQUISITION) PROCEDURE (agenda item 9)**

A report of the Chief Executive gave details of recent exceptions granted to the overview and scrutiny call-in procedure. These covered the following issues:

- 1) Services Dispute Resolution (exempt from publication)
- 2) Decision to support revision to the GLA High Street Fund project, The Retailery
- 3) Extension to three highways and street lighting term maintenance contracts:  
Volker Highways Limited  
Marlborough Surfacing Ltd  
Miller Bros (Romford) Ltd
- 4) ICT Core Infrastructure Platform Placement

In accordance with Council Procedure Rule 11.8 (a) several questions relating to the report were submitted by the Residents' Group. In response, the Leader of the Council explained legal advice indicating that only the Leader himself was authorised to sign Executive Decisions relating to leases meant that the decision regarding 'The Retailery' had become urgent if grant monies for the project were to be retained. An exemption from call-in was therefore requested for this reason.

As regards the ICT Core Infrastructure Platform Placement, the shared platform had been due to be replaced but this was made more urgent due to factors including a lack of availability of parts and a recent significant power outage at Newham placing additional strain on the infrastructure. The urgency and risk rating of this issue were subsequently raised to the highest level and an exemption from call-in sought.

The report was **AGREED** without division and it was **RESOLVED**:

**That the report be noted.**

61     **MEMBERS' QUESTIONS (agenda item 10)**

Fifteen questions were asked and replies given. The text of the questions, together with their answers, is shown as appendix 2 to these minutes.

62     **ENFORCEMENT OF THE LAW AND COUNCIL POLICIES (agenda item 11A)**

A procedural motion that all motions debated should be heard under the intermediate debate procedure was **AGREED** by 51 votes to 0 (see division 2).

**Motion on behalf of the Residents' Group**

Many residents complain about the lack of enforcement in Havering, so this council calls upon the Administration to set out a strategy backed up with clear procedures and the necessary resources to ensure that there is effective enforcement of the law and council policies in Havering.

**Amendment by the Conservative Group****Amend motion to read:**

In recognising residents' complaints about lack of enforcement THIS COUNCIL NOTES that a review with stakeholders has been undertaken with a main purpose of identifying a common approach to enforcement across the Borough optimising the use of resources and balancing the focus of key priorities. Following a restructure there is now in place a management platform to carry forward further reorganisation designed to concentrate on tackling effectively those matters that cause most harm within our community within available resources.

Following debate, the amendment by the Conservative Group was **CARRIED** by 35 votes to 16 (see division 3) and **AGREED** as the substantive motion without division.

**RESOLVED:**

**In recognising residents' complaints about lack of enforcement THIS COUNCIL NOTES that a review with stakeholders has been undertaken with a main purpose of identifying a common approach to enforcement across the Borough optimising the use of resources and balancing the focus of key priorities. Following a restructure there is now in place a management platform to carry forward further reorganisation designed to concentrate on tackling effectively those matters that cause most harm within our community within available resources.**

**63    TRADE UNION ACT 2016 (agenda item 11B)****Motion on behalf of the Labour Group**

This Council recognises the positive contribution that trade unions and trade union members make in our workplaces. This Council values the

constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

This Council notes with concern the Trade Union Act 2016 which will negatively affect this Council's relationship with our trade unions and our workforce as a whole.

It is noted that the Act will incur administrative costs in forcing the Council to monitor and publish information about how many employees carry out union duties. This Council does not think that this excessive monitoring of recognised trade unions is an appropriate use of the Council's money and resources.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. The Council also recognises the contribution that our trade unions have made in using facility time to speed up the terms and conditions review, and restructures, used to deliver savings across the Council. Moreover, the Council recognises that restricting facility time will only delay disciplinary, sickness and grievance procedures, at which employees have a statutory right to be represented by their union. This would make escalation and additional costs to the Council incurred from tribunal fees, more likely.

This Council is happy with the arrangements we currently have in place for facility time. We see this as an important part of our positive industrial relations and an inexpensive and easy way to administer a system that supports our staff by reducing dismissal rates, voluntary exits, workplace illnesses, and recruitment costs and improves staff retention and productivity.

This Council recognises the valuable work carried out by Health and Safety reps in maintaining safe workplaces and preventing workplace injuries, and which is an economical way of promoting health and safety for the Council.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and other arrangements.

### **Amendment by the Conservative Group**

#### **Amend motion to read:**

This Council recognises the positive contribution that trade unions and trade union members can make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we

recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

This Council notes that the Trade Union Act 2016 received the Royal Assent on 4<sup>th</sup> May 2016 and that those provisions of the Act that are implemented and are applicable to the Council will be observed in a responsible and sensitive manner.

### **Amendment by the Independent Residents' Group**

#### **Amend motion to read:**

This Council welcomes the Prime Minister's comments about leading a Government on behalf of the many not the few and the interests of working people including the working class. And in the same spirit Council welcomes the constructive role played by our democratic trade unions and staff associations in the management of council affairs.

The number may be reviewed, but Council rejects any moves to end the ability of paid employees who are also designated union/staff association officials to meet their responsibilities during the working day, because removing this cost would not be a saving and would result in a less disciplined and demoralised workforce which in turn would undermine the efficient running of the Council.

Following debate, the amendment by the Conservative Group was **CARRIED** by 42 votes to 5 (see division 4) and the amendment by the Independent Residents' Group was **NOT CARRIED** by 38 votes to 7 (see division 5); the amendment by the Conservative Group was **AGREED** as the substantive motion by 42 votes to 6 (see division 6).

#### **RESOLVED:**

**This Council recognises the positive contribution that trade unions and trade union members can make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.**

**This Council notes that the Trade Union Act 2016 received the Royal Assent on 4<sup>th</sup> May 2016 and that those provisions of the Act that are implemented and are applicable to the Council will be observed in a responsible and sensitive manner.**

**64 MAYOR OF LONDON (agenda item 11C)****Motion on behalf of the Independent Residents' Group**

When the Greater London Authority (GLA) was set-up it had more limited powers. It is presided over by an Elected Mayor. In recent years the GLA has acquired more powers including over housing prompting concerns about the democratic status of the Elected Mayor. Indeed how is it possible for one person to be held accountable on the many issues that matter in a city the size of London?

Thus this Council agrees the post of Elected Mayor of London should be abolished with the Mayor's powers transferred to the Elected Assembly who then elect the Mayor/Leader as we do in Havering and calls on the Council Leader to seek support for this change from other London councils.

This motion was withdrawn by the Independent Residents' Group and resubmitted to the next meeting of Council.

**65 SOLAR PARKS (agenda item 11D)****Motion on behalf of the United Kingdom Independence Party Group**

This Council recommends that the Executive conducts a poll before deciding whether or not to introduce Solar Parks at both Dagnam Park and Gerpins Lane.

**Amendment by the Conservative Group**

— This Council notes that the Executive will consider carefully all responses to consultation before deciding whether or not to introduce Solar Parks at both land adjacent to Dagnam Park and land at Gerpins Lane and that if the solar farm project contained in the Medium Term Financial Strategy agreed by the Council does not proceed further substantial savings will be required.

— This motion was withdrawn by the United Kingdom Independence Party Group and resubmitted to the next meeting of Council.

**66 ORCHARD VILLAGE (agenda item 11E)****Motion on behalf of the United Kingdom Independence Party Group**

Orchard village has had significant problems and some residents have reported experiencing major faults with the condition of the building. Despite numerous attempts to correct some of the problems residents face there has been no improvement in their living conditions. This situation has been picked up by the main stream media.

Therefore this council recommends that the Executive agrees to consider the exercise of its powers under the Building Act 1984 where legally possible to ensure rectification of the building work undertaken there and to



take steps to recover any costs incurred arising from this from the companies involved.

**Amendment by the Conservative Group**

**Amend motion to read:**

This Council recommends that the Executive agrees to consider the exercise of its powers under the Building Act 1984 where legally possible to ensure rectification where appropriate of building work and to take steps where possible to recover any costs incurred arising from this from the companies involved.

Due to the lateness of the hour, this matter was dealt with on a vote only basis. The amendment by the Conservative Group was **CARRIED** by 46 votes to 7 and **AGREED** as the substantive motion, without division.

**RESOLVED:**

**This Council recommends that the Executive agrees to consider the exercise of its powers under the Building Act 1984 where legally possible to ensure rectification where appropriate of building work and to take steps where possible to recover any costs incurred arising from this from the companies involved.**

67 **VOTING RECORD**

The record of voting decisions is attached as appendix 3 to these minutes.

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**Mayor**

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Council, 23 November 2016 - Statement by Leader of the Council

Madam Mayor,

I would like to give Members a brief outline of matters in progress and an update on various important or high profile current topics.

## **Olive Academy**

Firstly, I would like to make a special mention of the opening of the new Olive AP Academy.

This new facility provides a whole new service for disadvantaged pupils in Havering and will give those who have lost contact with the education system a real chance to get back on-track and make a better future for themselves.

We are committed to this project and I am very impressed with the facilities it boasts for sport and creative arts. The next 18-months will see plans submitted for a new annex and catering facilities that will boost the numbers of pupils who can benefit from everything Olive has to offer.

I would particularly like to thank Paul Griffiths, Chairman of the Interim Executive Board (IEB) and also Keith Williams, Head of Campion School and indeed the education community generally in the borough for their support. I would also like to thank our officers in Education, Legal and Asset Management for their considerable efforts in meeting the tight DfE deadline for the project.

## **Police tri-borough scheme**

Members will no doubt be aware of the announcement of the inclusion of the borough in one of two pilot schemes for the new Basic Command Unit (BCU) model planned for the whole of London. These will see larger police command units that each cover a number of boroughs.

This BCU model is intended to change how police resources are deployed to meet the changing demands of crime and public safety. It will bring together the management of neighbourhoods, response, investigation and protection of vulnerable people, including child protection, victims of sexual abuse and domestic abuse.

This will not mean a reduction in dedicated ward officers, the number of which will increase in line with announcements made this year.

Havering will be participating in an initial test for this new arrangement, along with Barking & Dagenham and Redbridge. Our involvement will give us a chance to influence the programme that will be rolled-out across the capital. We will be able to monitor and evaluate the scheme and discuss the issues that arise with senior officers before decisions are taken about how it will work in its final form.

We will also be receiving new front-line police officers, which will be very welcome, although the exact numbers will not be known for some weeks.

Over a period of six months there will be regular meetings of leaders and chief executives of our three boroughs with senior Scotland Yard officers to review strategically progress and performance.

### **ACO and Health Devolution**

I would like to provide an update about the devolution of care. A strategic outline case has now been submitted to London Health and Care Devolution Programme at the Greater London Authority that describes our plans for an Accountable Care System.

These plans describe our intention to develop local area hubs, which is being described as a locality-based model, where residents can access health and care services as well as wider Council services such as Housing, Education and Skills.

The plan also describes an Integrated Commissioning Partnership board, with NHS and Local Authority partners from Barking & Dagenham, Havering and Redbridge. Plans for a single Accountable Care Organisation are now set further into the future.

We expect the introduction of new local arrangements to commence from April 2017.

### **Signing of leisure contract and plans for Hornchurch Pool/Sports Hall**

Members will be aware that in October, Sports & Leisure Management (SLM) officially signed a new contract to operate all of Havering Council's leisure centres.

Designs are being developed for a new Hornchurch Sports Centre, which will be considered by Cabinet Members early next year. At this time, a final decision will be taken about the facilities available at the new centre before a planning application is submitted.

A feasibility study considering whether there are viable and sustainable options for retaining the existing Sports Hall at Hornchurch Sports Centre is currently being reviewed by officers. Members will be advised of the outcome of the review once all the detail has been considered.

Yesterday members and officers were shown over the work on the new Romford Leisure Development. The swimming pool and ice rink areas are already taking shape. For the benefit of those who were not able to attend some photographs are going on the screens. As the first three photographs show work is well up to schedule. Those members who attended are shown in the last photograph. I think we were all impressed with the scale of the facility and the progress being made with the project. Hopefully the public will be able to use this long awaited facility by early 2018. It is also worth reminding ourselves that the new facility will produce a revenue surplus to assist with the Council's budget each year.

## **Local Plan position statement**

Work on Havering's new Local Plan is progressing, and a Direction of Travel document is due to be published this week. This will be made available on the website and to stakeholders. It will provide an update on the progress, timeframe and evidence of the Plan. Further public consultation is also being carried out..

The new Plan will set out our planning policies to guide and shape development in Havering for the next fifteen years, which will result in growth in the borough. It will also allow us to set out our commitment to protecting Havering's character and heritage - this, while recognising the importance placed on Havering's Green Belt, and significant buildings that represent our historic past.

Ensuring that all new development is well designed and high-quality will be a 'cornerstone' of the local plan. We will also make clear that the borough needs the right infrastructure to support our communities such as education and health facilities.

## **Christmas lights**

Now turning to the ever-popular annual events of the Christmas Lights Switch-On in centres across the borough.

Last week in Romford Market Place, thousands of people were entertained by stars from TV shows the X Factor and The Voice. You madam Mayor turned on the lights and launched the firework display with a little help from characters from the film "Ice Age".

We have also launched our seasonal ice rink as a new attraction designed to bring people from within and outside the borough to Romford Market Place. The rink is just one part of a series of events in the Market Place and other Celebratory Christmas events.

I am pleased to say that other events have also been organised for Upminster, Elm Park, Collier Row and Rainham.

## **Highways England Consultation**

A number of us received a briefing recently from Highways England regarding a public consultation that has just commenced into proposed improvements to junction 28 on the M25 – the interchange with the A12.

The plan is to find a way of reducing the amount of traffic using the Brook Street roundabout by creating a dedicated slip road to take cars travelling northbound on the M25 and heading east into Essex. Fortunately work isn't expected to start until April 2020 by which time the major and hugely disruptive road works schemes on the A13 and Ardleigh Green Bridge on the A127 should both be long completed! The

consultation runs until January 6 and includes an event on Thursday 15 December in the Harold Wood Neighbourhood Centre.

### **New vision for the Council**

We are all very aware that the borough is changing, and our priorities must change to reflect this.

In line with this, senior officers have been working hard, with Cabinet members, to develop a new vision for the borough. A vision that is aspirational and capitalises on the growth and opportunities we can expect, as well as highlighting all the positive parts of the borough.

Four main areas of focus have been identified: Communities, Places, Opportunities, and Connections. We will be engaging with key stakeholder groups in the coming months about their thoughts on the proposed vision.

### **Staff terms & conditions review**

Finally I would like to state the position on this important and difficult subject. Members will have received correspondence about this and an update from the Chief Executive in which he deals with principal issues. Formal consultation on the Council's Terms & Conditions (T&C) proposals is in progress at the moment and is due to end on 2 December.

I understand Havering is the only London borough still to be working on the old Whitley Council terms and conditions. Other boroughs have updated already. It is therefore not before time that this is achieved here quite apart from the need to achieve savings.

As members know, the review was launched, at a time when like other councils, we had to look at all our options including our pay bill of £95m (non-schools) to find yearly savings to protect services and bridge our budget gap.

The review took considerably longer than planned because it was important to ensure that proposals for the annual £500,000 savings identified and needed, were fair and measured.

The Council faces many challenges and opportunities in the coming years and we need to be an organisation that has the momentum and motivation to meet these, and that's why we needed to get the proposals right.

With the Council undergoing significant organisational change we also need to ensure that our policies, schemes, and conditions for staff are consistent, up-to-date and relevant to reflect this. We believe the review, and its one off cost of £512,000, represents value for money for the savings and improvements it will continue to deliver.

Once negotiations are completed the matter will be reviewed by Governance Committee.

That concludes my announcements Madam Mayor.

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**FULL COUNCIL, Wednesday 23 November 2016**

**MEMBERS' QUESTIONS**

**COUNCIL SERVICES**

**1) To the Leader of the Council**

**From Councillor Ray Morgon**

Would the Leader of the Council agree that it is time for members to be advised, for all services areas, a full list of services that they intend to provide in the new financial year, what the shape and service standards will be for them, together with the budget for each individual service?

**Answer**

Over the last year there have been a significant number of sessions run for all members to inform them of the services the Council provides, current performance, costs of service delivery and areas where potential savings could be made, the meetings were as follows:

Date	Session
29 <sup>th</sup> July 2015	StreetCare
5 <sup>th</sup> August 2015	Children's Services & Learning and Achievement
12 <sup>th</sup> August 2015	Adult Services & Public Health
13 <sup>th</sup> August 2015	Economic Development, Communications and oneSource
19 <sup>th</sup> August 2015	Housing
2 <sup>nd</sup> September 2015	Culture & Leisure and Regulatory Services
8 <sup>th</sup> September 2015	Policy & Performance and Customer Services

The purpose of these sessions was not only to inform members but also to enable opposition members to look at alternative budget proposals.

Alongside this officers have also been working on service standards for the main functions that are supported through the Customer Service Centre, so there is clarity for staff, members and local residents.

Officers have defined 41 standards that are being readied for publication, drafts of which were all shared with all Members by email on the 7th March 2016. Feedback was only received from 2 members, which has been taken into consideration.

These are currently awaiting lead member sign off, linked to the budget strategy and the launch of the Councils new web site.

## **Council, 23 November 2016**

It is not felt that they are suitable as standalone landing pages on the new website, so each of them will be incorporated into the customer journey at the most appropriate time so that customers are given information when it was relevant to their journey on the site, so this is being fed into the content review and re-write which will be completed by April 2017.

In respect of next financial year, the budgets have not yet been set to be able to share, although these will come forward over the coming months.

In response to a supplementary question, the Leader of the Council explained that it was necessary to decide what services the Council was in a financial position to provide and that the Council wanted to provide the best services it could in the circumstances. There was not a link between performance indicators and service provision. The Leader asked for comments and suggestions from other Groups in relation to the Council's budget.

## **EMAIL POLICY WHEN OFFICERS LEAVE COUNCIL EMPLOYMENT**

### **2) To the Leader of the Council**

#### **From Councillor Patricia Rumble**

When an officer leaves the council what steps are taken to ensure that their emails are picked up by another officer and that outstanding and ongoing issues are dealt with?

#### **Answer**

This forms part of the staff exit process with their manager, which includes a work handover, setting up an 'out-of-office message' on the email account to redirect emails and giving managers access to email accounts where required.

In response to a supplementary question, the Leader of the Council stated that he was disappointed that an enquiry from Councillor Rumble had not apparently been dealt with after an officer had left and agreed to look into the matter if Councillor Rumble could provide the details.

## **TERMS AND CONDITIONS REVIEW**

### **3) To the Leader of the Council**

#### **From Councillor Jeffrey Tucker**

To maintain staff morale, please can the Council Leader assure Members that ALL staff terms and conditions are being reviewed on an equitable basis and this includes "interim" staff to avoid the perception they enjoy a privileged status within the current review.

**Answer**

The T&C review applies to all Council staff (except those on School Teachers Pay and Conditions) which includes the Chief Executive, all senior management and all staff in oneSource that are employed by Havering. Interim staff are not covered by employee contracts and associated pay, however, as part of the budget review, the council is separately assessing the number of interims and agency workers and their costs.

In response to a supplementary question, the Leader of the Council explained that the terms and conditions review had been entrusted to management and that the final delegated decision re the review would be taken by the Governance Committee. There was an unavoidable one-off cost associated with the review which was in the region of £500,000. Concerns about the terms and conditions review expressed by both union members and non-members would be considered.

**ENVIRONMENTAL IMPACT FOR PROPOSED SOLAR PANEL FARM IN DAGNAM PARK**

**4) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

**From Councillor Denis O'Flynn**

When will an Environmental Impact and a Deer Impact Assessment be available for inspection in relation to the proposed Solar Panel Farm proposal in Dagnam Park?

**Answer**

A screening request for an Environmental Impact Assessment was lodged in April of this year for both proposals.

It was the opinion of Council planning officers that following careful consideration of the guidance set out in the National Planning Practice Guidance, neither the proposal at Dagnam Park or at Gerpins Lane requires an Environmental Impact Assessment.

Should a planning application be forthcoming for either proposal this will include a Deer Impact Assessment, Ecological Statement and a number of other reports and assessments. These will be available for scrutiny as part of the statutory consultation on the planning applications.

In response to a supplementary question, the Cabinet Member agreed that things could always be done better as regards communications about schemes of this sort. The Council sought to protect the environment and vulnerable residents with the proposals.

## **OMBUDSMAN COMPLAINTS AGAINST COUNCIL SERVICES**

### **5) To the Leader of the Council**

#### **From Councillor Barbara Matthews**

Would the Leader of the Council agree that all complaints found against the Council by the various Ombudsman services should automatically have a report provided to the appropriate Overview and Scrutiny Sub-Committee, in order for the Sub-Committee to decide whether any further scrutiny of the circumstances is required?

#### **Answer**

It is good practise to learn lessons from any Ombudsman cases found against the Council. Outcomes and comments made in Ombudsman decisions are currently conveyed to service heads and managers so they can assess whether the finding was caused by any systematic failings and if so to address those as well as using lessons learned to inform other service improvement. Statistics on Ombudsman decisions are also provided to the Adjudication & Review Committee.

We will consider whether summary reports of cases upheld against the Council could be reported to the relevant Overview & Scrutiny Committees as part of the current review of the corporate complaints policy and procedure.

In response to a supplementary question, the Leader of the Council confirmed that there were very few maladministration cases found against the Council. Information on these was reported to the Adjudication and Review Committee. While it could not be imposed on Overview and Scrutiny, the Leader had no objection to Sub-Committees looking at these cases if they wished.

## **HOUSING REFUGEES IN THE BOROUGH**

### **6) To the Cabinet Member for Housing, Councillor Damian White**

#### **From Councillor John Glanville**

What plan has Havering put in place to accommodate refugees given the ongoing situation in the Middle East and elsewhere?

#### **Answer**

The LGA are continuing to work with ministers and the Mayor of London in order to see how local councils may be able to assist and support those most at risk, while also considering the impact this may have on local residents.

Havering is already experiencing high numbers of people arriving here from outside of the borough. A large number are from neighbouring boroughs, but some are also from overseas. This puts enormous pressure on local resources and services, such as school places, housing, and health services.

## **Council, 23 November 2016**

We will await the outcome and will consider, in particular, the financial and practical feasibility of anything asked of us. As with other councils, national austerity measures have already meant drastic cuts in spending and problems in coping financially. Additional burdens cannot be shouldered without guaranteed on-going money to pay for them.

In response to a supplementary question, the Cabinet Member stated that Havering had not applied for central Government funding to house Syrian refugees. Refugees had not lived in the borough long enough to join the Council's housing register and could not be housed via the homeless register. The Council would not therefore be providing resources at this stage.

## **POWERS AGAINST HATE CRIME IN THE BOROUGH**

### **7) To the Leader of the Council**

#### **From Councillor Michael Deon Burton**

The Council Leader has been quoted in a 14<sup>th</sup> October "Romford Recorder" article on page 16 as saying, in part, "the Council will use all its powers" against "hate crime"! What are these powers and what is the Council Leader proposing to do?

#### **Answer**

Hate Crime/Social Cohesion Strategy

Havering is in the process of unifying its approach to recording and tackling Hate Crime through the development of a Community Social Cohesion Strategy. The updated strategy seeks to provide a standard method of reporting and recording hate crime while allowing departments to use powers appropriate to their service area.

Housing has in place a dedicated policy to deal with allegations of Hate Crime against, and by, its tenants.

The Council's Community Safety Service will deal with all non-housing related Hate crime reports.

The most standard powers available to the Council, in the resolution of Hate Crime reports, include but are not limited to a number of non-legal, anti-social behavior and housing powers, and I am happy to provide you with a list of these.:

Non Legal Powers

Mediation

Anti-Social Behaviour Contracts

Good Neighbour Contracts

ASB Powers (General) – ASB Crime and Policing Act 2014

Criminal Behaviour Order

Civil Injunction

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Closure Notice/Order  
Community Protection Notice

Housing Powers (General)

Notice of Seeking Possession – Housing Act 1985 (Conditions and ground dependent on Tenure)

Notice to Quit – Housing Act 1985 (Conditions and ground dependent on Tenure)

Notice of Possession Proceedings – Housing Act 1985 (Conditions and ground dependent on Tenure)

Housing related Injunction.

In response to a supplementary question, the Leader of the Council added that hate crimes were not as prevalent in Havering as in some other boroughs. The Council would use its powers to deal with any cases that did occur.

**FINES AGAINST THE COUNCIL**

**8) To the Leader of the Council**

**From Councillor John Mylod**

Would the Leader of the Council confirm details of fines imposed on Havering Council over each of the last 5 years?

**Answer**

In the last 5 years the council has been fined once, and that is in respect of a health and safety matter. The amount of the fine is £500,000. The fine was imposed recently and is the subject of an appeal by the Council. The Council is confident that a considerably lower sum will be ordered on appeal.

In response to a supplementary question, the Leader of the Council confirmed that the levying of the fine had been made public. He was unable to comment further on the issues due to the ongoing legal proceedings. The outcome did reflect a change in health and safety legislation for private companies that also applied to Local Authorities.

**TRAFFIC CONGESTION AND POLLUTION IN SOUTH HORNCHURCH AREA**

**9) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

**From Councillor Phil Martin**

Given the proposal to restrict the A1306 in South Hornchurch to a single lane in each direction what steps are being taken to mitigate the increased pollution from the congestion that will result from any overflow of traffic from the A13 when there is an accident?

**Answer**

One of the aims of the Beam Parkway scheme is to discourage through traffic from the area from using the A1306 (by making it feel less like a through route). We will be investigating physical interventions in order to discourage A13 traffic from “Rat Running” through the A1306. This will also have the potential to reduce pollution on a day-to-day basis. Air quality is an important issue, and our studies will capture current pollution levels and consider how the scheme can be designed to improve air quality. The scheme will increase the amount of green space, which will also help to improve air quality. Finally, improved walking and cycling facilities will encourage greater use of sustainable modes, further reducing reliance on motor vehicles and cutting down on pollution (as well as creating public health benefits). In essence, the scheme will ultimately transform the corridor from its current over-engineered state to a street that promotes healthy living, and unites the current community to its north side to the new community on its south side.

In response to a supplementary question, the Cabinet Member explained that step 2 of the ongoing study was currently in progress; This had proposed building what was essentially a third lane on the road with a central strip to allow overtaking of stationary buses at bus stops and well as right turn bays to minimise the impendence of through traffic. Detailed traffic modelling of junctions would be undertaken and extensive data had been collected recording speed and traffic flows for both the A13 and A1306.

**VILLAGE GREEN STATUS – NEW ZEALAND WAY, RAINHAM**

**10)To the Cabinet Member for Housing, Councillor Damian White**

**From Councillor Graham Williamson**

Local residents promoting Village Green status for the land off New Zealand Way, Rainham have also been in discussion with the Council and New Zealand High Commission to restore the War Memorial to WWI New Zealand soldiers that was formerly sited on the “Green” and have also organised events on the “Green” including a diabetes charity event which the Mayor graciously attended.

Residents are very pleased with Council support for these initiatives and welcome Cabinet Member Cllr Damian White’s agreement to arrange a meeting with residents to discuss the Village Green application. The “Green” in question is high value open space and I invite the Cabinet Member to consider the Council adopting and registering the land as a Village Green to show we have a listening Council, particularly considering the other extensive development planned for the area. Will he do so?

**Answer**

This village green application was the subject of a question at the last meeting of the Council. I have already explained in the previous meeting that there is a legal process that the Council must follow in deciding these matters which is not yet complete, and at this stage it is not appropriate for me to meet with the applicants. Since the process is

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ongoing, it is not open to the Council to decide whether to register the land as a village green.

In response to a supplementary question, the Cabinet Member confirmed that the Council had invested in green and open spaces and the winning of nine Green Flag awards was evidence of this.

**ONE PUBLIC ESTATE AGENDA**

**11) To the Leader of the Council**

**From Councillor Stephanie Nunn**

Would the Leader of the Council confirm what progress is being made on its land review and work under the One Public Estate agenda, and when will the results be available to all Members?

**Answer**

One Public Estate is a Cabinet office programme designed to help public sector bodies' work in partnership to make better use of land and property assets. The outcome may include better integration of services, for example, between the health sector and local government, reduced running costs, or releasing land to generate capital receipts and new development - ideally, all of these.

The Council had submitted an expression of interest bid in partnership with others, which has been approved. Havering is working in partnership on the bid - with Barking & Dagenham Council and the local Clinical Commissioning Group - to evaluate the potential projects. If successful at the next stage, partners would be awarded money to put towards these projects.

Further details can be provided as the bid develops.

In response to a supplementary question, the Leader of the Council explained that a Local Plan was in the process of being developed so he could not speak categorically about the Green Belt but this was something that he valued. Planning consent had been granted for the Green Belt site of the former St George's Hospital. The Council was currently in discussions with the Mayor of London and NHS Property in order to obtain best use of the site and the Leader felt this showed that some situations with Green Belt sites were more complex in nature.



## **NOISE AND AIR POLLUTION FROM CITY AIRPORT**

### **12) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

#### **From Councillor Ian De Wulverton**

What is the council doing to protect the residents of Havering, from the increased noise and air pollution, from the substantial increase in low flying jet aircraft, out of City Airport?

#### **Answer**

The quality of life of our residents is very important, and the Council continues to work hard to ensure that aviation does not impact adversely on Havering as a place where people want to live and businesses want to invest.

Havering has taken the opportunity to object to recent proposals put forward by London City Airport for expansion of its ground facilities and modernisation of its flight paths. The Leader of the Council took the opportunity to set out to the Civil Aviation Authority his concerns about how consultation had been undertaken and also that local residents had not been offered the opportunity to meet with representatives from the airport. The Leader has also met with representatives from London City Airport to outline the Council's position.

The Council will continue to keep 'a watching brief' on aviation matters and where there are issues of concern that Havering can comment upon it will continue to do so.

In response to a supplementary question, the Cabinet Member agreed to check with London City Airport what social and environment impact studies were carried out before the flight path was finalised and to advise Councillor de Wulverton accordingly.

## **OBSTACLES ON THE PUBLIC HIGHWAY**

### **13) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

#### **From Councillor John Wood**

There are increasing concerns about the many items on the public highway presenting dangers to pedestrians. Would the Cabinet Member confirm what action is to be taken to control items placed by shops on footpaths.

#### **Answer**

A Code of Practice for Advertising boards is being prepared and will be rolled out from 1st January 2017. It will enable businesses to have a single A board as long as it

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complies with the code of practice. There will be a soft launch to enable us to inform and educate businesses on the requirements of the code before enforcement is initiated. Use of the public highway by Shops for street trading can be licenced and a report is being prepared by Economic Development and Public Protection for Cabinet. This report will propose extending street trading to include tables and chairs outside premises where they are using the public highway.

In response to a supplementary question, the Cabinet Member confirmed that the Code of Practice would definitely commence in January 2017.

**FINES ISSUED FOR UNAUTHORISED HOLIDAYS DURING TERM TIMES**

**14)To the Cabinet Member for Children and Learning, Councillor Robert Benham**

**From Councillor Jody Ganly**

Would the Cabinet Member confirm in each of the last 5 years, how many parents have been fined for unauthorised holidays during term time.

**Answer**

2011/12	2012/13	2013/14	2014/15	2015/16
359	552	1001	1456	2042

In response to a supplementary question, the Cabinet Member confirmed that the money received in fines of this nature went back into the school system.

**CONSULTANTS EMPLOYED BY THE COUNCIL OVER THE PAST FIVE YEARS**

**15)To the Leader of the Council**

**From Councillor Reg Whitney**

For each of the last 5 years, would the Leader of the Council provide a comprehensive list of outside consultants that have been employed by the council, together with details of the work they have undertaken?

**Answer**

It is not feasible to provide the full information for the work undertaken by consultants for the last five years. The spend on consultants includes a wide variety of work including transformation projects, interim/ SLT cover, corporate projects, short term cover (rather than recruiting to posts pending restructures to prevent redundancies and associated costs). Spend on consultants is contained within existing salary budgets when covering for substantive posts which may be deleted during restructures. There is also a requirement for the extra short-term resources to support the council on its

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transformation work and deliver the savings required under the MTFS. The council utilises these specialist skills as required throughout its change process.

We have embarked on a project where consultant engagement goes through a nationally procured 'neutral vendor', NEPRO, to ensure we continue to obtain best value and clarity about outcomes of projects

In response to a supplementary question, the Leader of the Council explained that the term 'consultants' covered a wide range of specialisms. It was not cost effective for the Council to employ full time staff such as for example specialist swimming pool architects, engineers, recruitments consultants for specialist posts or QCs dealing with appeals on Health and Safety matters. It was cheaper for the Council to use consultants as needed for these roles.

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VOTING RECORD

<i>DIVISION NUMBER:</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>		
<b>The Mayor [Cllr. Philippa Crowder]</b>	✓	✓	✓	✓	✗	✓	✓		
The Deputy Mayor [Cllr. Linda Van den Hende]	✓	✓	✓	✓	✗	✓	✓		
<b><u>CONSERVATIVE GROUP</u></b>									
Cllr Roger Ramsey	✓	✓	✓	✓	✗	✓	✓		
Cllr Robert Benham	✓	✓	✓	✓	✗	✓	✓		
Cllr Ray Best	✓	✓	✓	✓	✗	✓	✓		
Cllr Wendy Brice-Thompson	✓	✓	✓	✓	✗	✓	✓		
Cllr Joshua Chapman	✓	✓	✓	✓	✗	✓	✓		
Cllr John Crowder	✓	✓	✓	✓	✗	✓	✓		
Cllr Meg Davis	✓	✓	✓	✓	✗	✓	✓		
Cllr Osman Dervish	✓	✓	✓	✓	✗	✓	✓		
Cllr Jason Frost	✓	✓	✓	✓	✗	✓	✓		
Cllr Steven Kelly	✓	✓	✓	✓	✗	✓	✓		
Cllr Robby Misir	✓	✓	✓	✓	✗	✓	✓		
Cllr Garry Pain	✓	✓	✓	✓	✗	✓	✓		
Cllr Dilip Patel	✓	✓	✓	✓	✗	✓	✓		
Cllr Viddy Persaud	✓	✓	✓	✓	✗	✓	✓		
Cllr Carol Smith	✓	✓	✓	✓	✗	✓	✓		
Cllr Frederick Thompson	✓	✓	✓	✓	✗	✓	✓		
Cllr Linda Trew	✓	✓	✓	✓	✗	✓	✓		
Cllr Melvin Wallace	✓	✓	✓	✓	✗	✓	✓		
Cllr Roger Westwood	O	✓	✓	✓	✗	✓	✓		
Cllr Damian White	✓	✓	✓	✓	✗	✓	✓		
Cllr Michael White	A	A	A	A	A	A	A		
<b><u>RESIDENTS' GROUP</u></b>									
Cllr Ray Morgon	O	O	✗	✓	✗	✓	✗		
Cllr June Alexander	✓	✓	✗	✓	✗	✓	✗		
Cllr Nic Dodin	✓	✓	✗	✓	O	✓	✓		
Cllr Jody Ganly	✓	✓	✗	✓	✗	✓	✗		
Cllr Barbara Matthews	✓	✓	✗	✓	✗	✓	✗		
Cllr Barry Mugglestone	✓	✓	✗	✓	✗	✓	✗		
Cllr John Mylod	✓	✓	✓	✓	✗	✓	✓		
Cllr Stephanie Nunn	✓	✓	✗	✓	O	✓	✗		
Cllr Reg Whitney	✓	✓	O	✓	✗	✓	✓		
Cllr Julie Wilkes	✓	✓	✗	✓	O	✓	✗		
Cllr John Wood	✓	O	O	✓	✗	✓	✓		
<b><u>EAST HAVERING RESIDENTS' GROUP</u></b>									
Cllr Clarence Barrett	✓	✓	✓	✓	✗	✓	✓		
Cllr Alex Donald	✓	✓	✓	✓	✗	✓	✓		
Cllr Brian Eagling	✓	✓	✓	✓	✗	✓	✓		
Cllr Gillian Ford	✓	✓	✓	✓	✗	✓	✓		
Cllr Linda Hawthorn	✓	✓	✓	✓	✗	✓	✓		
Cllr Ron Ower	✓	✓	✓	✓	✗	✓	✓		
Cllr Darren Wise	✓	✓	✓	✓	✗	✓	✓		
<b><u>UK INDEPENDENCE PARTY GROUP</u></b>									
Cllr Lawrence Webb	✓	✓	✗	O	O	O	✓		
Cllr Ian De Wulverton	✓	✓	✗	✓	O	✓	✓		
Cllr John Glanville	✓	✓	✗	✓	✗	✓	✓		
Cllr David Johnson	✓	✓	✗	O	O	O	✓		
Cllr Phil Martin	✓	✓	✗	O	O	O	✓		
Cllr Patricia Rumble	✓	✓	✗	O	O	O	✓		
<b><u>INDEPENDENT LOCAL RESIDENTS' GROUP</u></b>									
Cllr Jeffrey Tucker	✗	✓	✓	✗	✓	✗	✓		
Cllr Michael Deon Burton	✗	✓	✓	O	✓	O	✓		
Cllr David Durant	✗	✓	✓	✗	✓	✗	✓		
Cllr Keith Roberts	✗	✓	✓	✗	✓	✗	✓		
Cllr Graham Williamson	✗	✓	✓	O	✓	✗	✓		
<b><u>LABOUR GROUP</u></b>									
Cllr Keith Darvill	✓	✓	✗	✗	✓	✗	✓		
Cllr Denis O'Flynn	✓	✓	✗	✗	✓	✗	✓		
<b><i>TOTALS</i></b>									
<b>✓ = YES</b>	46	51	35	42	7	42	46		
<b>✗ = NO</b>	5	0	16	5	38	6	7		
<b><i>O = ABSTAIN/NO VOTE</i></b>	2	2	2	6	8	5	0		
<b><i>ID =INTEREST DISCLOSED/NO VOTE</i></b>	0	0	0	0	0	0	0		
<b><i>A = ABSENT FROM MEETING</i></b>	1	1	1	1	1	1	1		
	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>		

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