

COUNCIL 26 November 2014

**Appendix 4**

**MEMBERS' QUESTIONS**

**Q1 Children & Families Act**

**To the Cabinet Member for Children & Learning – Councillor Meg Davis**

By Councillor Ray Morgon

**Question:**

Would the Cabinet Member confirm what changes this council and local health authority have made under the Children & Families Act to ensure that they work more effectively to fulfil needs identified in the new Education, Health and Care Plans?

**Answer:**

This act aims to make a more family-friendly process for parents with children who have special educational needs and disabilities (SEND). It aims to draw together the support a child requires from education, health and social care services, replacing Statements of Special Educational Needs, which mainly focused on education, with an Education, Health and Care plan (EHC).

Colleagues in education, health and social care have been working closely together and have established a project team to ensure we are fully ready to meet all aspects of the act.

We have recently restructured to create a joint team across education and social care and are putting together a development plan to ensure staff across all services understand the implications of the act. Our new local offer for families is online it is still being developed but its purpose is to allow those with special educational needs and their families to see clearly what help and services are available in the borough. And we are working with schools to ensure the information they publish is in line with the regulations.

We have worked together to draw up a template for the new education, health and care (EHC) plans which has been approved by the DfE and we are currently trialling this, with the first plans to be in place by January 2015. We are also reviewing the commissioning of our services to ensure we are jointly commissioning with partners. We are currently re-commissioning our speech and language therapy services. I think everyone welcomes these changes which allow more joined up thinking how we can best serve our children and families with SEN needs. In the past families have had to repeat their stories numerous times and this act should deal with this.

**Q2 Declaration of Interests**

**To the Cabinet Member for Housing Company Development and One Source Management - Councillor Ron Ower**

By Councillor Ian De Wulverton

**Question:**

Is the council aware that the public availability of a Cllr's declaration of interests includes information which is privileged and protected under the data protection act?

**Answer:**

Under section 30 of the Localism Act 2011, members are required to inform the monitoring officer of the disclosable pecuniary interests that they may hold. There are seven categories set out by the act and this is covered in part A-H on the declaration of interest form. It is a criminal offence not to disclose them. The monitoring officer is required to publish this information on the council's website and to have hard copies available, as set out by section 29

Parts I-N of the form are requirements set out by Council. We do not consider any of these to be privileged or protected under the data protection act. It is in everyone's interest to keep a regular check on their interests and if they have any problems then please contact officers.

**Q3 Arnolds Field – fly-tipping**

**To the Cabinet Member for Environment – Councillor Robert Benham**

By Councillor Jeffrey Tucker

**Question:**

There have been further reports of fly-tipping at Arnold's Field by people who open and close the gates with a key and more recently that the gates have been left open for many days.

Please provide an update on the situation at Arnold's Field and give assurances that action is being taken to secure the site and deter further fly-tipping.

**Answer:**

I sympathise with Councillor Tucker's concern regarding fly tipping. This is private land, and it's a site that we have been concerned about for some time. The Environment Agency is leading on tackling the issues being seen at this site, including fly-tipping, and we are supporting the agency in every way we can.

Last month, we created barriers using 60 tonnes of soil outside both gateways to the field. They're fairly high and are aimed at preventing people from driving any vehicle over them to get into the site.

We are also planning some small-scale landscaping to soften the harshness of the barriers and hopefully act as a further deterrent. In addition, we will be reinstalling several concrete blocks in front of the barriers.

A CCTV system is being installed in the area to monitor truck movements, which will be managed by the Council and will help to catch further fly tippers.

In response to a supplementary question, the Cabinet Member confirmed that he would respond in writing as regards when the site would be offered back to the people of Rainham.

#### **Q4 Proposed Council Homes developments**

**To the Deputy Leader of the Council & Cabinet Member for Housing, Councillor Damian White**

By Councillor Keith Darvill

##### **Question:**

What alternative Council house developments have been considered by the Administration as additions to or as an alternative to the proposed development in the Briar Road Estate Heaton Ward?

##### **Answer:**

We are currently consulting on options for the redevelopment of the Briar Road estate. The redevelopment of the estate has had a long history. The first set of proposals, put forward by Notting Hill Housing Trust, is currently being implemented in part. Our aspirations initially were to provide the central part of the estate, known as the Village Square with shops, a doctor's surgery and a café. However, on closer examination, and subject to more detailed financial appraisal, these proposals proved to be unaffordable, and Notting Hill Housing Trust indicated that they were unable to proceed with this part of the proposal.

Since then, we have worked hard to develop alternative proposals. We have been successful in obtaining GLA funding to implement new proposals. We are currently consulting on these proposals.

We have reduced the number of shops in the proposal, because market research has proved that the location is not sustainable for a large number of shops. We have not finally settled on the right number and size of shops to be provided, but this is part of the consultation exercise. We are still in discussion with the CCG about whether they have funding to deliver the proposals in relation to the doctor's surgery. We have committed to finding an alternative location for the Briar Road Action Group, although it is not sensible to maintain two community Centres on the estate.

We are currently consulting the residents on a further proposal which includes a smaller proportion of shops, some green space, and around forty new homes. When we have the results of the consultation exercise, I will consider the findings and make final decisions about the best way to proceed. I am confident that we will provide a better and higher quality of housing on this

site, with better quality green space as well as rented and shared ownership housing for local people.

In response to a supplementary question, the Cabinet Member agreed that residents of the estate had endured a lot of disruption but added that he had met with residents who were in favour of the development.

**Q5 Recycling of waste**

**To the Cabinet Member for Environment - Councillor Robert Benham**

By Councillor Ray Morgon

**Question:**

Since the Green Points scheme was introduced in Havering, would the Cabinet Member confirm whether the recycling of waste has increased, and if so, by how much.

**Answer:**

Green Points has only been running since January this year and is a five-year programme, which is based on changing people's behaviour and attitudes to waste management over the longer term, so it is very early to begin to assess its impact.

The Havering scheme is focussed on reducing overall waste as this has the greatest impact to Havering in terms of collection, processing and treatment costs. Whilst it does promote increased recycling this is very much the secondary aim.

A comparison of the first quarters recycling and composting performance in 2014/15 with the same period in 2013/14 shows we were recycling and composting 37% of our household waste, an increase of 1% on the 2013/14 figure.

To date 25,000 residents have signed up to Green Points and 118 local business have signed up to the Havering Points Card – which provides residents with discounts and offers, and those businesses with free promotion.

On a more general note on recycling, it's important to clarify our position following the recent publication on the 2013/14 waste and recycling figures on 18 November 2014 and as reported on the BBC last night.

Havering had recycling rates of 33.15% for 2013/14, which is very close to the London average at 33.99%. This is contrary to the statistics released by DEFRA, which show our performance as 31.51%. The associated drop from 2012/13 when our recycling rates were 34.5% placed us among the worst performing in London.

In October, we noticed errors with the data we had entered for last year, which had the result of increasing our total household waste figure to the detriment of our performance.

We raised this with DEFRA and Waste Data Flow, which runs the system we enter our tonnage data into, on 16 October and again on 13 November, and we are still awaiting a response and as the Leader highlighted he will be writing to the minister as well.

I have a spreadsheet that shows how we compare to other London Boroughs using our actual performance, and we're placed around the middle, so around the London average and we are also the best performer in ELWA.

In response to a supplementary question, the Cabinet Member confirmed that the Green Points scheme was funded in full by the Department of Communities and Local Government. Maximum efforts would be made to reach the Council's 50% recycling target.

## **Q6 Pensions**

### **To the Cabinet Member for Financial Management - Councillor Clarence Barrett**

By Councillor David Johnson

#### **Question:**

Can you confirm what steps have been taken to reduce the fees of the pension fund manager that was selected at the last pensions committee meeting given that their fees were £200k more than the other quotes?

#### **Answer:**

The Pensions Committee recently appointed the successful tenderer to manage part of the Multi Asset Pooled Fund Portfolio in preference to two other managers who tendered for the contract. The fees of the successful tenderer were not negotiable and their charges were made very clear to the committee.

Whilst the management fees are higher than the other two bids, the Committee had greater confidence in their ability to deliver the level of investment performance required by the fund. Our external advisors Hymans Robertson also gave independent advice to the committee.

In terms of the fee structure, the assessed ability of the fund manager to achieve a higher rate of return on the portfolio will, in turn, represent greater proportionate value to the Pension Fund.

The specification of the contract means that the management fees incurred will be deducted from the total return on the fund before comparing it with our performance target.

In response to a supplementary question, the Cabinet Member confirmed that due diligence was not specifically carried out by the Committee but a rigorous selection process was undertaken with the help of the Committee's approved advisor.

## **Q7 Parsonage Farm Primary school**

**To the Cabinet Member for Children and Learning - Councillor Meg Davis**

By Councillor David Durant

### **Question:**

The Cabinet approved an expansion of Parsonage Farm Primary school to 4th form entry. But is it wise for the school to begin enrolling pupils for a 4<sup>th</sup> form entry before securing the planning permission needed to expand the school buildings and facilities to manage a 4FE, particularly as the planning committee may reject their expansion plans and when the Chafford Head teacher is willing to assist with a more practical expansion of Brady school?

### **Answer:**

We are not enrolling pupils for the 4<sup>th</sup> form of entry at the school. Parents applying for a school place for their child for September 2015 are able to include Parsonage Farm on their application, but no places will be allocated before the national offer day for infant and primary children on April 16 next year.

The planning application has been submitted and a decision is due early in the New Year. There will be a full planning process, including public notices. If the planning application was unsuccessful, the school admissions team will have time to adjust the allocation systems so that they only have to offer up to 3FE. The school is a very good site with new classrooms and a play area. The plans for new facilities for 4FE entry had also been well thought through and will add to the value of education in the area. I would recommend that Cllr Durant visit the school and discuss the plans with the head teacher.

In response to a supplementary question, the Cabinet Member reiterated that fresh school places would be allocated if planning permission was not obtained. Further information on alternative provision could be supplied if required.

## **Q8 Area Liaison Officers**

**To the Cabinet Member for Environment - Councillor Robert Benham**

By Councillor Barry Mugglestone

### **Question:**

Would the cabinet member confirm how many hours of Area Liaison Officers time was lost in the last 12 months as a result of preparatory work and appearances in court to defend claims against the council.

**Answer:**

The role of an Area Liaison Officer (ALO) is to maintain the borough's highways, roads and footways, and therefore work towards preventing accidents. So a lot of what they do means they are protecting pedestrians, and also motorists from damaging their vehicles. As a result of this work, we are able to drive down any claims made against the council because we have this robust monitoring scheme in place. We do receive claims and preparing for these does take some time, though we estimate that it would be no more than 10 per cent of an ALOs time.

**Q9 Pyrgo Park School – playing field in front of school**

**To the Cabinet Member for Regulatory Services & Community Safety -  
Councillor Osman Dervish**

By Councillor Lawrence Webb

**Question:**

Given that the playing field in front of Pyrgo Park School was not passed on to the academy as part of the land transfer, what assurance can you give the local residents that this will not be used to build houses on?

**Answer:**

The Council plans to use the land at the front of Pyrgo School for Harold Hill Learning Village. Outline planning consent has been granted to use the land as part of the Learning Village and the Council re-affirmed its commitment to that use in the October Cabinet decision. (reported to Cabinet on 20 October 2014).

**Q10 Essex Wildlife Trust**

**To the Cabinet Member for Regulatory Services & Community  
Safety - Councillor Osman Dervish**

By Councillor Michael Deon Burton

**Question:**

The Essex Wildlife Trust in partnership with Havering Council and funding from various sources is building a visitor centre in Hornchurch Country Park overlooking the River Ingrebourne.

This is very welcome news, but it is important that all those organisations involved in building and funding this new wildlife and heritage project are informed about planning application P1066.14 to extend Ingrebourne Hill into the Hornchurch Country Park, because these landfill plans could adversely impact on local wildlife and restrict access to the visitor centre!

To ensure all interested parties are aware of these landfill plans will the Council insist the applicant holds stated public consultation meetings and provides information about the intended soils treatment and recovery facility contained within their proposals?

**Answer:**

The Essex Wildlife Trust has been notified of planning application P1066.14 and any response from them will be included in the report on the application to the Regulatory Services Committee. Natural England have also been notified and their response will similarly be included in any forthcoming committee report. The planning application does not propose blocking existing footpaths.

A public consultation, which included a public exhibition, was carried out by the applicant prior to the submission of the application. The applicant has informed the Council that they wish to reduce the size of the soil treatment and processing facility and will be revising the proposal to show this.

In response to a supplementary question, the Cabinet Member confirmed that the Essex Wildlife Trust had been notified that the planning application was due to go before the Regulatory Services Committee in the next week.

**Q11 Health & Wellbeing Board – voluntary sector representation**

**To the Cabinet Member for Adult Social Services and Health - Councillor Wendy Brice-Thompson**

By Councillor June Alexander

**Question:**

Would the Cabinet Member explain why the important Voluntary Sector do not have any representation on the Health and Well Being Board.

**Answer:**

The Health and Wellbeing board was established to be a small, strategic commissioning board. It was decided at the beginning that providers such as NELFT and representatives from the voluntary sector would not be members, which is in line with the model for the most effective boards of this kind. We have a range of other ways to engage with providers including the voluntary sector, allowing their views to be represented. However, the board meetings are public and therefore anyone representing the voluntary sector would be welcome to attend.



**Q12 Attendance at meetings****To the Cabinet Member for Housing Company Development and One Source Management - Councillor Ron Ower**

By Councillor Ian De Wulverton

**Question:**

When a Cllr is unable to attend a meeting it is recorded in their attendance statistics, however due to the number of meetings that sometimes clash or are added to the calendar it is not possible to be in two places at once. Why therefore should Cllrs be unfairly penalised for non-attendance?

**Answer:**

The only penalty for non-attendance at meetings is if a member fails to attend a meeting for more than 6 months without special dispensation; this leads to automatic disqualification as a councillor. This is in accordance Section 85 of the Local Government Act 1972.

If a member is unable to attend a meeting due to a clash of meetings then it is for the member to decide which meeting he/she should attend and to send his/her apologies to the clerk or the chair of the meeting, and in most circumstances, arrange for another representative from their party to attend on their behalf as a substitute.

The council's constitution states that all committee meetings should be held on a Tuesday, Wednesday or Thursday so although every effort is made to try and avoid clashes sometimes it cannot be helped. When apologies are submitted or a representative attends on the absent member's behalf, it is recorded accordingly in the minutes. If the member wishes for it to be noted in the minutes that he/she is absent due to their attendance at another council meeting then this can be arranged.

In response to a supplementary question, the Cabinet Member agreed to pass on the suggestion that it should be recorded in the minutes when a Member is unable to attend due to another Council meeting.

**Q13 Safety Zone initiative****To the Cabinet Member for Regulatory Services & Community Safety - Councillor Osman Dervish**

By Councillor John Wood

**Question:**

Would the Cabinet Member confirm why councillors were not informed about the new Safety Zone Initiative and how it was decided which wards will benefit from the initiative?

**Answer:**

Members were informed of the Partnership Protected Area or Safety Zones initiative in a report to the Crime and Disorder Committee on 21st November 2013. The results of the first two areas were reported in full. The safety zones are subject to a quarterly report to each Havering Community Safety Partnership and there is a 'one year on' update to the Crime and Disorder Committee on 20th November 2014.

As part of the strategic assessment each year, a burglary strategic problem profile is produced. This is a three year profile of burglary in Havering. This document identified areas of Havering which suffer higher rates of burglary dwelling than the local and regional average. The safety zone initiative concentrates on these areas.

#### **Q14 Carepoint – Footfall figures**

**To the Cabinet Member for Adult Social Services and Health - Councillor Wendy Brice-Thompson**

By Councillor Stephanie Nunn

**Question:**

Would the Cabinet Member confirm the footfall figures for the Carepoint facility for the years 2012-13 and 2013-14.

**Answer:**

The figures are as follows:

In 2012 460 people visited Carepoint in person

In 2013 that went up to 762 face-to-face visits

And so far this year, from January to September, there have been 828.

#### **Q15 Planning – Designated green belt areas**

**To the Cabinet Member for Regulatory Services & Community Safety - Cllr Osman Dervish**

By Councillor Reg Whitney

**Question:**

Given the rapid increase in London's population and the growing shortage of accommodation across London, does the Cabinet member think that the relaxation of planning rules by central government will force Havering Council to build on land currently designated green belt under its Local Development Framework.

**Answer:**

We are satisfied that the Mayor's proposed annual target of 1170 new homes per year can be achieved without needing to use land in the Green Belt.

Growing population and increased need for more homes do not in themselves provide a reason for development in the Green Belt. Taking land out of the

Green Belt or changing its boundary has to be justified and is subject to examination by a Planning Inspector.

Planning applications for development in the Green Belt are considered against national, regional and local planning policy which says that development on green belt land should not be approved except in very very special circumstances.