



Places Overview and Scrutiny Sub-Committee Annual Report 2023/2024

INTRODUCTION

This report is the annual report of the Sub-Committee, summarising the Sub-Committee's activities during its year of operation ended May 2024.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Committee's activities and performance.

TERMS OF REFERENCE

The areas scrutinised by the Committee are:

- Housing & Accommodation Services
- Land & Property Services
- Planning
- Building Control
- Business Services
- Inward Investment
- Asset Management
- Property Services
- Facilities Management
- Sports
- Leisure
- Arts
- Music
- Libraries
- Heritage
- Parks & Open Space
- Highways
- Parking & Traffic
- Waste & Recycling
- Climate Change
- Transport & Infrastructure
- Public Protection & Licensing
- Emergency Planning
- Technical Services

SUB-COMMITTEE MEMBERSHIP

Councillor David Taylor (Chairman)
Councillor Katherine Tumilty (Vice-Chair)
Councillor Osman Dervish
Councillor Ray Best
Councillor Jason Frost
Councillor David Godwin
Councillor Gerry O'Sullivan
Councillor Natasha Summers
Councillor Bryan Vincent
Councillor Susan Ospreay
Councillor Matt Stanton
Councillor Brian Eagling

REVIEW OF ACTIVITY

During the year under review, the Sub-Committee met on four occasions and dealt with the following issues:

UPDATE ON TREE SERVICES IN HAVERING

At the request of Members, a report that outlined the key activities, statistics, challenges and aspirations of Havering Council's Tree Services was presented to the sub-committee.

Members noted that there were an estimated 20,000 street trees, 250,000 trees in parks and open spaces and 4,000 trees on Council housing sites. These trees play an integral part in both managing the ecological footprint of Havering as well as the Borough's aesthetics.

Members commended the service on the number of new trees planted but were of the opinion that the current maintenance and pruning of trees needed a review. It was also noted that at present there was no contractor working for the council to undertake this exercise.

The Sub-Committee noted that Havering has never formally adopted a specific tree policy. It was stated that a new policy and accompanying strategy has been drafted, and was currently under review by business partners. The Strategy's vision is:

To preserve, improve and secure a net gain of the Council's tree stock for current and future generations, adhering to the "right tree, right place" principle.

The aims, objectives and outcomes of the draft Tree Policy are subject to change and the team was considering looking to include reference to climate change mitigation. The draft policy currently contains the following:

- To manage the Council's tree stock in accordance with good arboriculture and streetscape practice to BS standard 3998.
- To maintain the Council's tree stock on a regular cyclical basis.
- To increase the stock of trees in an appropriate manner by seeking both grant funding and private sponsorship.
- To inform and educate residents and businesses about the value of trees, and explore ways for greater involvement, consultation and protection from residents and businesses.
- To promote and secure high quality tree planting and landscaping within new developments in order to maintain and enhance the Borough's local landscapes.

Members suggested that the service should proactively liaise with Planning Officers during the drafting stage of the policy in order to influence the choice of trees, planning and planting in future developments.

Members asked for the draft policy to be presented to the sub-committee once it was ready for adoption.

Members requested that the sub-committee receive a breakdown of previous complaints relating to tree issues.

It was also suggested that information relating to the current regime of tree maintenance in cemeteries be presented to Members at a later date.

The sub-committee noted that assuming funding is granted the service would commence the purchase of new tree stock in August 2023. It was stated that between November 2023 – Feb 2024, the next round of tree planting will take place along with the commencement of the new tree maintenance contract

The Sub-Committee was informed of the following future plans:

1. School programme: The team would like to become more involved in community engagement and education of youngsters in the borough to fuel their enthusiasm for the natural environment.
2. Sponsorship scheme: Officers hope to relaunch this scheme in the next 12-18 months, as a way to encourage more tree planting on the public highway and enable residents to take more ownership of their surroundings.
3. The Team will continue to explore further opportunities across the service.

ULEZ ASSET REPORT

At the request of Members, a report that detailed the financial impact of the ULEZ enforcement that came into force on the 29 August 2023, impacting across a wide range of council vehicles and departments, was presented to the Sub-Committee.

The Sub-Committee was informed that the council operates a fleet of c. 200 vehicles across its various functions and the report detailed the ULEZ compliance status by service.

Members noted that all noncompliant vehicles would be subject to the ULEZ charge of £12.50 per day.

The report detailed a projected cost of replacing non-compliant vehicles. An appendix to the report identified the fleet and the following costs:

- The daily, monthly and yearly costs of ULEZ fines per vehicle.
- The ULEZ cost for this current year from 1st September 2023
- The estimated cost of replacing non-compliant fleet assets
- The estimated cost of replacing all vehicles including the buses with TFL community grace period application certificates.

The Sub-Committee noted that the projected schedule identified a worst-case scenario, that in the unlikely event of no further fleet replacements being achieved during the current financial year and all non-compliant vehicles being used daily, the Council's potential exposure to ULEZ fines would be approximately £103k in 2023/24.

Members asked that the service produce a year on year breakdown of reduction of the ULEZ fines in order to determine cost to the council.

HOUSING REPAIRS AND VOIDS UPDATE

The Sub-Committee was presented with a report on Housing repairs and voids.

Officers explained that the performance of the service was at the correct level to meet the contractual targets however small and large voids had not met their targets due to the condition of the properties. Members noted the Council took on over 100 voids at the start of the contract and this had been reduced to just over 50.

Officers discussed the challenges surrounding the housing stock as many houses were built in the early 1940s which are now difficult to manage, however, the Council was insulating external walls to prevent mould whilst aiming for net zero carbon emissions. It was explained to Members that a large problem faced with voids is the financial impact on the council of hiring skips to clear out possessions that have been left at the property. In total, the council had 738 void properties across all types within the last year but assurances were made by officers that target would still be aimed for regardless of the amount of voids the Council had.

Officers explained to members that properties were 100% gas compliant which was better than neighbouring boroughs but gas heating was to be slowly phased out for electric heaters for futureproofing reasons.

GREEN FLAG AWARD - HAVERING'S PARKS

The Sub-Committee was presented with a report on the Green Flag awards for Havering's parks.

Members received an oral representation from a member of the Friends of Raphael & Lodge Farm Parks group as agreed by the Chairman prior to the meeting.

Officers explained to Members that the green flag awards process was done annually. However, the awards could not judge all 16 parks every year so 10 parks were judged one year and the remaining 6 the year after. It was explained that the judging takes place in the summer months and the parks were judged on 24 different criteria across 7 areas. It was also explained that a 'mystery shop' exercise could be carried out which is an unannounced visit however there would be fewer criteria and comments as opposed to formal judging.

Members were delighted to note the Council had never failed an assessment since 2007, they noted however the concerns raised by the Friends of Parks group representative regarding the irregularity of the grass cutting and the poor sewage and drainage when there are severe weather storms. Officers responded to the concerns raised and assured members that working groups between the Council and volunteer groups were being developed.

Members requested information on the criteria for smaller parks and green spaces to receive the Green Pennant and London in Bloom awards.

STATE OF CHILDREN'S AREAS - HAVERING PARKS

At the request of Members, the Sub-Committee received a report that provided an overview of the Council's Parks specifically the State of the Children's Areas within Havering Parks.

Officers explained the process of assessing the risk of play areas which involved 3 checks; a basic visual, an operational and an annual independent check. Members noted only skate parks were assessed as high risk due to the nature of the activities within those specific areas. Members also noted that play areas are subject to damage and vandalism, of which some damage can be repaired by in-house Council teams however some damage requires specialist contractors but officers were looking at the feasibility of having the specialist work done in-house. It was highlighted to Members that there was a dedicated phone number, text number and website that the public could contact if they wished to report damage or vandalism including graffiti.

Officers explained that there had been a significant increase in the use of play areas across Havering but acknowledged that there was little new equipment and little improvement to the existing equipment. Members recognised the need of the Council

to provide play equipment that was manufactured from more sustainable and natural materials to meet the net zero carbon targets. Council officers described to Members that contractors were challenged to design new, innovative and inclusive play equipment with the basket swings given as a good example of inclusive play. Members noted the lack of communication between the Council and Disabled groups within the Borough and asked for officers to look into bridging that gap.

TACKLING DAMP AND MOULD

The Sub-Committee was presented with a report on the current position issues relating to damp and mould including some of the measures that are currently being undertaken in relation to the issue.

It was stated that the damp and mould issues within Havering were a complex matter with many contributing factors including historic building deficiencies that create surfaces areas that are more prone to condensate.

The housing stock in Havering comprised of a large number of dwellings constructed in and around the 1960's. It was stated that dwellings constructed in the period were not subject to current building regulations and therefore lack the thermal values of modern construction.

The sub-committee was informed that the amount of condensation and mould can be increased by factors such as overcrowding and furniture, clothing, and bags being placed close to external walls as airflow is restricted and moisture containing air can settle more easily.

This often resulted in resident's belongings becoming damp or spoiled and consequently complaints and frustration from residents.

The cost of living crisis is also adding additional pressure, whereby residents cannot afford to use their heating.

Many families within Havering are not legally overcrowded even though their living conditions may be very cramped. Larger families within smaller dwellings that have the building deficiencies highlighted in some of housing most common archetypes will be at a far greater risk of condensation occurring.

The table in the presentation detailed how much moisture was created by daily tasks. It was explained that in supporting residents the service have improved processes to report any damp and mould concerns. It was stated that all residents who report damp and mould issues will be offered a surveyor's inspection within a target time of 3 weeks.

Officers explained that surveyors undertake a detailed property inspection identifying any building defects, raising works orders to remedy any defects identified. The service will look at measures designed to help, such as installing better mechanical ventilation where appropriate. Officers will fully explain the cause of the mould to the

resident and offer advice on moisture reduction and management, explaining the underlying issue that makes the dwelling more prone to condensation and how adjustments to lifestyle can dramatically improve conditions and reduce condensation and subsequently mould.

It was stated that the repairs and capital teams liaise with each other on a regular basis to identify any problem blocks and look at developing its future capital programmes to alleviate some of the current issues through the service retrofit agenda.

The service indicated that it was exploring further external grant funding options such as Wave Three Decarbonisation Funding, that is yet to be announced by the government. Officers explained that the service was allocating £7million in 24/25 and £11million in 25/26 for energy efficiency measures on council properties which will help to address some of the current issues.

HOUSING RESIDENT SAFETY AND COMPLIANCE PERFORMANCE

The Sub-Committee received an update report on the position of the Housing Services Resident Safety and Compliance programmes against its statutory and regulatory duties under the Building Safety Act 2022.

As agreed by Cabinet, the Places Overview and Scrutiny Sub-Committee would be provided with regular reports on the Housing compliance performance as part of the internal governance approach and performance is also scrutinised monthly by both the Compliance board and the Asset Management Sub Steering Group.

The report detailed the following compliance areas regarding resident safety:

- Gas Safety – all gas appliances should be inspected annually and a Landlord Gas Safety Record (LGSR) provided.
- Electrical Safety – all social rented properties must have an electrical inspection (EICR) every 10 years, although recent regulation changes require private landlords to have 5 year inspections and this is considered best practice in social rented properties and the approach the Council has adopted.
- Lift Safety – Monthly inspections and planned maintenance regimes and an annual certificate provided by the Council's insurer.
- Water Safety – all relevant water systems must be checked for legionella risk, this is based on a risk based approach which could be a cyclical programme every 2 years. All actions flowing from the legionella inspection must be completed within prescribed timescales.
- Fire Safety – All relevant properties must have a valid Fire Risk Assessment (FRA) undertaken on a risk based approach which can be on a cyclical programme between 1 and 3 years. All actions flowing from the FRA must be completed within prescribed timescales.

- Asbestos – under the asbestos regulations all communal areas must have a valid management level asbestos survey which must be held on a relevant asbestos register. In addition, completing a survey programme of all domestic properties to ensure risk is managed; this is not however a statutory requirement under the asbestos regulations.
- Fire Door Checks – Carrying out flat entrance door checks in all tower blocks. Monitoring has been ongoing since June 2023 as part of the new requirements under the 2022 Building Safety Act. In addition, the service was completing fire door checks in all blocks with communal heating to ensure risk was appropriately managed. These additional checks are not a statutory requirement under the new Building Safety Act.

It was noted that all resident safety key performance indicators (KPIs) are set at 100% as shown in Appendix 1. After a significant programme of work the service has been able to complete most programmes and ensure the relevant evidence was in place to support this position.

The sub-committee was informed that there were a number of EICRs to complete, these were hard to reach properties and work was being done to resolve these. All actions from the Building Safety Act are captured on the Action plan in appendix 2.

Officers highlighted some new legislation introduced which flowed from the Grenfell Enquiry and the Fire Safety Regulations 2022 to the sub-committee. It was stated that the service had introduced some additional monitoring regimes to ensure compliance such as communal doors checked every 3 months and flat front entrance doors checked every 12 months. These have now been included in the report.

The legislation also introduced some additional requirements around way finding signage requirements, floor plans, lifts and essential firefighting equipment which the service is working to ensure compliance with.

The sub-committee was informed that in order to achieve this requirement the service was exploring a tool which has allowed for 3D modelling of each high rise building. Officers are now able to identify all relevant equipment, isolation of services and other relevant information. The service is still populating the tool and are now sharing some sections with the London Fire Board (LFB).

It was stated that there are plans to share relevant sections with residents as part of the service engagement strategy. This will also be the core methodology for providing information to the new Building Safety Regulator as part of the building safety case file.

BRIDGE CLOSE REGENERATION LLP - IN YEAR REVIEW OF 2024/25 BUSINESS PLAN

At the request of the Sub-Committee the budget papers for the Bridge Close LLP Business Plan Refresh 2024/25 was presented under the pre-decision scrutiny arrangements.

The report fell under the auspices of the Sub-Committee and formed part of the budget papers to be considered to Cabinet at its meeting on 28 February.

Following presentation and debate the sub-committee made the following comments and recommendations that would be passed to the Overview and Scrutiny Board for consideration for inclusion in the Board's overall comments on the budget papers.

1. That Officers suggest a frequency for regular reporting on the project to Places OSSC.
2. That a metric be identified to quantify savings to the General Fund, such as a reduction in pressure on the social care budget. It was recommended that an AMAT assessment is conducted.
3. Recommended that the term "affordable" is broken down to identify the products on offer.

HRA BUSINESS PLAN

At the request of the Sub-Committee the budget papers for the HRA Business Plan was presented under the pre-decision scrutiny arrangements.

The report fell under the auspices of the Sub-Committee and formed part of the budget papers to be considered by Cabinet at its meeting on 28 February.

Following presentation and debate the sub-committee made the following recommendations and comments that would be passed to the Overview and Scrutiny Board for consideration for inclusion in the Board's overall comments on the budget papers.

1. That Members note the advice from Savills, in 7.3, in which a question on the viability of the scheme was raised.
2. Recommended that the council revisit the infill scheme, regarding council garages, in order to reduce anti-social behaviour and provide new homes.
3. That members be mindful of the potential telecare costs, relating to the digital switch over.
4. Note the negative EQIA assessments, on all characteristics.
5. Recommended that the Section 151 Officer should explain the need to borrow from the general fund, as opposed to PWLB or other external sources, also commenting on the impact that this has on the General Fund and deficit.
6. That Members be provided with an update on work taken to increase the number of bedrooms in homes, with a view to ensuring residents can remain in their home as opposed to being moved to a larger property.
7. That the sub-committee be provided with a breakdown on the charges relating to heat and water.

CLIMATE CHANGE STRATEGY

At the request of Members, the revised Havering Climate Change Action Plan (HCCAP) 2024-27 was presented under the pre-decision scrutiny arrangements.

The report came under the auspices of the Sub-Committee and formed a key decision to be considered by Cabinet at its meeting on 10 April.

The report outlined impacts and causes of climate change that have been recognised by the Council. It was stated that in the report that the Council had developed strategies and goals to address these impacts and mitigate the effects of climate change.

The sub-committee noted that the costs of annually reviewing the Havering Climate Change Action Plan that would be contained in the existing corporate financial provision. Members agreed to receive an update in 6 months time.

Following presentation and debate the sub-committee made the following comments and recommendations that would be passed to the Cabinet for consideration for inclusion in the action plan.

That the sub-committee supported the Approval and Adoption of the revised HCCAP 2024-27.

The Sub-Committee also asked that:

- Could Cabinet consider an action around promoting greywater and rainwater harvesting.
- Could Cabinet consider how the plan may incorporate green energy generation.

PLANNING ENFORCEMENT REVIEW OF RESOURCES

The Sub-Committee received a report following the recommendation of the Local Government Ombudsman (LGO) review of resources for the Enforcement function within planning which had recently been undertaken.

The report detailed that the review had been completed, setting out the current issues within Planning Enforcement and making recommendations in relation to recruitment, enforcement plans, business support, interaction with planners and performance monitoring and performance.

The report informed the sub-committee of the following issues identified:

- Significant backlog of cases: Historically, case levels have been very high, but there have been successful efforts over recent years (particularly when

fully staffed) to reduce the number of cases on hand. Despite this, the current number of cases on hand (604) exceeds the number of cases received in each of the last two years (469 22/23 and 414 23/Feb 24). At present there are over 300 cases which are over a year old, which is a significant number of the total caseload.

- The number of cases per officer being very high: The number of cases per officer makes it difficult for officers to manage cases in order to respond in a timely manner to new cases received and ultimately to resolve cases (the problem identified by the LGO). Members seeking updates which itself contributes to the officer workload. The consequences of high officer workloads contributed to the backlog of cases.
- Notices served reflects staffing levels: A high number of notices served was not necessarily an indication of a good or efficient service albeit it is currently the only planning enforcement 'performance' indicator that central government monitors. Based on previous statistics, it is considered about 60 notices a year would be expected to be served and that a manageable workload per officer would be in the order of 80.

Members were informed that the specific reasons why the LGO sought a review of the service was that at present the planning enforcement team in the planning service does not have the resources to carry out its functions.

The report detailed the following action plan to address this issue:

Recruitment to vacant Establishment Posts: Recruitment would enable reduction in officer workloads and allow more timely resolution of complaints or the taking of formal action. Recruitment would be dependent on agreement of the Recruitment Panel and ensuring that sufficient budget is available. Timescale: To begin progress from April 2024.

Adoption of Enforcement Plan: An updated enforcement plan has been drafted and will form part of an overall Enforcement Policy for the Planning and Public Protection Directorate for approval this year. Timescale: Policy adopted by December 2024.

Explore Additional Business Support: Explore scope of business support needs across Place, which the Planning and Public Protection Directorate forms part of. Timescale: Ongoing as part of review

Greater Interaction between Enforcement and Planning Officers: Better interaction would result in increased learning and development for officers; prioritisation of retrospective planning applications and making better informed decisions as to whether to invite planning applications to regularise any breach. Timescale: From April 2024

Expand Reporting on Performance to Lead Member and Planning Committees: Currently, only numbers of cases received and closed and notices served is reported to the committees each quarter. It was recommended that in addition, current case load, including number of open cases per officer be included in

any reporting so issues of backlog and output can be more easily identified and reported on. Timescale: From April 2024

Following the presentation and discussion the sub-committee noted the content of the review and the actions recommended.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While the work of the Sub-Committee can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Sub-Committee's work over the past year.

BACKGROUND PAPERS

Minutes of meetings of Places Overview and Scrutiny Sub-Committee