



FULL COUNCIL, Wednesday 30 March 2016

MEMBERS' QUESTIONS

1) To the Leader of the Council, Councillor Roger Ramsey

From Councillor David Durant

The Nov 25th 2015 Council meeting debated what to do about two anti-social two-metre-high front walls outside one neighbour's front door and another neighbour's front window that reduce light, obstruct street view, highway sightlines and are an eyesore. The meeting referred the matter to the Towns & Communities O&S sub-committee to consider and recommend to Cabinet any action the Council can take to address the problem.

Alas 4 months later and despite two T&C meetings being held no recommendations have been forthcoming. In view of this protracted delay, will the Cabinet Member for Regulatory Services and Public Safety agree to consult and provide the political leadership needed to resolve this matter, using applied common sense, by taking enforcement action to lower both front walls in the public interest and to avoid the need for an Article 4 Direction.

Response:

We've sought legal advice on what action can be taken with regards to the walls, and based on that, we're currently gathering further information about the extent of any danger posed to highway users. If it's found that the walls do present a danger to residents, planning enforcement action will be taken.

In response to a supplementary question, the Leader of the Council emphasised that the Administration did not control the Overview and Scrutiny Sub-Committee and it was for the Sub-Committee to make any appropriate recommendations. The Council was required however to deal with the situation legally and to suggest otherwise to a resident could be misleading.

2) To the Cabinet Member for Culture & Community Engagement, Councillor Melvin Wallace

From Councillor Graham Williamson

Please provide an update regarding the tendering for leisure contracts at Central Park, Romford, Hornchurch and Chafford, Rainham Leisure Centres

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Response:

Following the Invitation to Tender stage, two operators have been shortlisted to the Best and Final Offer stage. Officers will be meeting with each of the operators to discuss items raised in their tender submission so far, and to clarify the Council's position on a small number of items.

At this stage of the tender process, having gone through many of the 'quality' components of tenderers bids, the Best and Final Offer stage will predominantly focus on 'price'. Following the final evaluation, a report will be submitted to Cabinet for award of the tender in July 2016, with the successful operator starting the new contract from 1 October 2016.

In response to a supplementary question, the Cabinet Member confirmed the answer also applied to Chafford Sports Centre. This sports centre would cost the Council in the region of £250,000 per year but it was likely that the Council would bear this cost for the benefit of the Rainham area.

3) To the Cabinet Member for Culture & Community Engagement, Councillor Melvin Wallace

From Councillor Jeffrey Tucker

Following enquiries by a local resident, please provide an update regarding Council support for the Romford Football Club and in securing them a home ground.

Response:

We support Romford Football Club's desire to secure a home ground in Havering and officers have been working with the club to find a suitable location over many years.

Westlands Playing Field was identified and the club has secured planning permission on a small part – about 11 per cent – of the playing fields.

Officers have been working for over a year on an application to the Secretary of State to secure consent for the disposal of education playing fields, which has taken longer than expected. This is because the application requirements changed mid-way through the process, requiring a draft lease with the application, rather than outline Heads of Terms for a Lease.

The lease is critical to securing investment to fund building of the home ground in the way in which the club wishes to do so.

In response to a supplementary question, the Cabinet Member said that he hoped that consent for part of the site to be developed as the club's new home ground would go through in the fullness of time.

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4) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor John Wood

Given the council's aim of keeping our borough clean, would the Cabinet Member for StreetCare confirm what plans he will put in place to ensure that all shops and business premises take the necessary action to deter pigeons from constantly messing public footways. This is following problems of this nature in Hornchurch Town Centre, but applies to all areas in the borough.

Response:

I agree that the problem of pigeon waste needs to be tackled as it defaces some of the highest footfall areas in the borough, and is costly to clean too. One of the challenges is that many of these properties have multiple occupancy, which makes it difficult to enforce against people for allowing litter to build up in places that attract the likes of pigeons.

Our approach is one that looks to engage with tenants or owners of the buildings to encourage them to take measures, such as putting up anti-roosting materials, like nets or spikes, to deter pigeons roosting and nesting. If there is a lack of engagement from the tenant or owner, the Council can, using new powers, issue a Community Protection Notice to ensure that the businesses or tenants take responsibility for their local environment. Officers are in the process of identifying a number of properties where such action may be necessary, and I would encourage all members to pass on information regarding locations that might require such action.

In response to a supplementary question, the Cabinet Member felt that StreetCare staff, ward Councillors and the public could all monitor that pigeon waste was cleared. Stringent enforcement action on this issue would take place over the coming months.

5) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Julie Wilkes

Would the Cabinet Member confirm whether all restaurants, food outlets and garages have been asked for their waste transfer agreements to confirm how they dispose of all their waste, and in particular, cooking and vehicle oil.

Response:

All businesses are written to on a two year cycle, and failure to supply the Council with the correct Waste Transfer Notice results in issuance of a £300 Fixed Penalty Notice. The letter at present does not specifically state cooking or vehicle oils, but local officer knowledge is used to tailor requests, and they can demand to see evidence of how oils are disposed of depending on the business, for example, food premises will generate cooking oil waste, while garages generate motor oil waste. Officers have been

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improving the communications to commercial businesses, and rather than a generic request, businesses will now be sent a list of all types of waste that they will need to evidence disposal of in the form of Waste Transfer Notes that detail the arrangements in place to dispose of the waste.

In response to a supplementary question, the Cabinet Member confirmed that unannounced inspections of businesses' waste transfer arrangements did take place and that more enforcement action was being planned.

6) To the Cabinet Member for Financial Management, Councillor Clarence Barrett

From Councillor Reg Whitney

Would the Leader of the Council confirm what specific benefits Havering has received during each of the last three financial years from the London Borough Grants Scheme.

Response:

During the last three financial years, Havering has benefitted in many ways from the London Borough Grants Scheme:

- **202 adults** have received early intervention and prevention work around homelessness, improving social interaction, reducing levels of isolation, and providing greater learning and employment opportunities.
- **143 young people** have received early intervention and prevention work around homelessness, including work around mental health, employment and training opportunities, and securing suitable accommodation.
- **1,917 service users** have benefitted from sexual and domestic violence work, this includes emergency refuge provision, work to decrease repeat victimisation, and better access to specialist services.
- **1,023 children and young people** have benefitted from work to prevent sexual and domestic violence, this includes raising awareness of the issues, understanding respectful relationships and where to get support.
- **98 professionals and 48 frontline services** have received grants to tackle sexual and domestic violence.
- **11 voluntary and community organisations** have benefitted as a result of the London Councils grants.
- **7 frontline organisations** that support individuals with protected characteristics are better equipped to deliver well-informed services.

Much of London Councils Grant funding can be found in Pan-London services that benefit Havering's residents. Including (but not limited to):

- Women's Aid
- Children England
- Homeless Link
- Thames Reach.

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In response to a supplementary question, the Cabinet Member confirmed that the answer to the question related to how Havering specifically had benefitted from the London Borough Grants Scheme.

7) To the Leader of the Council, Councillor Roger Ramsey

From Councillor Jody Ganly

Would the Cabinet member confirm what steps are taken to ensure that planning conditions that are attached to any planning approval are robustly enforced.

Response:

We have processes in place to investigate alleged breaches of planning conditions.

There are three possible approaches depending on the nature of the breach:

- 1) the person(s) responsible would be asked to comply;
- 2) they would be advised to make a planning application to seek to vary or remove the condition; or
- 3) it would be judged that the breach is trivial and no further action would be required.

If the breach causes demonstrable harm which is not remedied, formal action would be taken and they would be served with a Breach of Condition Notice.

In response to a supplementary question, the Leader of the Council stated that he did not have figures for the number of planning enforcement officers but would investigate if Members felt that the Council's enforcement of planning conditions was not working.

8) To the Cabinet Member for Housing, Councillor Damian White

From Councillor June Alexander

Would the Cabinet member confirm what regime is in place to ensure that all council housing properties are inspected, inside and out, and in particular, the front and back gardens, on a regular basis?

Response:

We are piloting property MOTs with our repair contractors, part of which will be a comment on the external condition of properties including front and back gardens. We anticipate this being fully operational within the next six months. We are also piloting a twelve-month tenancy fraud project, which we will integrate into our daily operations longer term through a tenancy audit programme lasting three to five years, in which we

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will undertake such inspections. Having said that, all visiting officers should be addressing such issues on a day-to-day basis as and when they encounter them on their visits.

In response to a supplementary question, the Cabinet Member confirmed that houses were also inspected. There had been 5,427 unannounced inspections of properties which had resulted in £1.3 million of savings to the Council. This included inspection for potential damage to properties.

9) To the Cabinet Member for Culture & Community Engagement, Councillor Melvin Wallace

From Councillor Barbara Matthews

Would the Cabinet member confirm what arrangements are in place to ensure that all charities, voluntary groups, including groups involved in regeneration projects have their constitution checked, minutes reviewed and outcomes monitored.

Response:

The Charity Commission is responsible for conducting checks on receipt of an organisation's initial application to become a registered charity. Further to this, the Charity Commission expects trustees to carry out due diligence checks on donors, beneficiaries and local partners, and also monitor the end use of funds. It also provides extensive toolkits to ensure self-sufficiency of charities.

With regards to voluntary groups, when a new group is set up, its constitution is checked by the Council's Community Development Team. However, there's no requirement for new voluntary groups operating in the borough to make themselves known to the Council. We have no further role in reviewing constitutions or minutes, unless requested or the organisation receives funding from the Council.

Regular monitoring meetings are arranged with service providers funded by the Council, where service delivery and outcomes for users are discussed in line with funding agreements.

The Economic Development department monitors the outputs of voluntary groups that carry out regeneration work on the Council's behalf. It also monitors Thames Chase Community Forest, who were awarded a grant. Officers attend meetings and review minutes of meetings. Constitutions are not checked as part of this monitoring.

In response to a supplementary question, the Cabinet Member agreed to discuss any specific issues with Councillor Matthews outside the meeting.

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10) To the Leader of the Council, Councillor Roger Ramsey

From Councillor Ray Morgon

Given the increasing importance to the council of the business community, would the Cabinet Member agree with me that a review of all business activities including collection of business rates, waste enforcement activities, regeneration, business support, should be undertaken to determine the feasibility of placing all business activities under one department.

Response:

The Councillor is right to point out the increasing importance of the business community for local councils, and most of the activities identified already fall under the Communities and Resources directorate.

The Government's proposed changes to business rate retention means that by the end of the parliament, it's widely anticipated that Local Authorities will retain a larger share of business rates; however, details are few and far between at this stage.

Prior to initial changes to business rate retention in April 2013 (when London Authorities retained 30 per cent of the business rate for the first time), we established a Business Growth Board to co-ordinate a corporate approach to business growth. The board is chaired by the Leader, with the Cabinet Members for Regulatory Services, and Environment, and Heads of Service are accountable to the Board for business-related issues.

Our Business Growth Strategy (approved in 2013) focusses on our changing relationship with businesses, encouraging inward investment and supporting businesses to grow. We have introduced relationship management where officers meet with key businesses throughout the year. And we continue to monitor our business 'offer' and benchmark our approach with other councils as we prepare for any changes.

In response to a supplementary question, the Leader of the Council confirmed that discussions had taken place with other London Councils about equalisation of the business rate funding formula. Efforts were being made to attract more businesses to Havering but the key issue was ensuring the formula was correct.

11) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Patricia Rumble

Since Havering adopted the enforcement powers for moving traffic violations, how many tickets have been issued in and around the ring road including Western Road. Please give a breakdown of the types of offence.

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Response:

Locations within the ring road are not currently enforced for Moving Traffic Contraventions. I have information for locations near the ring road, including Western Road, from 20 September 2015, when we started to enforce the contraventions:

Western Road – 3359 PCNs

Main Road - 104 PCNs (including illegal right turns from Main Road into the town hall or court buildings)

Parkside Avenue - 86 PCNs

London Road - 15 PCNs

12) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Philip Martin

Some time ago, I drew the Council's attention to the recent BBC Television programme highlighting the complaints about the build quality of homes built by Persimmon, the company to be involved in the Dover's Court Development. They have recently replied to the Council's Borough Plan consultation and I quote, "Local Plans will set out standards and expectations the Council has on Developers. The Council must ensure that these standards do not render sites unviable as higher standards often entail higher costs to them. This can be achieved through on-going discussions with Developers, landowners, agents." In the light of this how will the Council ensure the build quality of the homes in this development?

Response:

There are two elements; one concerns the design of the scheme and the other, the build quality.

Planning policy deals with the design quality and minimum space standards. The Dovers Corner site is subject to a current planning application, and officers are working with Persimmon on its proposals to seek good quality in terms of design.

The Dovers Corner application will be assessed against national, regional and local planning policy including the London Plan 2015 and Havering's Local Development Framework 2008. These documents contain design policies that seek to ensure that new development is of a high quality. The new Rainham and Beam Park masterplan and planning framework sets out clear design principles for developers in the area, including Dovers Corner and is a relevant consideration in the determination of the planning application.

Build quality falls outside the remit of planning policy. However, in terms of ensuring minimum health and safety standards are met, all schemes must be compliant with current building regulations and any building work will need to be approved by registered building control inspectors, either internal or external.

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Most new houses are covered by warranties and/or guarantees that cover certain defects over the first 10 years of occupation.

In response to a supplementary question, the Cabinet Member confirmed he would ask Councillor Dervish to respond to Councillor Martin re whether more detailed examination of architects' drawings and more extensive monitoring of the construction phase of such developments would take place.

13) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Ian de Wulverton

What is the expected time of repair of a Zebra Crossing belisha beacon, which has been hit by a motor vehicle? Who bears the brunt of the cost of repair?

Response:

A repair to a standard belisha beacon should be undertaken within 21 days. However, if the beacon isn't standard, such as one that is internally illuminated, a new post would need to be ordered, which would then add to the time to repair.

The cost of repair will be recovered by the third party involved in the incident that caused the damage if details are available. If not, then it would be funded from the highway budget.

In response to a supplementary question, the Cabinet Member confirmed he would investigate reports of a belisha beacon in Lower Brentwood Road that had not been repaired for three months.

14) To the Cabinet Member for Housing, Councillor Damian White

From Councillor Keith Darvill

Why are the estimates for major works given to the Council's Leaseholders during the Section 20 consultations so inaccurate?

Response:

It is often the case that the cost of works can exceed the estimate, as the situation can unexpectedly change once works commence. Legislation states that we are only required to provide estimates of the works that we intend to carry out. Wherever possible we try to advise leaseholders of a change in price, but this is not always possible as the full extent of the works undertaken will not be known until the final accounts are agreed and finalised.

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In response to a supplementary question, the Cabinet Member added that the rate of inflation in the building sector made it difficult to give accurate estimates but he would investigate at any specific cases raised by Councillor Darvill.

15) To the Cabinet Member for oneSource management, Councillor Ron Ower

From Councillor Michael Deon-Burton

When the Government localised the Council Tax Support Scheme did they specifically reduce funding for the Scheme or were the changes in council tax support deemed necessary as a way to raise revenue due to the general reduction in funding? Please reference the details.

Response:

The local Council Tax Support Scheme was designed to mitigate reductions in the specific Government funding for council tax benefit, which in 2013/14 was a 10 per cent reduction. Please see the cabinet report for full Council on Wednesday 30 January 2013, agenda Item E, which references the detail. The changes were not a way to raise revenue due to general reduction in funding, but related specifically to the reduction in funding for the Council tax Support Scheme itself.