

MEMBERS' QUESTIONS AND ANSWERS

Note: Questions 1 to 8 were answered at the meeting. In accordance with Council Procedure Rule 10.6(a); the remainder were treated as if put for written answer

1 RECORD OF EXPENDITURE IN EXCESS OF £500**To the Leader of the Council (Councillor Michael White)**

By Councillor Clarence Barrett

Would the Leader explain why the March 2011 items of expenditure in excess of £500 still does not appear on the Council website (or why the delay if it has been updated by the time of this Council meeting)?

Answer:

The figures do now appear on the website. The delay was due to a combination of new systems, and technical and administrative difficulties.

In response to a supplementary question, the Leader of the Council confirmed that he was unhappy that there had been a delay in publishing the March figures but pointed out that all other months' figures were there.

2 ST. GEORGE'S HOSPITAL**To the Cabinet Member for Individuals (Councillor Steven Kelly)**

By Councillor Paul McGeary

During the course of the asking and answering of this Question, Councillor Paul McGeary declared a personal interest (so far as necessary) as an employee of the National Health Service.

Have Havering PCT made any recent decisions about the future of St George's Hospital?

Answer:

No

In response to a supplementary question, the Cabinet Member pointed out that Havering PCT was under no obligation to advise the Council of any decision it might make about its property.

3 GUYSFIELD DRIVE - HOSTEL**To the Cabinet Member for Housing (Councillor Lesley Kelly)**

By Councillor Michael Deon Burton

Guysfield Drive is a quiet residential turning and is the wrong place to put a large mixed use hostel.

Can the Administration confirm that any structural changes, change of use or alterations to Will Perrin Court will require approval by the Regulatory Services Committee?

Answer:

The Administration notes the views expressed on the proposed use of the former Will Perrin Court in Guysfield Drive as temporary hostel accommodation. The Administration would like to point out

that the Council's current temporary accommodation schemes are in established residential areas and have operated for many years without causing disturbances to neighbours.

The Administration can confirm that a change of use planning application is required and will be considered by the Regulatory Service Committee. Alterations to the inside of the building would not normally require a planning application, however, floor plans relating to the proposed use will be necessary in this instance in support of the change of use application. Statutory consultation will be carried out in the usual way by planners.

In response to a supplementary question, the Cabinet Member confirmed that, so far as she was aware, no works were currently under way at the premises.

4 TOWN TWINNING – BENEFITS FOR RESIDENTS

To the Leader of the Council (Councillor Michael White)

By Councillor Ray Morgon

Would the Leader confirm the costs of twinning with Ludwigshafen and Hesdin over the past five years, and what tangible benefits for Havering residents can be demonstrated by this relationship?

Answer:

Havering twinned with Ludwigshafen in 1971 and Hesdin in France in 2000. This is not just a relationship between the Council and its twin towns – it is also a relationship between the three communities and its twinning associations which has, over the years, involved hundreds of people from all three towns and from a huge range of organisations, associations and clubs - including schools, churches, sports clubs, marching bands, and many others.

The resulting exchanges and ties have helped create friendships and mutually beneficial relationships, as well as fostering understanding and tolerance by giving people from participating towns the chance to learn about another culture, language, history and way of life.

Maise Whitelock, the Secretary of the Havering Twinning Association and a former Mayor has said that it is “essential to keep our ties with our twin towns” and that twinning has been a key part in the post-war peace that Europe has enjoyed.

The cost to the Council, for Town Twinning is as follows,

2011/2012	£1,110
2010/2011	£3,990
2009/2010	£5,250
2008/2009	£4,850
2007/2008	£3,160

In response to a supplementary question, the Leader of the Council reaffirmed that the Town Twinning arrangements were very popular and the expenditure incurred was very modest. Immense benefits flowed from the interchanges between individuals and schools.

5 CONSIDERATION BY OVERVIEW & SCRUTINY COMMITTEES OF REQUISITIONED DECISIONS

To the Leader of the Council (Councillor Michael White)

By Councillor Keith Darvill

What steps will the Administration take to avoid clashes of overview and scrutiny meetings dealing with requisitions of Cabinet decisions?

Answer:

I assume the Member is referring to the recent clash of commitments between the scheduled Governance Committee and Towns & Communities Overview & Scrutiny Committee and the special meeting of the Children & Learning Overview & Scrutiny Committee.

This arose because two decisions made by Cabinet at its June meeting were requisitioned.

When a decision is requisitioned, a balance must be struck between the rights of the requisitioners (and others) to scrutinise the decision in question, and the right of the Administration to take forward the executive business of the Council. The aim is, therefore, so far as practicable to arrange for an early meeting of the relevant OSC so that, should the requisition be upheld, the Cabinet can reconsider the matter at its next meeting.

As Cabinet meets monthly, and there are legal constraints about the availability of reports for the public in advance of any meeting, it is inevitable that OSC meetings will have to be arranged to a fairly tight timetable.

On this occasion, as the Towns & Communities OSC had a scheduled meeting on 5 July, the requisition was placed on its agenda. A special meeting of the Children and Learning OSC had to be convened; officers consulted the Chairman, who decided on 5 July: I understand that she had another commitment on 6 July.

As the Cabinet meeting was due on 13 July, for practical reasons associated with the Cabinet's agenda, the meetings of the OSCs had to take place on either 5 or 6 July.

It was unfortunate that, for entirely separate reasons, the Governance Committee was also meeting on 5 July, a day earlier than usual.

I appreciate that, for the smaller Groups, this caused particular problems. I would remind the questioner, however, that the Council has a "substitute" rule for precisely this sort of reason.

In response to a supplementary question, the Leader of the Council accepted that it was proper that all concerned should be able to attend Overview & Scrutiny Committees when they were considering requisitions. The clashes on the occasion referred to had arisen as the result of a particular set of circumstances, which were not likely to be repeated. Arrangements for convening special or additional meetings generally worked well and it was unlikely that staff would be able to find a date convenient to everyone.

6 ARNOLD'S FIELD, LAUNDERS LANE, RAINHAM – WASTE DUMPING

To the Cabinet Member for Individuals (Councillor Steven Kelly)

By Councillor Jeffrey Tucker

The situation at Arnold's Field landfill site in Launders Lane Rainham is a disgrace. The earth is being piled higher and higher to the sides to enable more waste to be dumped in the middle and there are real fears that this is toxic waste, because of the criminal activities already uncovered at the site.

What action is being taken to remove the present operators from Arnold's Field?

Answer:

The Council is working with the Environment Agency to establish whether there are any new material breaches of planning and/or environmental controls for which there is sufficient evidence to bring formal action. Material evidence, capable of withstanding legal scrutiny, is needed before this Council could seek prosecution of planning enforcement notices which are in place and which were upheld on appeal. The Environment Agency too would require substantive evidence in order to support any action brought under Environmental legislation including against the dumping of waste material.

The Council's planning service has reported to the Environment Agency allegations received from the public about dumping of waste material including concerns that it could be toxic. People making allegations of waste dumping are being encouraged to report this direct to the Environment Agency for which they maintain a 24hr hot line number published on their website.

In response to a supplementary question, the Cabinet Member urged anyone who had concerns about possible illegal dumping to report them to the Environment Agencies – the more incidents were reported, the more likely it was that there would be an effective response. The Cabinet Member declined to comment on allegations of illegal conduct but reaffirmed that all possible action was being, or would be, taken to secure cessation of unauthorised activity on the site.

7 PROPOSED ROMFORD LEISURE CENTRE

To the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

Would the Leader please set out the results of the market research carried out to evaluate the demand in respect of the proposed Leisure Centre in Romford?

Answer:

Sport England have produced a facility planning model that shows that Romford (particularly west Romford) is deficient in swimming pools. The London Mayor has identified that there is a need for indoor community facilities such as sports halls and swimming pools in his draft Replacement London Plan.

Havering based swimming clubs have, over a long period of time, made it clear that Romford needs a new swimming pool, to ensure that there is more training time and to provide a competition venue for local and sub regional galas.

The existing ice rink facility is a very popular and well used facility (opening up to 16 hours per day); so there is an established demand for an ice rink in Romford. If the new ice rink is not built there is a danger that the current facility will require significant investment at some point in the next few years (estimated to be £500k- £1m).

Strategic Leisure Ltd have assessed the demand for a new leisure facility as part of the work they have done on the revenue projections.

In response to a supplementary question, confirmed that, not only was the project aspirational, there was clear demand for it, bolstered by the recognition of the need for it in the Mayor of London's Plan.

8 DEVELOPMENT OF GARAGE SITES

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Denis O'Flynn

When proposals for developing garage sites are being planned, what consideration is being given to the views of residents expressed through consultations in the recent past?

Answer:

When proposing to develop a garage site for an alternative use, considerable efforts are made to consult residents. In early 2009, residents neighbouring some 109 garage sites were written to regarding their potential future use. Only one-in-five residents responded. It could have been concluded that this showed the vast majority, some four-fifths, of residents had no particularly strong views on the future use of their nearby site, thus suggesting the Council could act with little or no further engagement with residents. The Council in fact decided to continue the dialogue with local people.

Following this consultation, development proposals on 25 garage sites were dropped. On the sites where housing development was proposed, residents were consulted earlier this year through the planning application process. In addition, the Housing Service and Homes in Havering wrote to residents who would be required to give up a garage tenancy and those sharing boundaries with the garage sites.

A number of important points have been learnt from residents' comments about the first phase of redevelopment and as a result the Housing Service and Homes in Havering colleagues have amended their consultative arrangements. Notably, the Housing Service has listened to residents' concerns that demolishing garages could lead to pressure on on-street parking in the locality. Where residents feel there is not enough alternative parking options in the area, the Housing Service now asks Highways colleagues to advise on extra parking bay provision. Already in one location, the disposal of a garage site with nine occupied garages has been offset by the widening of a nearby road to create space for around 20 cars to park.

Additionally, residents are now given three weeks' notice of our wish to terminate their garage tenancy, instead of just one week, and officers now pro-actively search for an alternative garage rather than the previous practice of putting the onus on the resident to contact Homes in Havering to find out about alternatives.

In response to a supplementary question, the Cabinet Member confirmed that planning permission was a pre-requisite to any work beginning.

9 CLIMATE CHANGE TAXES – ITEMISATION ON COUNCIL TAX BILLS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor David Durant

Our Council Tax bills itemise payments to the Metropolitan Police and ELWA.

In the interests of transparency can the bills also itemise the cost of the climate change taxes that the Government has imposed on local councils?

Answer:

The contents of the Council Tax demand notice are nationally prescribed through regulations issued by the Secretary of State. These regulations specifically require the Council to show details of the presenting and levying bodies but do not include the provision to highlight additional issues such as the cost of the climate change taxes that the Government has imposed on local councils.

10 USE OF TOWN CENTRE CCTV FOR PARKING ENFORCEMENT

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Linda Van den Hende

Would the Cabinet Member clarify whether CCTV cameras which operate in our Town Centres can be used for Parking Enforcement?

Answer:

Technically the cameras could be used for Parking Enforcement, however because the cameras were brought in under the provisos of the Crime and Disorder Act legally at the moment the council cannot. Applications will need to be made under the London Local Authority and Transport for London Act 2003 and the CCTV code and practice and operations manual changed. Notice will then need to be given to the public of where these cameras are placed.

11 **INVESTIGATION OF INTERNAL FRAUD AND THEFT**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Jeffrey Tucker

It has been brought to my attention that this Council has investigated more than 100 cases of internal fraud/theft and other allegations which has, on many occasions, resulted in sacking and disciplinary action against the Council staff involved. Why has this Council failed to involve the Police to investigate in any of these cases?

Answer:

Let me start by saying that this Council does not and will not tolerate fraud, theft or corruption amongst staff, or indeed, elected members. Where we have evidence of any criminal activity, we will refer the matter immediately to the police and let the police and the Crown Prosecution Service decide whether the matter should be put before the courts.

The first step is to see if that evidence exists. If any member of staff has a concern about fraud they can call a well-publicised whistle blowing hotline, or simply ask our Fraud and Special Investigations team to investigate. Members of the public can also refer issues to us.

Councillor Tucker is raising concerns linked to Audit Committee reports in May and December, that detailed 71 investigations by the team during a period covering more than one financial year. These were **not** 71 cases of fraud. They included a number of general investigations of our processes and well over 50 investigations into disciplinary matters such as excessive personal use of the internet during work time.

The remaining cases were all investigated thoroughly. No evidence of criminal activity or deliberate fraud was found – so they weren't referred to the police. But any evidence of mismanagement or broken rules led to disciplinary action – some of which resulted in resignations or dismissals. I would point out that we did refer cases to the police, both in the months preceding and following the period covered by these Audit reports.

12 **GERPINS LANE CIVIC AMENITY SITE – FLY-TIPPING**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Linda Van den Hende

Given the potential for an increase in fly-tipping due to the entry changes at Gerpins Lane tip, can the Cabinet Member please state how many mobile and covert CCTV cameras are available to StreetCare to catch and prosecute fly-tippers?

Answer:

There has been no discernible increase in fly-tipping in the vicinity of the Gerpins Lane Re-use and Recycle Centre since the change of entry conditions.

The Streetcare Enforcement Team have a total of 8 CCTV cameras available for different circumstances.

There are three overt 3G cameras which are used in urban situations and one remaining covert recorder for lanes, all of which are regularly used. The team also has one Wi-fi overt unit and one covert unit built into a sign.

13 **SUPPORT FOR MEMBERS OF THE ARMED FORCES****To the Leader of the Council (Councillor Michael White)**

By Councillor Michael Deon Burton

Following headlines such as 'Councils are backing the armed forces with a number of measures' and news that many Councils are reviewing their housing policies to fast track service personnel to the top of the waiting list, what are the LBH doing in support of these persons who can often be called upon to make the ultimate sacrifice?

Answer:

The Council very much values the work of our Armed Services as was demonstrated by Armed Forces Day and I would like to thank everyone in this Chamber who came along and supported that event. Regarding support for our forces, I am pleased to announce that we will be signing the Armed Forces Community Covenant in due course. This covenant will bring together in one place all of the Council's, the wider community's and other public sector bodies' support for our military and I would encourage everyone in this Chamber to support the initiative.

Specifically regarding housing policies, the Council already prioritises housing for ex-services personnel where it is clear that their service history has put them at a risk of homelessness. Furthermore, in anticipation of the Localism Bill passing into law, the Council is commencing a review its allocations scheme. This will include canvassing local opinion on what priority for social housing should be given to ex-services personnel.

14 **LIVING MAGAZINE – 2011/12 BUDGET****To the Leader of the Council (Councillor Michael White)**

By Councillor Brian Eagling

Would the Leader set out the 2011/12 budget for the new quarterly Living newspaper incorporating the following categories:

		£'000
Design/Support	x	
Production/Print	x	
Distribution		x
Advertising Income		x

Answer:

The Council's budget for the Living in Havering magazine is £88,000 in 2011/12. The estimated total cost of production and distribution – which includes one member of staff, design costs, printing and distribution of the magazine - is approximately £121,000 for the year.

This leaves an advertising target of £33,000 for the year, spread across four editions of the magazine, in order to balance the budget. Income for the first edition of the new magazine was nearly 50% above target – so if the magazine continues to be as popular with advertisers, we would be able to reduce the annual budget in future years.

15 **CUTS IN SERVICE BUDGETS****To the Cabinet Member for Value (Councillor Roger Ramsey)**

By Councillor Ray Morgon

Would the Cabinet Member confirm how budget cuts for this financial year have been achieved when departmental budgets have increased from £160 million to £168 million?

Answer:

Departmental budgets are shown net of any specific grants payable by Central Government. As part of the Government's financial settlement for 2011/12 approximately £16m of specific grants were removed from departmental budgets thereby increasing the net cost of those services.

16 REFURBISHMENT OF CENTRAL LIBRARY**To the Cabinet Member for Culture, Towns and Communities (Councillor Andrew Curtin)**

By Councillor John Wood

Would the Cabinet Member please disclose the eventual cost of the Central Library Capital Project against the agreed budget of £4,087,175?

Answer:

The total cost for this project has increased above this figure and this reflects both additional costs for asbestos works and a number of issues that came to light during the project term. However the Council is still in negotiation about project costs, including certain sums that are still in dispute. It is not in the Council's best interests to put detailed financial information in the public domain whilst this is the case.

17 CUTTING OUT RED TAPE**To the Leader of the Council (Councillor Michael White)**

By Councillor Ray Morgon

In June *Living*, the Leader talked about cutting out red tape. Would the Leader provide some tangible examples of where this has taken place?

Answer:

The introduction of the new Oracle System that supports the working of the Internal Shared Services Centre, brings together the processes for Finance, HR, Payroll and Procurement into a single electronic system with work flow. This has removed a large number of our previous paper drive, time consuming and human resource intensive processes. As part of this we have reviewed and changed our process, moving to recognised best practice, as part of empowered managers, removing some of the authorisation processes previously required, whilst still keeping appropriate controls.

18 PERSONAL INJURY CLAIMS BY THE WORKFORCE**To the Cabinet Member for Value (Councillor Roger Ramsey)**

By Councillor Clarence Barrett

In terms of workforce personal injury compensation claims against the Council, would the Cabinet Member set out:

- a) Number of agreed claims over the last three years?
- b) Circumstances of each agreed claim?
- c) Agreed value of compensation for each agreed claim?

Answer:

Year	2008/9	2009/10	2010/11
a) Number of agreed claims over the last three years?	10	7	7

Personal injury liability claims can be complex and are generally long tailed as claims may not be brought for up to 3 years after an incident occurs and can involve long complex investigations. Many of these settlements therefore relate to incidents occurring many years before any settlement is agreed and is subject to establishing a legal liability exists to compensate. There is no automatic right to compensation. The value of a claim, once liability

is established, is determined by the nature and severity of the injury sustained and the impact on the injured party. A causal link between the incident circumstances and the nature of the injury is always determined and any contributory factors taken into account.

	b) Circumstances of each agreed claim?	c) Agreed value of compensation for each agreed claim?
2008/9	Asbestos related disease from alleged exposure decades earlier	£225,000
	Fall from step ladder	£22,400
	Assault by client – (third party shared liability)	£3750
	Fall from defective stool	£21,000
	Fall on wet floor	£6,000
	Fall on spillage	£6,000
	Fall on pathway	£12,500
	Insecure furniture pushed on to injured party	£1,300
	Tripped and fell on uneven surface	£8,500
	Tripped and fell due to trailing cable	£2,500
2009/10	Asbestos related disease from alleged exposure decades earlier (third party shared liability)	£111,647.50
	Tripped and fell on defective matting	£5,000
	Tripped and fell on uneven surface	£8,000
	Workstation design	£5,350
	Equipment fell onto injured party	£5,000
	Tripped and fell on uneven surface	£2,750
	Fell on wet floor	£2,300
2010/11	Asbestos related disease from alleged exposure decades earlier	£220,000
	Fume inhalation (third party shared liability)	£10,000
	Laceration on broken glass	£3,500
	Laceration on moving equipment	£3,000
	Fall from ladder	£2,000
	Tripped and fell on uneven surface	£10,000
	Tripped and fell on uneven surface	£6,500

19 TRAILER ABANDONED ON THE HIGHWAY

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ray Morgon

Would the Cabinet Member confirm that a trailer left on the highway for several months without good reason can be removed by the Council under section 148 of the Highways Act 1980?

Answer:

The answer to this specific question is No.

20 COUNCIL TAX WRITTEN OFF

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ron Ower

Would the Cabinet Member set out the amount of residential council tax written off in each of the last three years?

Answer:

The Council collected in the region of £117 million for each of the years mentioned with specific write offs in:

Year	Write off	Percentage of collectable debit
2010-11	£507,261.61	0.43%
2009-10	£647,154.92	0.55%
2008-09	£784,290.09	0.68%

21 **TANNING SALONS AND NAIL CLINICS – CONSUMER PROTECTION****To the Cabinet Member for Community Safety (Councillor Geoff Starns)**

By Councillor Ron Ower

Would the Cabinet Member please confirm what steps are currently being taken to ensure consumer protection in respect of Tanning Salons and Nail Clinics?

Answer:

Before a premises can operate as a Tanning Salon or Nail Clinic they need to obtain from the local authority a Special Treatment Licence under the London Local Authorities Act 1991. This imposes certain standards that have to be met and maintained at the premises. This covers any premises used, intended to be used or represented as being used for the reception or treatment of persons requiring:

- Massage
- Manicure
- Acupuncture
- Tattooing
- Cosmetic piercing
- Chiropody
- Light
- Electric

or other special treatment of a like kind or vapour, sauna or other bath. But does not include:

Premises not used for gain or reward:

- Medical practitioners
- Certain members of a health practitioner's body
- Hospitals
- Nursing homes

Part of the application process is the name, addresses, photograph, and qualifications (original certificates only; copies not accepted) of each person carrying out the special treatments.

The special treatment licence is renewed yearly where a declaration is made that there is no change to staff or premises.

If there are changes of staff or qualifications during the year the licence holder has a duty to inform the licensing section and records are updated. Before a new licence is issued the premises is inspected by a Licensing Technician and an Environmental Health, Health & Safety officer.

The premises are inspected on a regular basis under a rolling programme. Any complaints in relation to a premises instigates an inspection. The London Local Authorities Act 1991 has a number of conditions that are imposed on a premises before a licence is issued and during its licensed period.

In addition to this Havering council has conditions and procedures that we insist a premises keep to obtain and keep their Special Treatment Licence. These conditions are reviewed on a regular basis and are being updated at the moment.

22 **PARKING ENFORCEMENT**

To the Leader of the Council (Councillor Michael White)

By Councillor Nic Dodin

Would the Cabinet Member explain how a manually operated CCTV enforcement Vehicle could possibly issue a Penalty Charge Notice to a vehicle delayed in stationary traffic?

Answer:

On this occasion, although a contravention did occur, officers have exercised the use of their discretionary powers and cancelled these specific PCNs.