

COUNCIL, 26<sup>th</sup> March 2013

**MEMBERS' QUESTIONS**

- 1 **Measures to actively deter the rise in betting shops, amusement arcades, pay-day loan shops and pawnbrokers.**

**To The Leader of the Council, Cllr Steven Kelly**

By Councillor Cllr John Mylod

**Question:**

Would the Cabinet Member advise what measures are being taken by this Authority to actively deter the proliferation of betting shops, amusement arcades, pay-day loan shops and pawnbrokers across the borough?

**Answer:**

We have planning policies in place to control these developments, within reason, whilst enabling new businesses to establish and to ensure that the vibrancy and viability of the centres is maintained.

Planning applications are assessed against our Local Development Framework. Betting shops, pay-day loan shops and pawnbrokers all fall within the A2 planning use class which means that whether they need planning permission or not depends on the former use of the premises.

Amusement arcades are in a separate class and will always need planning permission. Betting shops require a licence from the Council but they cannot be refused solely on the grounds of need.

Companies running pay day loan shops which includes some pawnbrokers, second hand shops and jewellers, require a consumer credit licence from the Office of Fair Trading, or from April this year, the Financial Services Authority.

That's the long answer, the short answer is nothing. Because this is a nation of, I'm a real free trader in all this. The minute we start dictating to people how they earn their living because it doesn't suit one clique or another we're going down the path of well Cromwellism.

We have to let people have the choice within reason of doing what they like as long as it is legal or licensed.

It's not our place to decide how many betting shops there are. If people open up a lot of betting shops they will go bust. It's not our place to say whether a betting shop should open or where.

I am more worried about betting shops on TV, I think they are much more insidious.

In response to a supplementary question, the Leader of the Council felt that betting shops did not tempt people in and would not allow children to enter. He felt that such shops should be prosecuted if they exceeded the terms of their licence.

## 2 Briar Road Estate Developments

### **To the Cabinet Member for Housing, Cllr Lesley Kelly**

By Cllr Paul McGeary

#### **Question:**

What arrangements are being made to ensure that contractor's obligations are being complied with during the construction stages of the Briar Road Developments currently taking place and how are those obligations being enforced?

#### **Answer:**

The sites currently under development on the Briar Road Estate have been sold by the Council to Notting Hill Housing Partnership, NHHP, in order to develop affordable homes for local people – Briar Road residents will have top priority for the new homes – and to fund a comprehensive programme of environmental improvements.

NHHP have engaged Hill Partnership as their contractor to build the new homes and carry out the associated works. NHHP ensure the obligations on Hill Partnership are complied with through a monthly on-site contract monitoring meeting, with more frequent contact as required.

The Homes and Housing Service, as the Council's lead for the overall regeneration of the estate, clearly also has a significant interest in ensuring that Notting Hill, and its contractor, carry out the works with a minimum of disruption to local residents. To ensure this, a fortnightly monitoring meeting is convened by the Homes and Housing Service and the Briar Road Action Group, BRAG, with NHHP and Hill Partnership. Recently, this group has sought action from Hill Partnership on (a) mud on the roads – Hill Partnership have agreed to hose mud off of their vehicles' wheels and/or sweep up the roads affected, and (b) construction traffic causing congestion – where at all possible, lorries delivering materials will not enter the estate until after the school-run.

In addition, to ensure compliance problems are dealt with swiftly, the Council is in almost daily contact with, Notting Hill; the Hill Partnership has employed a Resident Liaison Officer for the Briar Road Estate, with six-weekly newsletters to all residents to start by the end of March, and the Hill Partnership runs an Freephone hotline 8am – 8pm for reporting problems seven days a week.

In response to a supplementary question, the Cabinet Member confirmed that there had been consultation with residents and that she had personally attended many consultation meetings concerning Briar Road. The recent re-establishing of a newsletter concerning the developments was a good idea.

### 3 Spring Edition of Living

#### **To the Cabinet Member for Transformation, Cllr Michael Armstrong**

By Cllr Jeffrey Tucker

#### **Question:**

The Spring-edition of Living includes a belated article on Page 8 about the merger with Newham that is not clear or accurate.

For example,

It is not clear from the headline 'joined up thinking' that this involves the merger of **all** Havering's back-office administrative services with Newham, particularly when the answer to Q1 only refers to **some** back-office services!

Also the answer to Q5 is wrong too, because it asks, "How much will this really save the council", but the answer only gives a combined forecast saving for both councils! In view of this does the Council Leader regret **not** proof reading the article before publication and does he agree an accurate article informing residents of the Conservative Administration's merger plans should have appeared in Living prior to Members voting on the matter?

#### **Answer:**

The article in Living in Havering wasn't belated. It appeared in the issue following the announcement of the partnership. The article's aim was to provide readers with a simple and accurate summary of the oneSource project and to correct misunderstandings and rumours.

The facts that we wanted to communicate in the article are that the oneSource partnership brings together the bulk of Havering and Newham's back office services to provide cost-effective support to both councils, saving money and helping to protect frontline services to residents.

To make it absolutely clear to every member in the room the council is not proposing a merger with Newham and under a Conservative administration I can't imagine it ever would.

In response to a supplementary question, the Cabinet Member pointed out that the Independent Residents' Group had not been present at the previous Council meeting when a motion on this issue could have been put. The employment taken by Councillor Michael White had no impact whatsoever on any decision made on this matter.

**4 Air Quality Management**

**To the Cabinet Member for Housing, Cllr Lesley Kelly**

By Cllr Lawrence Webb

**Question:**

In September 2006 it was declared that the whole of Havering would become an 'Air Quality Management Area' AQMA because of the increasing number of Heath issues arising due to pollution principally from transport. Since that time what if any have been the improvements in the boroughs air quality given that traffic has increased in that time?

**Answer:**

Our monitoring results since 2006 show that pollutant levels in Havering are declining. However, we are determined to further improve the air in our borough more and we will use the recently awarded £200,000 in funding to do just that. We have also put in place new and improved footpaths and cycle ways and additional cycle parking plus we have been working with schools to reduce car journeys. There is still more work to be done to make sure that Nitrogen Dioxide (NO<sub>2</sub>) levels start to fall. That's why we are taking steps to make sure that this happens. We now review all planning applications where there might be an air quality impact and recommend ways that firms can take action to mitigate against pollution.

(No supplementary question).

**5 No of claims submitted to Streetcare due to pavement or road defects**

**To the Cabinet Member for Environment, Cllr Barry Tebbutt**

By Cllr Ray Morgon

**Question:**

Would the Cabinet Member confirm the number of claims submitted in 2010, 2011, 2012, 2013 for:

- a) Damage to vehicles from potholes or other road defects?
- b) Injuries or other claims from residents as a result of pavement or road defects?

**Answer:**

Year	2010	2011	2012	2013
No of claims for vehicle damage	201	139	56	69
No of claims for injuries or other claims from residents	129	123	90	82

As the figures show over the last four year roads there has been a continuing improvement to the standard of our roads.

(No supplementary question).

## 6 Infrastructure Improvements

### To The Leader of the Council, Cllr Steven Kelly

By Cllr Pat Murray

#### **Question:**

What is the projected increase in the population in the Harold Hill area when the residential developments approved in the past 4 years have been completed and fully occupied and what plans are there to use part of the capital receipts from land sales and Section 106 Agreements to improve public services and infrastructure that will be needed as a consequence of the inevitable population increase?

#### **Answer:**

There is no comprehensive methodology that will provide an absolute number of new occupiers of new properties. The Council monitors the situation through sources such as the GLA population projections. It's likely that a proportion of the tenants occupying the new properties will be from within Harold Hill itself, making use of a new Local Lettings Plan that is being developed.

The Harold Hill Ambitions Programme was established in part on the basis that there would be capital receipts from land sales to invest in the infrastructure and public services in the area. This investment has happened and is on-going - whether funded by capital receipts, LiP investment from Transport for London or other sources secured by the Council.

Infrastructure improvements that have been delivered or are underway on the Hill include: £2m for road and pavement improvements; the new Harold Hill Library; improvements to the Hilldene Shopping area including new parking; the myplace centre and additional parking to serve it; Drapers Academy; investment in primary schools; the new Broxhill Sports Park; the extension of Dagnam Park by 190 acres; improvements in Central Park and at Bosworth Field; a patient drop-off bay at the Gooshays Drive Health Clinic was put in and environmental improvements on the Briar Road Estate to compliment the Decent Homes improvements.

As a result of our efforts working with partners, public transport has been improved. The Harold Link has also been extended to include the Polyclinic and walking and cycling amenities have improved – including the Connect2 route which links Harold Hill to Rainham, as well as cycle parking facilities.

The Council continues to lobby TfL to further increase capacity of the bus network and we are working with Crossrail on improvements to Harold Wood Station which will serve the area, which has been revolutionised.

In response to a supplementary question, the Leader of the Council confirmed that it was not the case that £25 million of funding had been available in 2010. The Leader felt that the recent accident by Brookside Primary School had not been related to the new housing developments in the area. The Leader would do everything in his power to avoid accidents to children.

Several pedestrian crossings had been introduced in Harold Hill but such crossings could not be put everywhere. Safety requirements in this area would however be reviewed.

Resources had to be shared across the borough but anything needed to improve road safety in Harold Hill would be done.

## 7 **Green Belt Policy**

### **To The Leader of the Council, Cllr Steven Kelly**

By Cllr David Durant

#### **Question:**

On 6<sup>th</sup> March the planning committee approved P1474.13 by 8 votes to 2 with 1 abstention. This green belt application involved replacing a dilapidated 'shed and skip' by the A127 with a large roofed 3 bedroom bungalow.

The application was recommended for refusal as being contrary to green belt policy, particularly due to size, but was presented to committee for a decision because the applicant is a councillor.

Cllr Steven Kelly, please explain why you think this application was approved and whether this has undermined the Conservative Administration's commitment to defend the Green Belt?

#### **Answer:**

Decisions on individual planning applications are the responsibility of the Members of the Regulatory Services Committee having considered all the material factors. They are a politically balanced committee, so it is not the Conservatives but a balanced committee. From the committee report, the site was not an undeveloped green open site; it was originally in residential use and has had a series of planning permissions granted to replace the current buildings on site with a new dwelling.

Members of the Committee reach their own considered view on planning grounds and are not committed to agreeing with officer's recommendation. In fact if you were compelled to agree with officer's recommendations there would be no point in having a committee. It would be a fruitless exercise but difficult to grasp. In this case Members debated the merits of the proposal and considered the proposal to be acceptable because the proposed bungalow was not a disproportionate increase in comparison with what had been previously approved; that the proposed bungalow reflected the size necessary to achieve decent standard of conventional modern family occupation; that the proposal would significantly enhance the site's impact in street scene not a major problem when you look at what's there, a main thoroughfare into the Borough and that the proposal would have limited impact on visual amenity and character. In other words it was argued on special exceptional measures.

The Council remains committed to retain the green and open nature of the Green Belt and we won't be challenged on that. We followed the rules, the planning committee went through and it's fair to say it was not only the conservative group that voted for it but other councillors did which is all I have to say on this matter.

In response to a supplementary question, the Leader of the Council emphasised that the ownership of a property did not influence the planning decision on it. He felt that the supplementary question asked was based on gossip and innuendo.



**8 Inside Havering**

**To the Cabinet Member for Transformation, Cllr Michael Armstrong**

By Cllr Fred Osborne

**Question:**

Can the Cabinet Member provide details of the cost and circulation of Havering Council's staff magazine 'Inside Havering'?

**Answer:**

Inside Havering is one of a number of ways we communicate with our staff, along with more regular email and web-based communication. It's written and designed by the in-house Communications team.

The print run is for about 1,800 copies and it costs around about £1,000 to print each issue. Last year there were four issues published.

With the massive change programme going on within the organisation, it's hugely important that we communicate effectively with all of our staff, so that they are clear on the direction we are going in so we can make the changes much needed for the future of this Borough

(No supplementary question).

**9 Mini Golf Course, Upminster**

**To the Cabinet Member for Culture, Towns & Communities - Cllr Andrew Curtin**

By Cllr Clarence Barrett

**Question:**

In respect of the mini-golf course in Hall Lane, Upminster, would the Cabinet Member please advise:

- a) what plans there are for the future management of this facility?
- b) when can we expect some investment to improve the facility?
- c) and give an assurance that the facility will always remain as green, open space for recreational purposes?

**Answer:**

There are no plans to change the current use, the current management or the levels of investment at the golf course.

In response to a supplementary question, the Cabinet Member explained that resources were allocated in accordance with the parks and open spaces strategy. Members were able to propose changes to this.

**10 A1306 Heavy Vehicle Movements**

**To The Leader of the Council, Cllr Steven Kelly**

By Cllr Denis Breading

**Question:**

What are the expected number heavy vehicle movements in the Rainham & Wennington sections of the A1306 as a consequence of the recent and proposed travel extraction activities and subsequent land fill operations?

**Answer:**

It's very difficult to answer a question when what's suggested hasn't actually happened. But I can make a stab at it as neither of the applications have come to planning yet so we will see what goes on

Decisions have not been made on two planning applications that propose mineral extraction in the Wennington area.

The predicted number of lorries if the extraction is at full scale are 183 lorries to come in and leave the two sites together over a 10 hour day, if both proposals were approved. This impact on the roads will be considered as part of the assessment of the applications.

In response to a supplementary question, the Leader of the Council would check but he believed environmental health would monitor output from lorries in these areas. He also did not believe much gas was generated from gravel extraction.

**11 Streetcare compensation paid out****To the Cabinet Member for Environment, Cllr Barry Tebbutt**

By Cllr Linda Hawthorn

**Question:**

Would the Cabinet Member confirm the total amount of compensation paid out arising from claims against StreetCare in 2010, 2011, 2012, 2013?

**Answer:**

Year	2010	2011	2012	2013
Number of claims paid	27	14	2	2
Total costs for vehicle damage claims	£10,386.94	£6,187.61	£404.00	£199.58
Number of claims paid	20	8	3	0
Total costs for injuries or other claims from residents	£436,291.94	£122,990.50	£7,725.00	£0

As the figures show over the past four year there has been a continuing improvement to the standard of our roads.

These figures are the total cost of the claim to the council which includes costs, legal fees etc. The actual element of compensation will be less.

In 2010 figures reflect a year with two periods of poor winter with snow through to April. The weather damaged the highways. The weather also delays repairs being carried out. This year also includes a 'one off' rare high value injury claim settlement. These figures do not just include compensation for potholes but all accidents where a claim has been put in or put through.

In response to a supplementary question, the Cabinet Member confirmed that the criteria for streetcare compensation was as listed in the Highways Act 1980, sections 49 and 52.

## 12 **Compromise Agreements**

### **To the Cabinet Member for Transformation, Cllr Michael Armstrong**

By Cllr Linda Van den Hende

#### **Question:**

Would the Cabinet Member for Transformation confirm for each of the past six years the following information:-

- a) The number of staff who have signed compromise agreements?
- b) The total amount paid out under such agreements?

#### **Answer:**

Unfortunately we have not been able to obtain the total amount for 2008 & 2009 but we can provide this to Councillor Van den Hende in writing after the meeting if that is acceptable.

2008 – 12 agreements  
2009 – 12 agreements  
2010 – 21 agreements, total cost £167,707.66  
2011 – 10 agreements, total cost, £92,800.39  
2012 – 20 agreements, total cost, £237,428.74  
2013 – 14 agreements, total cost, £255, 517.14

Of these 22 were school staff.

It is important to remember that these agreements are not intended to bind people to silence, but ensure that the Council is not dragged into protracted legal arguments. The costs are predominantly linked to redundancy payments and payments in lieu of notice that employees are entitled to.

In response to a supplementary question, the Cabinet Member confirmed that the expenditure on compromise agreements had been allowed for in the Council budget.

**13 Public Health Grant 2013/14**

**To The Leader of the Council, Cllr Steven Kelly**

By Cllr Nic Dodin

**Question:**

This Authority received a public health grant of £8.8 million for 2013/14, would the Cabinet Member advise members how much has been spent to date, what is the projected expenditure at year-end and if the agreed priorities are being met?

**Answer:**

Our current spend on public health is £5,812,624, based on all our processed payments at this time.

Our end of year spend is projected to be £8,104,919.

Any underspend would be rolled into the 2014/15 budget.

as this is a transitional year as the service left the NHS and came to us, progress has been made against all our set priorities.

As this quite a long list, I'll ensure you are provided with this outside of the meeting.

In response to a supplementary question, the Leader of the Council explained that there had been a lot of expenditure on sexual health such as allowing the free prescribing of the day after pill in chemists and expanding the supply of free condoms for young people.

An awareness campaign on bowel conditions had recently taken place and work with the Clinical Commissioning Group had reduced the number of falls in the elderly by 28%. The number of NHS health checks had increased and the dementia service had expanded. The Council was also now getting better value for its smoking cessation contract.

Work to improve public health would continue in conjunction with the Health and Wellbeing Board and the CCG.

**14 Publishing expenditure data over £500**  
**To the Cabinet Member for Community Safety, Cllr Geoffrey Starns**  
By Cllr Gillian Ford

**Question:**

While the publication of all expenditure items over £500 is up to January 2014 on the council website, October, November and December are currently missing. Would the Cabinet Member explain why there seems to be an on-going problem in publishing this data?

**Answer:**

The publication of this list involves checking each month usually between 4,500 and 5,000 separate lines of data. All personal information has to be redacted and none of this can be done by machine. The Government gives us no resources to do this and sometimes our resources are focused elsewhere.

However, given the Members continuing concern we will look again at prioritising this task.

In response to a supplementary question, the Cabinet Member pointed out that publishing this data was not yet a statutory requirement. No extra resources had been received for undertaking the work involved in compiling the data. There had also rarely been more than 10 hits recorded on the relevant page of the Council website.

**15 Street Cleaning**

**To the Cabinet Member for Environment, Cllr Barry Tebbutt**

By Cllr John Wood

**Question:**

Would the Cabinet Member confirm:

- a) What steps are in place to ensure that each road (including any adjacent public alleyways) is swept in accordance with the cleaning schedule, including the removal of dog faeces?
- b) Where can members see performance information to see how often targets are met?
- c) How street cleaning is monitored by managers?



**Answer:**

- a. New staff receive full induction training on the standards required by the street cleaning service. Existing staff have frequent refresher training to ensure that they are reminded of the standards expected.

Staff work to specific schedules and a proportion of the completed work is inspected by an Area Supervisor to ensure cleansing standards have been met. Public footpaths are included on these schedules. If standards are not met staff are sent back to resolve the problems. Dog faeces are removed as part of the standard cleansing operation.

- b. Cabinet agreed that a quarterly report be sent to Members showing performance against targets for each of the agreed measures. Although street cleansing performance is not included in this pack, the Head of StreetCare and the Group Director for Culture, Communities & Economic Development do monitor performance. Should Members wish to change or add performance indicators they would need to be agreed by Cabinet.
- c. Street cleaning supervisors monitor the performance of their staff and manage any performance issues. There are also independent street cleansing inspectors in line with the guidance for old National Indicator 195. Results from these inspections are monitored and evaluated by senior Managers and Supervisors and myself. Thank you.

In response to a supplementary question, the Cabinet Member explained that streetcare would only clean private land if flooding or tree fall on the area was causing an obstruction. In cases of a high level of waste on the property, the Council could enforce and clean the property, reclaiming the cost from the owner. Clean ups were also sometimes carried out with the permission of the owner, for example on the railway land at Elm Park station.