

**London Borough of Havering
Meeting of Cabinet on 14th October 2020
Record of Decisions**

1. **TITLE:** Disposal of land at Hall Lane Pitch & Putt Course, Upminster following its appropriation for planning purposes - Determination of Call-in

2. **DECISION MADE BY:** Cabinet

3. **DECISION:**

This matter was removed from the Agenda given that at the meeting of the Overview and Scrutiny Board on Tuesday 13th October 2020, the Call-in was not upheld.

1. **TITLE:** **Private Sector Housing Enforcement Scheme Two. Expand Additional Licensing for Housing of Multiple Occupation and Introduce Selective Licensing Implementation and Enforcement**

2. **DECISION MADE BY:** Cabinet

3. **DECISION:**

Cabinet:

Considered the representations received in response to the consultation on the selective licensing and additional HMO licensing scheme (detailed in Appendix 3 of the report).

1) Agreed to introduce a selective licensing of private rented properties and to designate a selective licensing area of the district of the London Borough of Havering as delineated and shaded pink on the map at Annex A in Appendix 5 which covers 2 wards (Romford Town and Brooklands) in the Borough and to come into force from 25th January 2021 and be of five years duration.

2) Agreed to introduce an additional licensing of houses in multiple occupation (HMO's) and to designate an additional licensing area of the district of the London Borough of Havering as delineated and shaded pink on the map at Annex A in Appendix 4 which covers Cranham, Emerson Park, Hacton, Hylands, St Andrews and Upminster wards in the Borough and to come into force from 25th January 2021 and be of five years duration.

3) Agreed that the selective licensing scheme shall be cited as the London Borough of Havering Designation for an Area for Selective Licensing No 1, 2020

4) Agreed that the additional HMO licensing scheme shall be cited as the London Borough of

Havering Designation for an Area for Additional Licensing of Houses in Multiple Occupation No 2, 2020.

5) Agreed that the scheme shall be publicised as required by regulation before enforcement starts and a comprehensive publicity campaign to begin as soon as the schemes are approved.

6) Delegated to the Director of Neighbourhoods in consultation with the Lead Cabinet Member for Public Protection and Safety, the authority to agree minor changes to the proposed implementation and delivery, including administration, fees and conditions where necessary and ensure that all statutory notifications are carried out in the prescribed manner for the licensing designation.

4. REASON FOR DECISION

Reasons for the decision:

Havering has become a sought-after location for buy to let investors as it is currently more affordable with higher yields than other Boroughs. This is borne out by the growth of the private rented sector in Havering over the last few years. The demand for housing in the South East is still predicted to grow putting more pressure on housing supply. Licensing provides a useful tool to regulate this sector and raise the standards in private rented accommodation, contain ASB and regulate HMOs.

It is also considered that the renewal of additional and/or selective licensing schemes in neighbouring local authorities has exacerbated the problems that already existed within Havering's private rented sector. The licensing regimes threaten to displace the worst landlords from those boroughs and drive them into boroughs that do not operate any form of non-mandatory private rented housing licensing which are, therefore, seen as being more lightly regulated.

There is evidence that a significant proportion of these landlords are operating in Havering and further licensing is required to counter act this displacement. Through the successful enforcement of the current HMO licensing scheme poor and dangerous housing conditions have been unearthed by proactive enforcement against unlicensed HMOs. It is therefore important for Havering to continue to implement suitable measures to enable it to reduce such displacement and to bring unscrupulous landlords to account.

In response to these issues, it is anticipated that the introduction of more robust controls, such as those achievable through discretionary licensing, will (i) further deter the migration of rogue landlords into Havering, (ii) provide an opportunity to drive up standards within the private rented sector (iii) reduce antisocial activity often linked to poorly managed properties. A more proactive approach to tackle these complex issues will see benefits for landlords, tenants and local residents.

5. ALTERNATIVE OPTIONS CONSIDERED

Other options included:

- To retain additional licensing in only six wards.
- Not to designate any of the Borough for additional or selective licensing.
- Introduce selective licensing in more areas than Romford Town and Brooklands

6. **DOCUMENT CONSIDERED:** Cabinet report v8
Appendix 1 Havering HSMSR Report
Appendix 2 Havering consultation report
Appendix 3 responses to consultation report
Appendix 4 Designation of an area for Additional Licensing
Appendix 5 Designation of an area for selective licensing
Appendix 6 Selective and additional licence conditions (002)
Appendix 7 Licence fees
Appendix 8 EqHIA December 2019v.1
Appendix 9 Communications plan v2 (00000004)
Appendix 10 - Service Standards- property licensing (00000004)

1. **TITLE: Paid for parking charges and Havering Hero permit**

2. **DECISION MADE BY:** Cabinet

3. **DECISION:**

Cabinet APPROVED the following measures to be introduced permanently:

- a 20% discount will be offered for customers using Council Car Parks where payment is made only via the cashless service (the discount will not be applicable for payments made via pay and display machines);
- one hours free on street parking for all customers, applicable whether payment is made via the cashless service or via pay and display machines (the free parking allocation excludes Council Car Parks and all off street parking provision);
- Due to the continued threat posed by Covid-19 it is recommended that the Havering Hero's permit (permitting parking in residential bays and Council Car Parks for 3 hours) is extended until the end of January 2021, under the existing terms and conditions (Appendix B)
- That the Council's Enforcement Agents do not clamp and or remove vehicles until such time as deemed reasonable and dependent on the status of the Covid-19 pandemic. This will be monitored and agreed between the service and Lead member going forward

4. **REASON FOR DECISION**

The Council want to continue and support those measures introduced from 3rd August. It includes a discount when using Council Car Parks and paying using the cashless facility in addition providing one hour of free parking at on-street parking locations.

5. **ALTERNATIVE OPTIONS CONSIDERED**

To remove the one-hour free parking, the 20% discount and Havering Hero's permit. This option was not feasible as it would undo all the support the council has provided to the community and would not assist in the recovery from Covid 19.

6. **DOCUMENT CONSIDERED:** CABINET REPORT - Paid for Parking Charges and Havering Hero Permit September 2020
Appendix A - analysis
Appendix B - Havering Hero Terms and Conditions 2020
Appendix C - Town Centre Footfall

1. **TITLE: Parks Byelaws**

2. **DECISION MADE BY:** Cabinet

3. **DECISION:**

Cabinet:

1. Agreed the draft New Byelaws for the Borough's Pleasure Grounds, Public Walks, and Open Spaces as shown in Appendix 1 and amended Schedule of areas as shown in Appendix 2 for public consultation.
2. Agreed that the existing Pleasure Ground Byelaws as shown in Appendix 3 and existing Schedule of Sites as shown in Appendix 4 are revoked once the final versions of the new Byelaws and Schedule of areas as set out in recommendation 1) above have been approved by Cabinet and subsequently full Council.

4. **REASON FOR DECISION**

The existing byelaws are significantly out of date, in some cases irrelevant, unclear to the public and without sufficient clauses to enable effective enforcement of our parks and open spaces to ensure they meet the objectives of the Council.

It is essential that the Council is able to effectively control activities within the parks and open spaces and when necessary take enforcement action to prevent damage and nuisance to other users and local residents. Therefore the byelaws need to be up to date and cover all sites.

5. **ALTERNATIVE OPTIONS CONSIDERED**

By continuing to use the existing byelaws, certain activities and behaviours cannot be effectively controlled and enforced. Whilst the Parks Protection Service are able to use persuasion in the absence of the necessary byelaws this is not always effective. Bretons Outdoor Recreation Centre has suffered from various incidents of anti-social behaviour, including the frequent and high profile fly-grazing and cart riding. Since this is not covered under the existing byelaws, no enforcement action can be taken. This is both harmful for the Council's relationship with the several user groups but also any long-term strategic development of the site.

The current byelaws are not fit for purpose and do not reflect how our parks are used. For example, it is currently an offence to cycle in parks other than on certain designated routes. Responsible cycling is something that should be encouraged and not prohibited in our open spaces.

Under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 a Public Space Protection Order (PSPO) can be created if a local authority is satisfied, on reasonable grounds, that activities carried on in public in the local authority's area have had a detrimental effect on the quality of life of those in the locality (or such activities are likely to occur), and the effect of those activities is, or is likely to be, of a persistent and continuing nature, is such as to make the activities unreasonable, which justifies the restrictions imposed by the PSPO. There must be sufficient evidence gathered of complaints and nuisance etc. to justify such an Order and there is a requirement to consult with the relevant bodies and members of the public who would be affected. Although this can apply to parks and open spaces, the evidence must be of a high standard and an Order will only last for three years. In the circumstances, it has been considered the most appropriate option is to update the existing Byelaws.

6. **DOCUMENT CONSIDERED:** ParksBylawsCABINET0415-1
Appendix 1 - Updated BYELAWS
Appendix 2 - SCHEDULES
Appendix 3 - PLEASURE GROUND BYELAWS
Appendix 4 - existingschedule
Appendix 5 - Project Time Table

1. **TITLE: Extension of the Romford Town Centre PSPO**

2. **DECISION MADE BY:** Cabinet

3. **DECISION:**

Cabinet APPROVED:

- The proposed Extension of the Romford Town Centre Public Space Protection Order (PSPO). A copy of the PSPO is set out in **Appendix 1 of the report** and the Map is shown as **Appendix 2**.

The PSPO contains the following conditions;

- Persons must not be in possession of an open container of alcohol in a public place within the Alcohol Control Area (save on licensed premises or on a designated area where a pavement licence is in force);
 - Persons must not consume alcohol in a public place within the Alcohol Control Area (save on licensed premises (save on licensed premises or on a designated area where a pavement licence is in force);
- the procurement, replacement and display of appropriate signage

4. **REASON FOR DECISION**

Romford Town Centre has a vibrant and busy daytime and night-time economy with many licenced premises within the town centre selling alcohol and alcohol related products to local residents, businesses, members of the public and visitors. Since October 2017, alcohol related nuisance was dealt with under the Romford Town Centre

Public Space Protection Order (PSPO). The Annual Strategic Assessment of Crime and Disorder continues to identify Romford Town Centre as a hotspot for alcohol related crime and disorder. With the extension of the Public Space Protection Order (PSPO) for a further 3 years, the Police and other partners of the local authority wish to maintain methods of enforcement for alcohol related nuisance in the town centre, by way of a fixed penalty.

5. ALTERNATIVE OPTIONS CONSIDERED

Do nothing.

This would result in the current PSPO expiring on 23 October and would reduce the tools available to the Police and Council to intervene early and deter people from drinking in the in the street and outside of designated and licensed premises. With the introduction of pavement, licensing this is likely to result in customers from licensed venues being able to use public space outside of the control of the licensed premises increasing the risk of ASB and crime.

The Local Authority has the ability to use other powers within the Anti-Social Behaviour, Crime and Policing Act 2014 to control alcohol related nuisance. However, these powers would not be suitable for the reasons set out below:

Community Protection Notice

This was deemed not suitable, as it is a three-stage process, which is tailored to an individual and/or specific situation. Therefore, it cannot tackle immediate instances of nuisance

Dispersal Order

This was deemed not suitable as the Order only lasts for 48 hours periods. This power is meant to offer immediate respite to specific local nuisance and is not a long-term remedial measure

Civil Injunction

This was deemed not suitable as this is meant to resolve specific nuisance and is not an immediate remedial measure

Criminal Behaviour Order –

This was considered not suitable as this is meant to resolve specific nuisance and is not an immediate remedial measure

6. **DOCUMENT CONSIDERED:** Cabinet report PSPO RTC Extension October 2020
Final
Appendix 1 - copy of PSPO
Appendix 2-PSPO.MAP
Appendix 3- Consultation Paper on Proposal for Ext
Public Space Protection Order 2020.final
Appendix 4- RTC PSPO consultation report-15-
September-2020--08-15 Appendix 5- EqHIA-PSPO