

FULL COUNCIL, Wednesday 20 January 2021

MEMBERS' QUESTIONS

Financial Stability of Academies

- 1) **To the Cabinet Member for Education, Children and Families (Councillor Robert Benham)**
From Councillor Stephanie Nunn

Would the Cabinet Member confirm what steps have been taken to ensure the financial stability of academies in Havering?

Answer

Academies are autonomous organisations, and the Local Authority has no control over their financial management.

This is the responsibility of the Department for Education, who set out the financial management requirements that apply to academy trusts within the *Academies Financial Handbook*.

Academy trusts must comply with this handbook as a condition of their funding agreement, and it provides an overarching framework for implementation of effective financial management and control.

Other resources are available to help academy trusts get the right systems in place, including a good practice guide on internal scrutiny and a guide to reducing fraud. Academy trusts also complete a 'school resource managements self-assessment tool' which helps schools to appraise their approach in key areas of resource management and governance, as well as providing a dashboard to see how their data compares to thresholds on a range of statistics identified as indicators of good resource management.

The DfE have also produced a *Governance Handbook*, which provides schools with more information on the roles of members and trustees, and the skills, knowledge and behaviours that boards need to be effective.

A supplementary question asked what contingency plans were available if any Havering Academies should fail financially. In response, the Cabinet Member stated that Academies were responsible for their own financial control and that central Government would get involved in the case of financial difficulties. The Council had no contingency for this. There was also no mechanism for an Academy to return to Council control.

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Flooding in Rainham

**2) To the Cabinet Member for the Environment (Councillor Osman Dervish)
From Councillor Jeffrey Tucker**

In August council officers responded fast to the flooding in Rainham and are working closely with Thames Water, Network Rail, High Speed 1, the RSPB and council departments to stop if possible further flooding. Please can an update be provided on the action being taken to improve matters?

Answer

The Councillor is correct in recognising the heroic response by Council officers to the awful flooding back in August. Their actions helped residents whose homes had been devastated during the crisis and as part of the recovery effort.

A Section 19 Report under the Flood and Water Management Act 2010 is being produced which will investigate the severity of the storm, assess the hydrology in the area, and liaise with both internal and external partners in order to identify any contributing factors that may have increased the flooding experienced. Any outcomes and recommendations will be listed and then implemented.

External partners such as Network Rail and Thames Water have met with The Leader of the Council and the Chief Executive and have already identified works within their land and infrastructure, and have now completed remedial works to prevent any future flooding. The RSPB who manage the Rainham Marshes area has completed inspections and have confirmed there are no blockages or issues.

Council officers and contractors routinely inspect and complete maintenance works to Havering owned drainage, gullies and flood plains to ensure there are no blockages.

In order to protect our residents, any major development within the borough must include sustainable drainage systems within their planning application and complete these during construction.

These methods will allow water to be retained safely at source and will help to reduce the risks of future flooding, and the devastating effects this can have on local residents and businesses.

A supplementary question asked if the Cabinet Member was able to investigate reports of rising water levels in several streets in the Rainham area. The Cabinet Member confirmed he was happy to look into this.

Provision of Specialist Education to Deaf Children

**3) To the Cabinet Member for Education, Children and Families(Councillor Robert Benham)
From Councillor Tele Lawal**

According to a report in the Independent on Sunday (2/1/21) one in two deaf children in England are not getting the necessary specialist teaching support since returning to school in September. How many deaf children are being educated in Havering Schools and how many receive specialist teaching?

Answer

There are currently 162 deaf children with permanent and significant hearing loss in Havering.

In keeping within the values of promotion of inclusion within Havering's SEND strategy, the majority of deaf children are supported in local mainstream schools.

The Children and young Adults with Disabilities team establish contact with very young children as soon as they are diagnosed, sometimes shortly after birth, and work with community health and audiology to give parental support and teach strategies to manage hearing loss, including the use of hearing aids and establish early communication methods.

Within the borough, the CAD team also provide specialist communicators and signers to support children in mainstream schools.

The Local Authority employs a specialist teacher for the deaf, a specialist teacher for children with dual hearing and visual impairment, and a hearing loss support assistant. The role of these staff is to oversee the educational input, advise school settings, and to review/monitor the progress of deaf children. They also provide training to school and early years settings on managing support for deaf children.

Every deaf child is known to the teacher of the deaf, the multi-sensory specialist teacher, and the assistant. The level of support the children receive varies depending on the needs of each individual child.

Each child is scored on the NatSIP Eligibility Framework for Scoring Support Levels to determine the level of Teacher of the Deaf support they will receive. This varies from – weekly, fortnightly, half termly, termly, biannual or annual visits.

Alongside mainstream educational provision overseen by the specialist teacher for the deaf, there is also a primary specialist unit for 24 children with complex needs arising from their hearing loss – located at Hacton Primary School. They receive specialist support provided by teachers of the deaf and specialist teaching assistants and employed directly by the school, and funded by the Local Authority. The majority of the children leaving the unit leave with the communication and identified support to enable them to move into mainstream secondary provision.

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Where needs are higher than those that can be met locally, we have 5 children who attend out of borough specialist provision. The Local Authority are currently exploring the option of establishing a specialist secondary school unit, as we recognise there is a need in the borough for this type of provision.

A supplementary question asked what support the Council was offering to deaf children undertaking on-line learning at the present time. In response, the Cabinet Member stated that lessons were recorded and transcribed into written form. New technology to assist in this area had also been demonstrated to the Council recently.

Council Database

**4) To the Leader of the Council (Councillor Damian White)
From Councillor Martin Goode**

What enhancements have been introduced or are currently being considered, in order to improve the efficiency of the Council's General information database. In particular, the collation of information that has been obtained or logged from the different departments within the Council, especially, when the information relates to either a complaint or concerns that have been received regarding Residential property or landlords?

Answer

In 2020 Cabinet agreed major investment to replace the Council's customer relationship management (CRM) system. The replacement digital platform will provide closer integration between and across services and provider for more efficient and effective resolution of resident issues and requests.

Work is ongoing with a number of departments, including Neighbourhoods and Housing, to determine the specific services that will be phased into the new platform and to review and revise the customer journey pathways that residents navigate those services.

Enforcement on Domestic Waste

**5) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Ray Morgon**

Would the Cabinet Member explain why this Administration has a relaxed attitude to residents who place their domestic waste out overnight for foxes and other animals to spread all the contents all over roads and pavements?

Answer

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Residents continue to be required to present their waste and recycling sacks on their property at the boundary nearest the pavement by 7am on the morning of collection. If a spillage occurs this should be cleared by the team at the time of collection.

If residents choose to present their waste in their front garden well in advance of their collection day enforcement action can be taken if it is established that the waste is contributing to street litter. Enforcement ranges from advice and engagement to Fixed Penalty Notices as determined to be relevant on a case by case basis. Similarly, property owners with untidy front gardens as a result of waste and recycling sacks left for extended periods may also be subject to enforcement action.

Testing Centre in Viking Way Car Park

**6) To the Leader of the Council (Councillor Damian White)
From Councillor David Durant**

The Viking Way car park was closed to provide a new corona-testing centre without consulting Cabinet Member for Public Health and local councillors and without an Executive Decision being formally made. As this decision costs money and harms the high street, it is an abuse of emergency powers to close the car park before and without a formal Executive Decision explaining the details and cost of the decision being formally made. Please reference the constitution where it allows Executive Decisions to be implemented without being formally made.

Answer

From early November, North East London, south Essex and Kent experienced a surge in infection rates. In an effort to limit the spread of COVID-19 the Secretary of State directed Mobile Testing Units to these areas. The decision to use Viking Way car park was in direct response to the requirement from the Secretary of State to increase testing capacity. Our response in Havering is part of a requirement from the national and regional governance structure (Mayor of London and GLA) that East London take a sub-regional approach to the rising tide of Covid-19 positive cases in our region. The current arrangements for Viking Way have been put in place under the emergency decision making provisions that has been in-place for the entirety of the pandemic. These are set out in the Council's constitution as part of the Civil Contingencies Act 2004, statutory authority to take action in respect of emergency planning in connection with an emergency in the borough resides with the Chief Executive.

These provisions were put in place to enable decision making at pace to safeguard the public health of residents and businesses in the borough and which will continue to be used in circumstances where infections rates warrant such action. As the Chief Executive has reiterated on previous occasions, for reasons of openness and transparency there will be disclosure of such decisions and so the record of decisions taken under these provisions are published.

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Additionally and in order to keep all Members updated, there have been regular All Member Briefings to provide details of actions the Council is taking to address the pandemic.

Supplementary

The Director of Regeneration, in response to earlier comments said: “The formal process to record the ED can follow the actual decision being taken. The record of the ED will be published shortly”.

Please provide the record of the ED decision.

Answer

The Executive Decision is available on this link: Decision details on public web site

Proposed Revisions to Housing Allocation Policy

**7) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Paul McGeary**

What benefit is there to Havering Residents seeking Council homes as tenants to extend the residency requirement from 6 to 10 years?

Answer

Demand for social housing in Havering significantly exceeds the number of properties available. In the financial year 2019-2020, only two in every 10 households on the housing register had a realistic prospect of securing social housing in the borough.

The Council will be delivering significant numbers of affordable rented and low-cost home ownership homes by the end of 2025 in the borough as part of our regeneration programme.

Our comprehensive review of the Housing Allocation Scheme will ensure that available council housing will be prioritised fairly for local people in housing need.

The benefits of a residential requirement of 10 years is to promote and protect longstanding Havering residents, to stay in their borough, in social housing. At the same time, we believe that those local households, in housing need, who make a contribution to the local community, should have the priority in being able to access social housing. In addition, we have also proposed an increase in the priority given to households with disabilities to ensure that those most vulnerable members of our community are provided with good quality affordable housing.

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The newly proposed Housing Opportunity Register will enable local people to access a range of other housing options within the borough and make sure that local people are supported to get access to the shared ownership properties we are developing.

We hope that all members will take part in the consultation process on the new housing allocation scheme to make their views, and those of their constituents, known.

School Streets

**8) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Jan Sargent**

Following on from the school streets safety initiatives, results showed that the part time closure of streets to traffic was not appropriate for all schools within the Borough.

As road safety around our schools continues to raise serious concerns what further actions will the Council be taking to ensure a plan of action is implemented to identify hazards, evaluate the associated risks and undertake regular/permanent enforcement in these areas.

Answer

Parking's civil enforcement team attend schools every day on a rota basis across the borough. The impact of the pandemic has affected the number of visits during 2020 due to school closures.

Transport Planning work with schools to achieve TfL STARS accreditation which promotes travelling to school sustainably, actively, responsibly and safely by championing walking, scooting and cycling. Schools achieving accreditation measurably influence a reduction in car use by promoting a modal shift in transport choices.

The council will apply for School Streets funding only after consultation with residents has taken place and support from the local community has been established.

Housing Waiting Lists

**9) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Graham Williamson**

Could Council advise how many residents there are on the Housing waiting list with any appropriate breakdown?

Answer

In total and as of 31 December 2020 we have 1990 on the Housing Register waiting list.

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This comprises of 460 people waiting for a 1 bedroom property accounting for 23% of the total number on the waiting list.

For two and three bedroom properties we have 760 and 687 households waiting respectively who represent 38% and 35% of the total waiting list. And 4% of households on the waiting list (total 83 households) who have registered for a 4 bedroom property or more.

Overcrowded Accommodation in the Borough

**10) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Keith Darvill**

In the light of your response at Full Council on 15th December 2020 to my question relating to overcrowded accommodation in the Borough and to the Health Foundations research conclusion that overcrowding together with other housing problems such as dampness and insecure tenancies has led to a rise in physical and mental health ailments, will the Lead Member inform Members how many additional homes are anticipated to be delivered over the next three years for each of the 7 initiatives he highlighted in his response to me?

Answer

The Council's ambition is to reduce overcrowding and improve housing conditions across the borough and we are actively taking every opportunity to achieve this. We have already purchased 38 three and four bedroom homes for affordable council housing in Crow Lane which has significantly improved the lives of the families that have already moved in.

Through our council estate regeneration programme, we will deliver 172 affordable rented 3 and 4 bedroom family homes plus 79 family homes for low-cost home ownership which will further alleviate overcrowding in the borough by the end of 2025. This is in addition to the over 500 smaller homes for affordable rent we will be delivering through Phase One of our regeneration programme, which will also provide attractive homes for down-sizers, as we understand that making better use of our existing stock will free up family-sized properties for overcrowded households. By increasing the support provided to under-occupiers in council homes, we will enable them to move to a smaller, more suitable property, thereby releasing their home into which an overcrowded family can move.

We will be recommending to Council that a budget of £10m is agreed for 2021/22 to continue the success we have had this year as part of our buyback of former council homes. 30 were purchased this year and we aim to buy up to 35 new to let affordable family homes again next year. We hope that the all Members will support this recommendation.

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As part of our new Asset Management Strategy, we will implement a programme of loft conversions and extensions, where it is feasible to do so, which will give growing families more space and create large family homes to relieve the overcrowding of approximately 5 of our tenants. This target has been based on the demand we have seen in previous years.

We are also consulting on a review of the Housing Allocation Scheme to give greater priority to under-occupying tenants and overcrowded households. This will free up family-sized properties for overcrowded households.

We understand that the council cannot deliver all the new affordable homes the borough requires, and the private sector must play its part. To this end, we have joined Capital Letters, the pan London procurement vehicle, and through this we will enable 120 households per year to have access to quality, affordable family homes in the private rented sector.

Through these combined initiatives we will enable 810 families to move out of overcrowding in the next three years. Or, to put it another way, that is helping an estimated 2,430 of our most vulnerable children improve their health and educational achievements.

Relaxation of CPZ in Tier 4

**11) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Darren Wise**

As we are now in Tier 4 restrictions with non-essential shops closed, has the Council considered relaxing parking restrictions in CPZ areas to allow residents to park outside their homes if they are unable to attend their normal place of work as not everyone has access to off street parking.

Answer

Since the start of the pandemic, the council has put in measures to make parking options more flexible and support both residents and businesses.

There has been a focus on ensuring emergency services and essential vehicles can travel freely and on supporting the delivery of essential goods. Furthermore, the Havering Hero's permit has been introduced and proved popular with over one thousand applications processed to support vulnerable residents getting essential medical, goods and care facilities directly at home.

Recognising the challenges local businesses have faced since the start of pandemic the Council has worked to introduce a package of measures to help ensure people can shop locally and find parking spaces when out collecting purchases made by click and collect or visiting essential shops and businesses.

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Parking provision of one-hour free parking is in place to support local business turnover and essential shopping.

The implemented parking arrangements reflect the regulations in place and the changes made by government between the March lockdown and the current situation.

Special Urgency Decisions

**12) To the Leader of the Council (Councillor Damian White)
From Councillor Gerry O’Sullivan**

There has been a surge in the use of “Special Urgency” Executive Decisions. Would the Leader of the Council explain why so many are non-Covid related decisions, where is the justification for such urgency and why has this not been properly documented for appropriate scrutiny?

Answer

The term ‘special urgency’ is set out in statute as part of the 2012 executive regulations. As part of those regulations, there is an obligation for the Council to give a minimum 28 days advanced notice of a forthcoming key executive decision. Where that timescale cannot be met and where a key executive decision has to be taken urgently with less than 5 working days’ notice then ‘special urgency’ measures are implemented. Invoking special urgency also limits the opportunity for call-in before Overview and Scrutiny.

In order to invoke Special urgency, consent of the Chairman of Overview & Scrutiny Board is required, with reasons given by the decision maker as to why the urgent decision is needed and cannot be delayed. Only with that consent can the decision be made. The consent is retained for audit purposes and ensures compliance with the regulations.

All key executive decisions taken under special urgency are published to the Council’s website, circulated to all Members via email and included in the weekly production of Calendar Brief.

Since March 2020 there have been a total of 43 COVID-related decisions using special urgency provisions. There were also 10 non-COVID-related decisions that have been taken during that same period, 7 of which were taken when all meetings of Council, Cabinet and committee were suspended at the outbreak of the pandemic.

Supplementary

Would the Leader explain to all members and the public why the temporary labour contract with an estimated value of £96 million, required an urgent Executive Decision to extend the contract by a further 3 months when his Administration has had 4 year to plan, execute and implement a new contract?

Answer

The reasons for the short extension in December are explained in the Decision that has been published.

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