



FULL COUNCIL, Wednesday 12 July 2017

MEMBERS' QUESTIONS

Housing Surgery Appointments

1) **To the Cabinet Member for Housing (Councillor Damian White)**
From Councillor June Alexander

Would the Cabinet Member advise why he arranges for housing surgery appointments to be made and then he fails to turn up to them?

Since my appointment as Cabinet Member for Housing I have introduced housing surgeries for tenants, those who are homeless and those in emergency housing.

This has been a new means of engagement which has helped identify areas of our housing department that require improvement. Through additional Cabinet Member scrutiny our hostels have benefited from what the Chartered Institute for Housing have described as "the most uplifting of services in their experience of 45 years of inspecting housing departments."

Unfortunately, not all of the scheduled monthly surgeries are well attended so I have introduced an all-day surgery where residents can book an appointment, with the most recent surgery being attended by 45 residents or service users.

Unfortunately, due to unexpected events, I have not been able to attend every housing surgery. Recently I was unable to attend a surgery in light of the Grenfell disaster, and spent the day inspecting high rise buildings with the Director of Neighbourhoods. However, if I am unable to attend a housing surgery, I am represented by Council Officers and another Cabinet Member or Deputy Cabinet Member.

In addition to the Housing surgeries I am always contactable by mobile phone, my number is published online and in Council publications, and I'm always happy to take calls and meet with residents.

In response to a supplementary question, the Cabinet Member stated that he found a suggestion that he did not respect tenants to be highly insulting. The Cabinet Member had worked since his appointment to turn Havering's Housing Service into one of the best in the UK.

Landlord Licensing Scheme

**2) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor David Johnson**

What is the current status regarding the introduction of a Landlord licensing scheme?

Response

The Additional Landlord Licensing scheme for Houses in Multiple Occupation (HMOs) is currently out for consultation and closes on 28 July 2017. There are two options being considered;

1. A wider scheme covering 12 Wards
2. A narrower scheme covering 4 Wards

The results of the consultation will inform the licensing option that the Council will introduce. This will be considered by Cabinet in the autumn.

In response to a supplementary question, the Cabinet Member confirmed that there would be a cost per application and would provide details of this to Councillor Johnson.

Legal Privilege

**3) To the Leader of the Council
From Councillor Jeffrey Tucker**

When the Council obtained independent legal opinion about a planning matter, Members were told the details were withheld from them due to it being "legally privileged". But legal privilege applies to the client not the lawyer. That is, the client can make public the details but the lawyer cannot. As the Council was the client, that means all Members are the client and if we want to see the details we can. To withhold the information is very irregular. What is the Council Leader's view?

Response

The Council obtained a legal opinion from Counsel to decide whether the Planning Inspector's decision to allow development at Wennington could be appealed. The outcome of that advice and the broad reasons for it were provided to members and to the public. The legal advice was that there were no grounds for appeal.

It is a well-established legal position that legal advice attracts confidentiality, in other words 'legal privilege'. In the council, in accordance with the law, and the constitution, that detailed advice is provided to those who have a 'need to know'

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that content because they are the decision maker. It is not the case that the advice belongs to or should be shared with all members in the Council. However, in this case the Council did share a summary of the advice beyond those making the decisions about the appeal in order to assist members and the public in understanding the position.

In response to a supplementary question, the Leader of the Council reiterated that as a decision maker on the issue, he had a 'need to know' and had therefore seen the full Counsel's opinion.

Fire Risk Assessments in High & Low Rise Blocks

4) To the Cabinet Member for Housing (Councillor Damian White) From Councillor Keith Darvill

Will the Lead Member make a statement about the regularity of Fire Risk Assessments at the Councils High and Low Rise Blocks of Flats?

Response

Havering has 14 high-rise blocks which are independently checked every two years as part of our usual programme of work. The latest programme of independent checks were carried out between 20 June and 6 July.

In addition, key aspects associated with communal fire protection such as fire doors, hose reels, extinguishers and other items are inspected daily by the caretakers, and every six weeks by Estate Inspectors. As a responsible landlord we also have in place regular testing and inspection regimes on items such as gas boilers, smoke detectors, fire alarms, and emergency lighting that are integral to protecting our residents.

In response to a supplementary question, the Cabinet Member confirmed that he did see action plans from fire risk assessments. High risk blocks were currently being assessed and a supplier was being procured to undertake assessments for low to medium risk blocks. More robust action would also be taken to prevent the dumping of bulk refuse in communal areas as this considered a fire risk.

Vehicles Parked over Residential Driveways

5) To the Cabinet Member for Environment & Community Safety (Councillor Osman Dervish) From Councillor Reg Whitney

Members have previously been promised that a contractor will be employed to remove vehicles that are parked over residents' driveways. Would the Cabinet Member confirm what has happened to this undertaking?

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Response

The Councillor will be aware that removing vehicles is not something that has generally been undertaken for parking offences in Havering in several years. There is an acknowledgement that residents park over the crossover outside their own houses, and so it is impossible for an attending officer to differentiate. It is therefore not as simple as removing or enforcing all cars that park across driveways.

The Council's already robust enforcement of illegal parking by issuing penalty charge notices is the current approach. Council officers act when a member of the public reports an offence. This has been the agreed approach for some time and although I appreciate it is reactive, it's better than enforcing against those residents who have given permission for vehicles to park across their drives.

Residents who find a car has parked in front of their driveway without their permission can report it to the Council and the appropriate action will be taken.

In response to a supplementary question, the Cabinet member accepted that people had the right to use their crossovers. If illegal parking was reported, the Council would take appropriate action.

Use of Polyethylene Cladding in Council Stock

6) To the Cabinet Member for Housing (Councillor Damian White) From Councillor Ian de Wulverton

Of the extensive program of renovation and home improvements of the Council stock has any cladding using polyethylene (PE) been installed?

Response

No Cladding with Polyethylene has been used.

(No supplementary question asked).

Installation of Mobile Furniture in Upminster Road North

7) To the Cabinet Member for Planning (Councillor Damian White) From Councillor David Durant

A local resident responded to Public Notices on some Mobile furniture in Upminster Road North, opposite Lake Avenue and never got a response from the company involved despite a number of attempts. Our own planning department also contacted the company with no response. It is unacceptable that the company which has extensive Mobile furniture in Havering should treat the Council and residents in this way. In the absence of a response, will the Cabinet Member for

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planning seek ways of preventing any further Mobile furniture being installed by Vodafone until they provide a customer services department worthy of the name.

Response

The company's right to erect equipment in this way is given by Parliament in Part 16 of Schedule 2 of the General Permitted Development Order and the Council cannot prevent them utilising this right.

Vodafone have installed the equipment correctly in terms of the GPDO rules. We have no power to take any formal action.

However, as the Cabinet Member I will ensure that Council officers make contact with Vodafone to get a response to the residents' concerns that were raised.

In response to a supplementary question, the Cabinet Member reiterated that he could not oblige Vodafone to respond nor could the company's permitted development rights be refused. He would have ask the Chief Executive to write to Vodafone regarding this matter.

Mayoral Car

**8) To the Leader of the Council
From Councillor Ray Morgon**

Would the Leader of the Council explain how this Council was publicly embarrassed on a national TV programme, by having the mayoral car clamped in relation to a debt which should either have been paid or defended?

Response

The Council was involved in communication regarding the debt. Unfortunately due to an error, the matter was not responded to at the appropriate time and this regrettably resulted in the debt being enforced by the bailiffs.

Senior officers promptly and efficiently responded to the bailiffs; the debt was settled and the situation remedied immediately.

A full review of the internal processes and management of these matters was undertaken following the event. Detailed procedures are in place to allocate, monitor and respond to debt action and it is extremely unusual for any problems to arise. Additional internal steps have been taken to ensure that such an error does not arise in future, and indeed it had not happened previously.

In response to a supplementary question, the Leader of the Council confirmed that he had discussed this matter in detail with the Council's Deputy Director of Legal and

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Governance and was satisfied that this was a one-off staffing matter. Steps had now been taken to prevent such an incident recurring in the future.

Fire Safety Tests on Thermal Improvements

**9) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor Ian de Wulverton**

Can the Cabinet Member confirm Fire safety tests have been carried out on the insulation used on the thermal improvements on the houses in Harold Hill and elsewhere in the Borough?

Response

The systems that have been used on the non-traditional houses, which I believe are the properties in question, have been certified as complying with Building Regulations by an approved inspector. The components to the system carry individual certification as class O and the system combined also achieves class O rating.

All of the supporting documentation to verify this is with the Housing Services technical team.

Village Green Application, New Zealand Way, Rainham

**10) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor Keith Roberts**

Before putting another planning application before the committee to build on the “Green” off New Zealand Way, Rainham, will the Cabinet Member for Housing ensure both the “appropriation for planning purposes” process and the Village Green application are determined first?

Response

Following deferral of the planning application for New Zealand Way from the 1st June Regulatory Services Committee, legal advice has been sought.

There is no legal requirement for the application site to have been appropriated prior to the planning application having been submitted or before determination. It may well be the case that appropriation is necessary before any development takes place, but that does not affect either the validity of the planning application or its determination.

The process of consideration of the village green application is entirely separate from the planning process.

Enforcement Policy

11) To the Leader of the Council From Councillor John Wood

In relation to Environment Services, would the Leader confirm when this Council will see a clear policy and strategy (with the appropriate resources) to deal with enforcement issues?

Response

The Council's Assistant Director for Environment is currently reviewing all enforcement arrangements, both within Environment Services and across the Neighbourhoods Directorate, with the intention of establishing a visible front-line generic enforcement team for Havering.

This team will be responsible for dealing with all street scene and environmental crime impacting on the Borough, and will also address low level anti-social behaviour issues affecting residents, for example noise nuisance. The officers will be locality based and will operate within an agreed enforcement protocol.

Multi Faith School Assemblies

12) To the Cabinet Member for Children & Learning (Councillor Robert Benham) From Councillor Michael Deon Burton

Brent Council has become the first local authority in England and Wales to allow state schools to end the provision of a daily service that is "wholly or mainly of a broadly Christian character". Instead, the schools will be able to hold multi-faith assemblies. What is the Borough of Havering's unequivocal position on that which the vast majority of our residents would view as a fundamental and very important matter?

Response

The Council is not aware of any other councils following Brent's decision, or of any response from Government, DfE or Ofsted. The current statutory requirement remains unchanged. All maintained schools must provide religious education and daily collective worship for all registered pupils and promote their spiritual, moral and cultural development, along with a requirement that the majority of provision (not the majority of any individual assembly) needs to be broadly Christian.

Stroke Support Services

13) To the Cabinet Member for Adult Social Services & Health (Councillor Wendy Brice-Thompson) **From Councillor Barbara Matthews**

Given that stroke support services will be transferred to a new provider by the end of the summer, would the Cabinet Member confirm what service specifications has been agreed and confirm that the new contractor will provide at least the same level of service as those currently delivered by Tapestry.

Response

Following an extensive two year review of all adult social care funded services provided by the voluntary sector, the council has run a tender exercise inviting voluntary sector partners to bid to deliver services to vulnerable Havering residents. We invited organisations to submit bids that demonstrate how good outcomes for residents would be achieved through a proposed new menu of services, rather than asking organisations to bid for specific services, such as the stroke service currently provided by Tapestry. Our approach has been deliberate in that we want the successful organisations to have more flexibility in how they deliver their services, as long as they work with residents on support them to meet their outcomes – which could include recovery from stroke and a range of other support that helps them maintain independence and enjoy a good quality of life.

Tapestry did not submit a bid to continue their stroke service. On that basis, it will end on 30 September. Officers have met with Tapestry to minimise impact on users of the service (including sign posting to other available services). People recovering from stroke and their carers/families will be able to access the new range of services, which we anticipate going live on 1 October 2017.

It is important to note that the NHS provides targeted support for stroke survivors, including hospital based support and community services. And there are other council run services that support stroke survivors, such as the council's recently launched integrated rehabilitation and re-ablement service that offers support in the community provided by therapists to help survivors regain their skills and independence.

Bretons Business Plan

14) To the Cabinet Member for Culture & Community Engagement (Councillor Melvin Wallace) From Councillor Barry Mugglestone

Would the Cabinet Member confirm what progress has been made with the Bretons business plan and when will it be published?

Response

Officers are still completing the financial due diligence on this Business case. The Outline Business Case has a high level of complexity given the commercial, legal and financial aspects of the proposed model. The investment would be substantial and Officers need to apply appropriate diligence on all these aspects before making any recommendations to the Administration. Whilst the wider community interest in this proposal is appreciated, the financial challenges the Council faces means that all investment proposals must be soundly based and scrutinized before progressing formally for consideration. The current timeline is to be able to review the business case with Members by the end of July.

Community Safety in Harrow Lodge Park Area

15) To the Cabinet Member for Environment & Community Safety (Councillor Osman Dervish) From Councillor Jody Ganly

Would the Cabinet Member confirm what steps the council are taking to deter the worrying trend of youths on mopeds and scooters carrying out crime in Harrow Lodge Park and other parks in the Borough?

Response

Although the Council shares these concerns, this is predominantly a policing matter, which they have been tackling using Section 35, which allows the seizure and subsequent destruction of these vehicles. Havering's Parks Constabulary is also patrolling vulnerable areas accessed unlawfully by motor cycles and has arrested individuals riding stolen and unlawfully driven motor scooters. Officers also continue to remove abandoned scooters and mopeds, often stolen, as soon as they are identified. However the problem persists.

The Metropolitan Police Service is now leading a multi-agency response, known as "Operation Venice", which launched on 23 June. Partners are currently gathering intelligence such as the number of mopeds stolen, registration plates, their movements, the crimes they are involved in etc. This will inform the enforcement phase, which will include youth diversion work and identifying and targeting the top 10 offenders and any other crimes they have committed. A traffic task force will be established to support this, which can deploy different vehicles and utilise ANPR technology, and the Parks Constabulary will continue to target off-road vehicles as

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part of the operation. If any of the identified top 10 offenders are housing tenants, we will consider other enforcement action against them.

Three days of work are scheduled for July in hot spot areas of the borough including Harrow Lodge Park.

The operation will also include proactive work, such as advising riders about bike security for example.