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MINUTES OF A MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HAVERING Council Chamber - Town Hall 27 March 2024 (7.30 - 8.27 pm)

Present: The Mayor (Councillor Stephanie Nunn) in the Chair

Councillors Councillors Mandy Anderson, Robert Benham, Ray Best, Patricia Brown, Joshua Chapman, John Crowder, Philippa Crowder, Keith Darvill, Brian Eagling, Sarah Edwards, Gillian Ford, Oscar Ford, Jason Frost, Laurance Garrard, James Glass, David Godwin, Martin Goode, Judith Holt, Jane Keane, Jacqueline McArdle, Paul McGeary, Trevor McKeever, Paul Middleton, Robby Misir, Ray Morgon, Barry Mugglestone, Gerry O'Sullivan, Sue Ospreay, Dilip Patel, Nisha Patel, Viddy Persaud, Keith Prince, Philip Ruck, Timothy Ryan, Carol Smith, Christine Smith, Matthew Stanton, Natasha Summers, David Taylor, John Tyler, Christine Vickery, Bryan Vincent, Reg Whitney, Julie Wilkes, Christopher Wilkins, Graham Williamson, Jacqueline Williams, Darren Wise and John Wood

4 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.

The Mayor's Official Chaplain – Reverend Amanda Keighley of St Nicholas Church, Elm Park opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

63 **APOLOGIES FOR ABSENCE (agenda item 2)**

Apologies for absence were received from Councillors Osman Dervish, Katharine Tumilty, Frankie Walker, Damian White and Michael White.

Best wishes were sent from all sides of the Chamber to Councillor Michael White following his recent medical treatment.

64 **MINUTES (agenda item 3)**

The minutes of the meeting of the Council held on 28 February 2024 were **AGREED** as a correct record.

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

There were no disclosures of interest.

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

The Mayor had written to the King on behalf of the Council sending him best wishes for a full recovery. She would be writing to the Princess of Wales sending her best wishes for a full recovery also.

Congratulations were recorded to Hornchurch Cricket Club who had recently become European Cricket Champions.

The Mayor stated that the recent evening at Queen's Theatre in aid of the Mayor's charities had been very successful. The Mayor's civic dinner was scheduled for 19 April. Birthday wishes were passed to Councillor Christine Vickery.

The Leader of the Council recorded his thanks to staff and residents who had taken part in the recent BBC Panorama programme. The Leader felt that the programme was of a good quality and had been well balanced and showed what the Council was up against. He was happy to be involved in a follow-up programme if required.

The bid for Havering to be named London Borough of Culture had unfortunately been unsuccessful but the Leader thanked staff who worked on the bid and colleagues from other local organisations who had been on the presenting panel.

The Leader recorded his best wishes to Councillor Michael White who was undergoing medical treatment.

The Chief Executive clarified the Council's Pay Policy at item 8 of the agenda did not agree the pay award of the Chief Executive nor of any staff member. The Council was required under the Localism Act to publish its Pay Policy statement by 31 March. The Pay Policy set out the grades at the top and bottom of the organisation and gave a comparison between the two.

67 **PETITIONS (agenda item 6)**

The following petitions were received:

From Councillor Sue Osprey re a request for a zebra crossing on part of Upminster Road North, Rainham.

From Councillor Jane Keane re a request for more waste bins on the Thurlow Gardens side of W heatsheaf Road.

From Councillor Graham Williamson requesting measures to be taken to reduce the speed of traffic using Jersey Road.

68 **CONSTITUTIONAL REVIEW - SCHEME OF DELEGATIONS (agenda item 7)**

A report of Governance Committee presented to Council for approval a revised Scheme of Delegation. The changes were both to improve the form and function of the delegations and to align the delegations against the new Target Operating Model structure.

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

That the revised Scheme be adopted in substitution of the existing Scheme, subject to consideration by the Constitutional Working Party of any changes or other suggestions made by Governance Committee on the Scheme.

69 **THE COUNCIL'S PAY POLICY 2024/25 (agenda item 8)**

A report of the Chief Executive set out the Council's Pay Policy Statement 2024/25. This was required to be prepared by 31 March each year and set out:

The remuneration of the Council's Chief Officers

The remuneration of its lowest-paid employees

The relationship between the remuneration of its Chief Officers and its other employees

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

That the Pay Policy Statement 2024/25 be approved.

70 **DATES OF COUNCIL MEETINGS 2024/25 (agenda item 9)**

A report of the Chief Executive proposed the dates of Council meetings for the next municipal year and, on a provisional basis, the balance of 2025.

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

- 1. That dates of Council meetings for the Municipal Year 2024/25 and, on a provisional basis, the balance of 2025 be agreed as shown in the report.**
- 2. Changes to the date of meetings of Council be determined by the Mayor, following consultation with Group Leaders.**

71 THE COUNCIL'S BUDGET 2024/25 - MINOR ADDITIONAL ITEMS (agenda item 10)

A report of the Section 151 Officer explained that several small sections of the correct fees and charges were inadvertently omitted from the papers that were presented at the previous Council meeting or were presented incorrectly. These sections were therefore being presented to Council in the interests of transparency.

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

That the fees and charges for:

**Street Naming Numbering Completed Document Copies
Building Control Fees.
Wedding Celebration Packages**

as shown in the report be agreed.

72 MEMBERS' QUESTIONS (agenda item 11)

15 questions were asked and responded to at the meeting. A summary, including of the supplementary questions and answers given, is attached as appendix 1 to these minutes.

73 VACANT POSITIONS (agenda item 12)

It was **AGREED** without division that the following Members be elected to vacant Committee positions:

Committee	Vice-Chairman Councillor
Audit	Jacqueline Williams (Havering Residents' Association)
Pensions	Stephanie Nunn (Havering Residents' Association)
Overview and Scrutiny Board	Laurance Garrard (Havering Residents' Association)

74 CAPITALISATION ORDER (agenda item 13)

Motion on behalf of the Conservative Group

This chamber calls on the council to release to the public the full letters, from the Government Ministers and from the Leader, regarding the

Capitalisation Directive. The chamber calls on the Government to provide the funding as a grant instead of a loan.

A procedural motion that the motion be dealt with on a vote only basis was **AGREED** by 48 votes to 1 with 1 abstention (see division 1) and it was **RESOLVED**:

That this chamber calls on the council to release to the public the full letters, from the Government Ministers and from the Leader, regarding the Capitalisation Directive. The chamber calls on the Government to provide the funding as a grant instead of a loan.

75 **VOTING RECORD**

The record of voting decisions is attached as appendix 2 to these minutes.

Mayor

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FULL COUNCIL, Wednesday 27th March 2024

Appendix 1

MEMBERS' QUESTIONS

Service Level Agreement with Urbaser

1) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor Viddy Persaud

Can the Cabinet Member for the Environment please outline what is stipulated in the Service Level Agreement between the Council and Urbaser regarding missed bin collections?

Answer

The Council is committed to working in partnership with Urbaser to deliver excellent services. We are currently performing at 99.9% of collections to schedule, and improvements in technology will help to reduce the number of missed collections.

There are a number of SLAs that Urbaser need to adhere to, all of which were featured in the booklet issued to Members both in paper and electronic form, around the contract start date in October.

The main SLA is around missed refuse and recycling. Missed bag collections should be no more than 60 per 100,000 each month, and reported missed bag collections need to be rectified by close of play the day the report is received if reported before midday, or by midday the day after the report is received if reported after midday.

In February Urbaser were performing at 107.1 missed collections per 100,000 so there is some work to be done on this to bring that number down to 60, however this still means that 99.9% of collections were being carried out to schedule.

For information Serco averaged 114.2 missed collections per 100,000 last year.

Further SLAs around other services can be found in the aforementioned booklet, which officers will be happy to re-circulate.

A supplementary question asked how missed collections were monitored and what the penalty for missed collections was. The Cabinet Member responded that IT systems were used as were reports of missed collections from residents. It was also hoped to reduce incidents of the same missed collection being reported on more than one occasion.

Floral Mural, Harold Wood Station

2) To the Cabinet Member for Regeneration (Councillor Graham Williamson) From Councillor Darren Wise

Would the Cabinet Member, please confirm the Council's decision, regarding giving the go ahead for an existing 'Welcome to Harold Wood' sign, which is located directly opposite Harold Wood Train Station, to be painted with a floral mural. TFL have already agreed to cover the full costs, but the Council have still to provide written authorisation in order for the painting to take place.

Answer

I am pleased to support the proposal and am grateful to note that TfL are willing to fund the artwork.

Council officers have responded to the organisers to this effect and we are currently awaiting written confirmation of TfL funding for both the initial installation and any ongoing maintenance. We have also asked that detail of the artwork itself is shared with the Council in advance for prior approval.

A supplementary question asked why ward Councillors were not advised of the mural. The Cabinet Member was not aware of precisely why this had not happened but would look into the matter.

Overview & Scrutiny Board Recommendations

3) To the Chairman of the Overview & Scrutiny Board (Councillor Gerry O'Sullivan) From Councillor Phil Ruck

Overview and scrutiny is a very important function within the council. A number of meetings have been held over the last two years which have considered a large range of important issues vital to the operation and performance of the council. Could I ask the chair of O&S to advise how many recommendations have been made to Cabinet and how many of these have been discussed, adopted and implemented by Cabinet?

Answer

Thank you for the question Councillor Ruck. As a previous Vice-Chair of the Board I am pleased you have acknowledged the important role the Overview and Scrutiny process plays.

Overview and Scrutiny have made 32 references to Cabinet.

25 of these were via the Budget and Policy Framework Procedure Rules which allow for Overview and Scrutiny to comment on the proposed budget ahead of adoption.

The remaining 7 were in relation to the findings of an Adults with Disabilities task and finish group review and some comments regarding scrutiny of Romford Police.

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All 32 references were submitted by way of the appropriate procedure.

A supplementary question asked if some form of formal feedback on scrutiny recommendations should be received from Cabinet. The Overview and Scrutiny Board Chairman stated that this issue had been discussed with the Leader and would be brought forward in the New Year. In addition, the Chairman of the Overview and Scrutiny Board would in future present scrutiny recommendations at Cabinet meetings.

Upkeep of George Street Car Park, Romford

**4) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor Judith Holt**

Please can the Cabinet Member confirm that Havering Council is responsible for the clearance of litter from and the general upkeep of the car park at the end of George Street, Romford, which is in the RO3 Parking Zone?

Answer

The Council is responsible for the cleansing of this car park. The current arrangements are being reviewed, and I expect a significant improvement going forward. The car park has been cleaned since Cllr Holt has raised this issue.

A supplementary question asked if a new schedule of litter clearance from the car park could be forwarded once available. The Cabinet Member confirmed this could be done.

Locking of Park Gates, Harold Wood Park

**5) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor Brian Eagling**

Can the council explain why the Gates at Harold Wood Park are not being locked at night as it was previously stated over a year ago that they would be at full council?

Answer

The parks are currently being locked as part of a wider externalised enforcement contract provided by NES (National Enforcement Solutions).

NES have had staffing recruitment and retention issues during the length of their contract and the Council has worked with NES to try and resolve these issues via contract negotiations.

At this time, whilst NES are operating with a reduced staff headcount, they are prioritising the locking of Green Flag Parks in Havering.

Harold Wood Park has been locked in the time NES have been undertaking the locking. However, the staff reduction mentioned means that this has not happened every day.

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A supplementary question asked if the park gates could be locked as this had only been done once in the last two weeks, leading to anti-social behaviour and the presence of Travellers. The Cabinet Member responded that the Council acted swiftly to obtain a recent court injunction against Travellers. The contractor was being chased to retain staff and deliver the park locking service. Whilst there was disappointment with the current contractor, it should be noted that several other boroughs did not lock their parks.

Upkeep of the car parks at the end of Alexandra Road and King Edward Road, Romford

**6) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor Judith Holt**

Please can the Cabinet Member confirm that Havering Council is responsible for the clearance of litter from and the general upkeep of the car parks at the end of Alexandra Road and King Edward Road, Romford, which are for Lease Holder Permit Holders?

Answer

Havering Council are responsible for the upkeep of both residential car parks in Alexandra Road and King Edward Road. The cleansing arrangements will be monitored regularly.

A supplementary question asked if the exact schedule for the cleaning of the car park could be forwarded and the Cabinet Member confirmed this could be done.

Parking in Park Lane, Hornchurch

**7) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor Judith Holt**

Given that the administration is advertising they are providing 30 minutes free parking in Hornchurch, could the Cabinet Member please confirm why Park Lane, Hornchurch, does not benefit from the 30 minutes free parking whilst roads adjacent to it do?

Answer

I thank Cllr Holt for her question.

As members will recall, during and after the Covid19 pandemic a free one hour parking session, borough wide, was offered on street. As we came out of Covid the parking offer reverted back to pre-pandemic arrangements, from November 2022.

In the Council budget of 2023 (setting the budget for 2023/24) this administration introduced a free half hour parking offer, on and off street, in Hornchurch and

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Upminster, matching areas like Collier Row and Gidea Park. This was done to encourage residents back into our shopping areas and to help to support our local retail shops and businesses.

I am satisfied that Park Lane was not included in the pre-pandemic free half hour parking offer.

We did state however as part of the budget report that there will be a review of paid for parking services once we had 6 months' worth of data to assess the impact of the new charges, new machines and use of the app. The request to introduce the free 30 minutes parking in this location will be considered as part of that review.

A supplementary question asked if 30 minutes free parking would be available this year. The Cabinet Member stated that there had been an administrative error in the area and this would be corrected in accordance with guidance.

Fly-Tipping Enforcement

8) To the Cabinet Member for Environment Councillor Barry Mugglestone) From Councillor Dilip Patel

What, if any, are the council's plans to combat the persistent fly tipping hotspots in the Borough?

Answer

'Hotspots' are identified by proactive patrols and by residents reporting areas online or via the contact centre.

Not all Fly-Tips are on private land, and many are the responsibility of the respective landowners to clear up.

Enforcement officers regularly patrol the known hotspots in the borough and carry out visits to areas that have been identified as hotspots. Where offenders can be identified, fines and notices can be issued.

Councillor Patel may remember that in answer to a similar question last year, the Administration made a commitment to use technology to tackle enviro-crime and ASB wherever possible.

At the Joint Enforcement Tasking (JET) group, Officers from different teams work together on other tactics such as the use of re-deployable CCTV into new hotspots to try and combat enviro crime and ASB.

As a result of these deployed units, over 250 fines have since been issued to offenders.

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A supplementary question asked if the Cabinet Member and officers would meet Councillor Patel on site at a flytipping hotspot in Mawney Road, near the River Rom. The Cabinet Member confirmed that he was happy to do this.

Sale of Como Street Car Park, Romford

**9) To the Cabinet Member for Housing and Property (Councillor Paul McGeary)
From Councillor David Taylor**

Can you cabinet member confirm whether the council has completed the sale of Como Street Car park to Mercury Land Holdings and the receipt received?

Answer

The sale of Como Street has not completed at this point in time.

A supplementary question asked if the Cabinet Member would meet with a local group opposing the sale prior to the submission of planning applications. The Cabinet Member replied that he was happy to meet with residents,

Romford Sunday Market

**10) To the Leader of the Council (Councillor Ray Morgon)
From Councillor Keith Prince**

Documents provided to Councillors shows that legal advice is that Havering Council should not close Romford's Sunday market until a relevant act has passed through Parliament. Will the council be ignoring this legal advice and proceeding to close the Sunday market, whilst Parliament is still debating?

Answer

The legal advice referred to was provided in September 2023, and was pertinent to the legal position at that time.

Counsel has since refreshed his advice and I can confirm that the proposed cessation of the Sunday operation of Romford Market presents no conflict with current legal advice.

Since this advice relates to active and ongoing negotiations, public disclosure of the detail of the advice could be prejudicial to the Council's interests.

A supplementary question asked if the legal advice was within issued papers. The Leader of the Council confirmed that was the case but legal advice was that this could not now be disclosed.

Heritage Advice in Planning

11) **To the Cabinet Member for Regeneration (Councillor Graham Williamson)
From Councillor Keith Prince**

With a number of residents raising concerns about the quality of heritage advice being provided to Havering Council, in relation to planning, can the Cabinet Member please outline what steps are being taken to secure more consistent advice and advice of the highest quality?

Answer

The Council has been using Place Services, which is a specialist consultancy arm of Essex County Council, to provide heritage advice for approximately eight years. Place Services are experienced in providing historic environment services to the public sector including authorities in London and Essex and are a recognised provider by the IHBC (The Institute of Historic Building Conservation). They employ a number of heritage consultants who are suitably qualified to provide advice on heritage matters.

The Council is not aware of any significant number of concerns having been raised about the quality of heritage advice being provided and appeal decisions received on heritage related matters do not present any particular cause for concern and are not suggestive of poor-quality advice having been given. Appeal decisions are reviewed as a matter of routine, so that any concerns with consistency or quality of advice can be identified.

There is opportunity for regular and on-going dialogue with the heritage consultants and the service manager, so that there is ability to raise any quality concerns if, and when, they arise. If the Member is aware of specific cases where there are concerns, Officers would be happy to speak about those. Any individual complaints of course will always be investigated.

A supplementary question asked what the Cabinet Member could do to guarantee that future heritage advice was sound and that officers would sense check concerns raised. The Cabinet Member replied that there had been some disagreement over whether the advice given in the specific case referred to had been satisfactory. It remained to be seen if the complainant was satisfied with this. The Cabinet Member agreed that the Romford Masterplan should protect Romford's heritage and this should be covered in responses to the consultation on the Masterplan.

Capitalisation Directive

**12) To the Cabinet Member for Finance (Councillor Chris Wilkins)
From Councillor David Taylor**

Can the Cabinet Member confirm the full terms of the recent Capitalisation Directive, including the interest rate, length of repayment period, and any additional requests made by government?

Answer

Members have already been briefed on the indicative terms of the Capitalisation Direction. The Leaders shared the letter from the Minister on the 6th March, containing full details of the Terms and Conditions of the Direction. Officers are working closely with DLUHC regarding the impact for Havering. This information has also been shared with the public via our newsletter.

A supplementary question asked when the actual conditions of the Capitalisation Order would be received and given to Members. The Cabinet Member confirmed that this would be shared with Members as soon as it was received.

Compass Street, Romford

**13) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor David Taylor**

Can the council please confirm if Havering Council has adopted Compass Street, off of North Street and whether this junction is required to be updated from a crossover?

Answer

We are not aware of a Compass Street in Romford, however we are aware of Compass Way, and we can confirm that the Council has not adopted Compass Way. It is a private road (and not a public highway).

Planning consent for a development was granted in June 2018. There are no conditions relating to the upgrade of the entrance within that consent. The current arrangements were considered by the Committee at the time and deemed appropriate for the development.

I have asked officers to inspect the access, from a standard and maintenance point of view, and arrange any required works.

A supplementary question asked if the Cabinet Member would ask the developer to improve the junction and install a tactile surface. The Cabinet Member responded that the planning application had been recommended for refusal but Members had overruled this. No budget was allocated for these works but he would explore existing budgets.

Parking Enforcement

**14) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor David Taylor**

A recent Cabinet report showed a £1.8m overspend in relation to parking, driven by an underachievement of PCN income. Can the cabinet member confirm if the council plan to increase their parking enforcement activity in order to meet next year's target and prevent further borrowing having to take place as a result of a failure to meet the target?

Answer

I thank Councillor Taylor for his question.

The budget imbalance in 2023/24 relates primarily to historic budget decisions that were not fully implemented. This imbalance has been fully recognised and addressed in setting the 2024/25 budget. The Council is increasing enforcement activity across the borough to improve traffic flow and safety. This includes an increase in the number of enforcement officers in the last year which again is fully recognised in the budget. All parking income is utilised to finance transport related Council expenditure.

It should be noted that targets for income generated from parking and moving traffic contraventions enforcement are not set. However, estimated income based on agreed enforcement policy and levels are generated to ensure the council accurately forecasts the income as close as possible. In an ideal world there would be no contraventions and thus no enforcement related income.

A supplementary question asked if the Cabinet Member agreed that enforcement had been heavy handed. The Cabinet Member gave details of the parking budget overspend in recent years and stated that people had the right of appeal if they did not think enforcement action was valid.

Locking of Park Gates, Romford

**15) To the Cabinet Member for Environment (Councillor Barry Mugglestone)
From Councillor Keith Prince**

Can the cabinet member provide an update on the locking of Romford's parks, by National Enforcement Solutions?

Answer

National Enforcement Solutions (NES) have been providing a park locking service as part of a pilot contract. NES have struggled to recruit and retain staff to fulfil the contract, so the service has been operating at a reduced level.

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At this time, whilst NES are operating with a reduced staff headcount, they are prioritising the locking of Green Flag Parks in Havering.

Council Officers have been carrying out contract negotiations to try and improve contract hours dedicated to parks locking and these negotiations are ongoing.

A supplementary question asked if there was a timeframe for when the situation would be resolved. The Cabinet Member responded that the issue was presently with the Council's legal department who were in negotiations with NES. He would update all Members of the outcome.

DIVISION NUMBER:	1
The Mayor (Councillor Stephanie Nunn)	✓
The Deputy Mayor [Cllr. Pat Brown]	X
CONSERVATIVE GROUP (19)	
Cllr Robert Benham	✓
Cllr Ray Best	✓
Cllr Joshua Chapman	✓
Cllr John Crowder	✓
Cllr Philippa Crowder	✓
Cllr Osman Dervish	A
Cllr Jason Frost	✓
Cllr Judith Holt	✓
Cllr Dilip Patel	✓
Cllr Nisha Patel	✓
Cllr Viddy Persaud	O
Cllr Keith Prince	✓
Cllr Timothy Ryan	✓
Cllr Carol Smith	✓
Cllr Christine Smith	✓
Cllr David Taylor	✓
Cllr Christine Vickery	✓
Cllr Damian White	A
Cllr Michael White	A
HAVERING RESIDENTS ASSOCIATION GROUP (21 + 1)	
Cllr Sarah Edwards	✓
Cllr Gillian Ford	✓
Cllr Oscar Ford	✓
Cllr Laurance Garrard	✓
Cllr James Glass	✓
Cllr David Godwin	✓
Cllr Jackie McArdle	✓
Cllr Paul Middleton	✓
Cllr Robby Misir	✓
Cllr Raymond Morgon	✓
Cllr Barry Mugglestone	✓
Cllr Sue Ospreay	✓
Cllr Gerry O'Sullivan	✓
Cllr Natasha Summers	✓
Cllr Bryan Vincent	✓
Cllr Reg Whitney	✓
Cllr Julie Wilkes	✓
Cllr Christopher Wilkins	✓
Cllr Jacqueline Williams	✓
Cllr Graham Williamson	✓
Cllr John Wood	✓
LABOUR GROUP (8 + 1)	
Cllr Mandy Anderson	✓
Cllr Keith Darvill	✓
Cllr Jane Keane	✓
Cllr Paul McGeary	✓
Cllr Trevor McKeever	✓
Cllr Matthew Stanton	✓
Cllr Katharine Tumilty	A
Cllr Frankie Walker	A
EAST HAVERING RESIDENTS' GROUP (3)	
Cllr Brian Eagling	✓
Cllr Martin Goode	✓
Cllr Darren Wise	✓
RESIDENTS' ASSOCIATION INDEPENDENT GROUP (2)	
Councillor Philip Ruck	✓
Councillor John Tyler	✓
TOTALS	
✓ = YES	48
X = NO	1
O = ABSTAIN/NO VOTE	1
ID = INTEREST DISCLOSED/NO VOTE	0
A = ABSENT FROM MEETING	5
	0
	55

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