



**FULL COUNCIL, Wednesday 23 November 2016**

## **MEMBERS' QUESTIONS**

### **COUNCIL SERVICES**

#### **1) To the Leader of the Council**

##### **From Councillor Ray Morgon**

Would the Leader of the Council agree that it is time for members to be advised, for all services areas, a full list of services that they intend to provide in the new financial year, what the shape and service standards will be for them, together with the budget for each individual service?

#### **Answer**

Over the last year there have been a significant number of sessions run for all members to inform them of the services the Council provides, current performance, costs of service delivery and areas where potential savings could be made, the meetings were as follows:

<b>Date</b>	<b>Session</b>
29 <sup>th</sup> July 2015	StreetCare
5 <sup>th</sup> August 2015	Children's Services & Learning and Achievement
12 <sup>th</sup> August 2015	Adult Services & Public Health
13 <sup>th</sup> August 2015	Economic Development, Communications and oneSource
19 <sup>th</sup> August 2015	Housing
2 <sup>nd</sup> September 2015	Culture & Leisure and Regulatory Services
8 <sup>th</sup> September 2015	Policy & Performance and Customer Services

The purpose of these sessions was not only to inform members but also to enable opposition members to look at alternative budget proposals.

Alongside this officers have also been working on service standards for the main functions that are supported through the Customer Service Centre, so there is clarity for staff, members and local residents.

Officers have defined 41 standards that are being readied for publication, drafts of which were all shared with all Members by email on the 7th March 2016. Feedback was only received from 2 members, which has been taken into consideration.

These are currently awaiting lead member sign off, linked to the budget strategy and the launch of the Councils new web site.

## **Council, 23 November 2016**

It is not felt that they are suitable as standalone landing pages on the new website, so each of them will be incorporated into the customer journey at the most appropriate time so that customers are given information when it was relevant to their journey on the site, so this is being fed into the content review and re-write which will be completed by April 2017.

In respect of next financial year, the budgets have not yet been set to be able to share, although these will come forward over the coming months.

In response to a supplementary question, the Leader of the Council explained that it was necessary to decide what services the Council was in a financial position to provide and that the Council wanted to provide the best services it could in the circumstances. There was not a link between performance indicators and service provision. The Leader asked for comments and suggestions from other Groups in relation to the Council's budget.

## **EMAIL POLICY WHEN OFFICERS LEAVE COUNCIL EMPLOYMENT**

### **2) To the Leader of the Council**

#### **From Councillor Patricia Rumble**

When an officer leaves the council what steps are taken to ensure that their emails are picked up by another officer and that outstanding and ongoing issues are dealt with?

#### **Answer**

This forms part of the staff exit process with their manager, which includes a work handover, setting up an 'out-of-office message' on the email account to redirect emails and giving managers access to email accounts where required.

In response to a supplementary question, the Leader of the Council stated that he was disappointed that an enquiry from Councillor Rumble had not apparently been dealt with after an officer had left and agreed to look into the matter if Councillor Rumble could provide the details.

## **TERMS AND CONDITIONS REVIEW**

### **3) To the Leader of the Council**

#### **From Councillor Jeffrey Tucker**

To maintain staff morale, please can the Council Leader assure Members that ALL staff terms and conditions are being reviewed on an equitable basis and this includes "interim" staff to avoid the perception they enjoy a privileged status within the current review.

**Answer**

The T&C review applies to all Council staff (except those on School Teachers Pay and Conditions) which includes the Chief Executive, all senior management and all staff in oneSource that are employed by Havering. Interim staff are not covered by employee contracts and associated pay, however, as part of the budget review, the council is separately assessing the number of interims and agency workers and their costs.

In response to a supplementary question, the Leader of the Council explained that the terms and conditions review had been entrusted to management and that the final delegated decision re the review would be taken by the Governance Committee. There was an unavoidable one-off cost associated with the review which was in the region of £500,000. Concerns about the terms and conditions review expressed by both union members and non-members would be considered.

**ENVIRONMENTAL IMPACT FOR PROPOSED SOLAR PANEL FARM IN DAGNAM PARK**

**4) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

**From Councillor Denis O'Flynn**

When will an Environmental Impact and a Deer Impact Assessment be available for inspection in relation to the proposed Solar Panel Farm proposal in Dagnam Park?

**Answer**

A screening request for an Environmental Impact Assessment was lodged in April of this year for both proposals.

It was the opinion of Council planning officers that following careful consideration of the guidance set out in the National Planning Practice Guidance, neither the proposal at Dagnam Park or at Gerpins Lane requires an Environmental Impact Assessment.

Should a planning application be forthcoming for either proposal this will include a Deer Impact Assessment, Ecological Statement and a number of other reports and assessments. These will be available for scrutiny as part of the statutory consultation on the planning applications.

In response to a supplementary question, the Cabinet Member agreed that things could always be done better as regards communications about schemes of this sort. The Council sought to protect the environment and vulnerable residents with the proposals.

## **OMBUDSMAN COMPLAINTS AGAINST COUNCIL SERVICES**

### **5) To the Leader of the Council**

#### **From Councillor Barbara Matthews**

Would the Leader of the Council agree that all complaints found against the Council by the various Ombudsman services should automatically have a report provided to the appropriate Overview and Scrutiny Sub-Committee, in order for the Sub-Committee to decide whether any further scrutiny of the circumstances is required?

#### **Answer**

It is good practise to learn lessons from any Ombudsman cases found against the Council. Outcomes and comments made in Ombudsman decisions are currently conveyed to service heads and managers so they can assess whether the finding was caused by any systematic failings and if so to address those as well as using lessons learned to inform other service improvement. Statistics on Ombudsman decisions are also provided to the Adjudication & Review Committee.

We will consider whether summary reports of cases upheld against the Council could be reported to the relevant Overview & Scrutiny Committees as part of the current review of the corporate complaints policy and procedure.

In response to a supplementary question, the Leader of the Council confirmed that there were very few maladministration cases found against the Council. Information on these was reported to the Adjudication and Review Committee. While it could not be imposed on Overview and Scrutiny, the Leader had no objection to Sub-Committees looking at these cases if they wished.

## **HOUSING REFUGEES IN THE BOROUGH**

### **6) To the Cabinet Member for Housing, Councillor Damian White**

#### **From Councillor John Glanville**

What plan has Havering put in place to accommodate refugees given the ongoing situation in the Middle East and elsewhere?

#### **Answer**

The LGA are continuing to work with ministers and the Mayor of London in order to see how local councils may be able to assist and support those most at risk, while also considering the impact this may have on local residents.

Havering is already experiencing high numbers of people arriving here from outside of the borough. A large number are from neighbouring boroughs, but some are also from overseas. This puts enormous pressure on local resources and services, such as school places, housing, and health services.

## **Council, 23 November 2016**

We will await the outcome and will consider, in particular, the financial and practical feasibility of anything asked of us. As with other councils, national austerity measures have already meant drastic cuts in spending and problems in coping financially. Additional burdens cannot be shouldered without guaranteed on-going money to pay for them.

In response to a supplementary question, the Cabinet Member stated that Havering had not applied for central Government funding to house Syrian refugees. Refugees had not lived in the borough long enough to join the Council's housing register and could not be housed via the homeless register. The Council would not therefore be providing resources at this stage.

## **POWERS AGAINST HATE CRIME IN THE BOROUGH**

### **7) To the Leader of the Council**

#### **From Councillor Michael Deon Burton**

The Council Leader has been quoted in a 14<sup>th</sup> October "Romford Recorder" article on page 16 as saying, in part, "the Council will use all its powers" against "hate crime"! What are these powers and what is the Council Leader proposing to do?

#### **Answer**

Hate Crime/Social Cohesion Strategy

Havering is in the process of unifying its approach to recording and tackling Hate Crime through the development of a Community Social Cohesion Strategy. The updated strategy seeks to provide a standard method of reporting and recording hate crime while allowing departments to use powers appropriate to their service area.

Housing has in place a dedicated policy to deal with allegations of Hate Crime against, and by, its tenants.

The Council's Community Safety Service will deal with all non-housing related Hate crime reports.

The most standard powers available to the Council, in the resolution of Hate Crime reports, include but are not limited to a number of non-legal, anti-social behavior and housing powers, and I am happy to provide you with a list of these.:

Non Legal Powers

Mediation

Anti-Social Behaviour Contracts

Good Neighbour Contracts

ASB Powers (General) – ASB Crime and Policing Act 2014

Criminal Behaviour Order

Civil Injunction

**Council, 23 November 2016**

Closure Notice/Order  
Community Protection Notice

Housing Powers (General)

Notice of Seeking Possession – Housing Act 1985 (Conditions and ground dependent on Tenure)

Notice to Quit – Housing Act 1985 (Conditions and ground dependent on Tenure)

Notice of Possession Proceedings – Housing Act 1985 (Conditions and ground dependent on Tenure)

Housing related Injunction.

In response to a supplementary question, the Leader of the Council added that hate crimes were not as prevalent in Havering as in some other boroughs. The Council would use its powers to deal with any cases that did occur.

**FINES AGAINST THE COUNCIL**

**8) To the Leader of the Council**

**From Councillor John Mylod**

Would the Leader of the Council confirm details of fines imposed on Havering Council over each of the last 5 years?

**Answer**

In the last 5 years the council has been fined once, and that is in respect of a health and safety matter. The amount of the fine is £500,000. The fine was imposed recently and is the subject of an appeal by the Council. The Council is confident that a considerably lower sum will be ordered on appeal.

In response to a supplementary question, the Leader of the Council confirmed that the levying of the fine had been made public. He was unable to comment further on the issues due to the ongoing legal proceedings. The outcome did reflect a change in health and safety legislation for private companies that also applied to Local Authorities.

**TRAFFIC CONGESTION AND POLLUTION IN SOUTH HORNCHURCH AREA**

**9) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

**From Councillor Phil Martin**

Given the proposal to restrict the A1306 in South Hornchurch to a single lane in each direction what steps are being taken to mitigate the increased pollution from the congestion that will result from any overflow of traffic from the A13 when there is an accident?

**Answer**

One of the aims of the Beam Parkway scheme is to discourage through traffic from the area from using the A1306 (by making it feel less like a through route). We will be investigating physical interventions in order to discourage A13 traffic from “Rat Running” through the A1306. This will also have the potential to reduce pollution on a day-to-day basis. Air quality is an important issue, and our studies will capture current pollution levels and consider how the scheme can be designed to improve air quality. The scheme will increase the amount of green space, which will also help to improve air quality. Finally, improved walking and cycling facilities will encourage greater use of sustainable modes, further reducing reliance on motor vehicles and cutting down on pollution (as well as creating public health benefits). In essence, the scheme will ultimately transform the corridor from its current over-engineered state to a street that promotes healthy living, and unites the current community to its north side to the new community on its south side.

In response to a supplementary question, the Cabinet Member explained that step 2 of the ongoing study was currently in progress; This had proposed building what was essentially a third lane on the road with a central strip to allow overtaking of stationary buses at bus stops and well as right turn bays to minimise the impendence of through traffic. Detailed traffic modelling of junctions would be undertaken and extensive data had been collected recording speed and traffic flows for both the A13 and A1306.

**VILLAGE GREEN STATUS – NEW ZEALAND WAY, RAINHAM**

**10)To the Cabinet Member for Housing, Councillor Damian White**

**From Councillor Graham Williamson**

Local residents promoting Village Green status for the land off New Zealand Way, Rainham have also been in discussion with the Council and New Zealand High Commission to restore the War Memorial to WWI New Zealand soldiers that was formerly sited on the “Green” and have also organised events on the “Green” including a diabetes charity event which the Mayor graciously attended.

Residents are very pleased with Council support for these initiatives and welcome Cabinet Member Cllr Damian White’s agreement to arrange a meeting with residents to discuss the Village Green application. The “Green” in question is high value open space and I invite the Cabinet Member to consider the Council adopting and registering the land as a Village Green to show we have a listening Council, particularly considering the other extensive development planned for the area. Will he do so?

**Answer**

This village green application was the subject of a question at the last meeting of the Council. I have already explained in the previous meeting that there is a legal process that the Council must follow in deciding these matters which is not yet complete, and at this stage it is not appropriate for me to meet with the applicants. Since the process is

**Council, 23 November 2016**

ongoing, it is not open to the Council to decide whether to register the land as a village green.

In response to a supplementary question, the Cabinet Member confirmed that the Council had invested in green and open spaces and the winning of nine Green Flag awards was evidence of this.

**ONE PUBLIC ESTATE AGENDA**

**11) To the Leader of the Council**

**From Councillor Stephanie Nunn**

Would the Leader of the Council confirm what progress is being made on its land review and work under the One Public Estate agenda, and when will the results be available to all Members?

**Answer**

One Public Estate is a Cabinet office programme designed to help public sector bodies' work in partnership to make better use of land and property assets. The outcome may include better integration of services, for example, between the health sector and local government, reduced running costs, or releasing land to generate capital receipts and new development - ideally, all of these.

The Council had submitted an expression of interest bid in partnership with others, which has been approved. Havering is working in partnership on the bid - with Barking & Dagenham Council and the local Clinical Commissioning Group - to evaluate the potential projects. If successful at the next stage, partners would be awarded money to put towards these projects.

Further details can be provided as the bid develops.

In response to a supplementary question, the Leader of the Council explained that a Local Plan was in the process of being developed so he could not speak categorically about the Green Belt but this was something that he valued. Planning consent had been granted for the Green Belt site of the former St George's Hospital. The Council was currently in discussions with the Mayor of London and NHS Property in order to obtain best use of the site and the Leader felt this showed that some situations with Green Belt sites were more complex in nature.



## **NOISE AND AIR POLLUTION FROM CITY AIRPORT**

### **12) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

#### **From Councillor Ian De Wulverton**

What is the council doing to protect the residents of Havering, from the increased noise and air pollution, from the substantial increase in low flying jet aircraft, out of City Airport?

#### **Answer**

The quality of life of our residents is very important, and the Council continues to work hard to ensure that aviation does not impact adversely on Havering as a place where people want to live and businesses want to invest.

Havering has taken the opportunity to object to recent proposals put forward by London City Airport for expansion of its ground facilities and modernisation of its flight paths. The Leader of the Council took the opportunity to set out to the Civil Aviation Authority his concerns about how consultation had been undertaken and also that local residents had not been offered the opportunity to meet with representatives from the airport. The Leader has also met with representatives from London City Airport to outline the Council's position.

The Council will continue to keep 'a watching brief' on aviation matters and where there are issues of concern that Havering can comment upon it will continue to do so.

In response to a supplementary question, the Cabinet Member agreed to check with London City Airport what social and environment impact studies were carried out before the flight path was finalised and to advise Councillor de Wulverton accordingly.

## **OBSTACLES ON THE PUBLIC HIGHWAY**

### **13) To the Cabinet Member for Environment, Regulatory Services and Community Safety, Councillor Osman Dervish**

#### **From Councillor John Wood**

There are increasing concerns about the many items on the public highway presenting dangers to pedestrians. Would the Cabinet Member confirm what action is to be taken to control items placed by shops on footpaths.

#### **Answer**

A Code of Practice for Advertising boards is being prepared and will be rolled out from 1st January 2017. It will enable businesses to have a single A board as long as it

**Council, 23 November 2016**

complies with the code of practice. There will be a soft launch to enable us to inform and educate businesses on the requirements of the code before enforcement is initiated. Use of the public highway by Shops for street trading can be licenced and a report is being prepared by Economic Development and Public Protection for Cabinet. This report will propose extending street trading to include tables and chairs outside premises where they are using the public highway.

In response to a supplementary question, the Cabinet Member confirmed that the Code of Practice would definitely commence in January 2017.

**FINES ISSUED FOR UNAUTHORISED HOLIDAYS DURING TERM TIMES**

**14)To the Cabinet Member for Children and Learning, Councillor Robert Benham**

**From Councillor Jody Ganly**

Would the Cabinet Member confirm in each of the last 5 years, how many parents have been fined for unauthorised holidays during term time.

**Answer**

2011/12	2012/13	2013/14	2014/15	2015/16
359	552	1001	1456	2042

In response to a supplementary question, the Cabinet Member confirmed that the money received in fines of this nature went back into the school system.

**CONSULTANTS EMPLOYED BY THE COUNCIL OVER THE PAST FIVE YEARS**

**15)To the Leader of the Council**

**From Councillor Reg Whitney**

For each of the last 5 years, would the Leader of the Council provide a comprehensive list of outside consultants that have been employed by the council, together with details of the work they have undertaken?

**Answer**

It is not feasible to provide the full information for the work undertaken by consultants for the last five years. The spend on consultants includes a wide variety of work including transformation projects, interim/ SLT cover, corporate projects, short term cover (rather than recruiting to posts pending restructures to prevent redundancies and associated costs). Spend on consultants is contained within existing salary budgets when covering for substantive posts which may be deleted during restructures. There is also a requirement for the extra short-term resources to support the council on its

**Council, 23 November 2016**

transformation work and deliver the savings required under the MTFS. The council utilises these specialist skills as required throughout its change process.

We have embarked on a project where consultant engagement goes through a nationally procured 'neutral vendor', NEPRO, to ensure we continue to obtain best value and clarity about outcomes of projects

In response to a supplementary question, the Leader of the Council explained that the term 'consultants' covered a wide range of specialisms. It was not cost effective for the Council to employ full time staff such as for example specialist swimming pool architects, engineers, recruitments consultants for specialist posts or QCs dealing with appeals on Health and Safety matters. It was cheaper for the Council to use consultants as needed for these roles.