

COUNCIL, 12TH JUNE 2013**MEMBERS' QUESTIONS****1 DISMISSAL OF STAFF****To the Leader of the Council (Councillor Michael White)**

By Councillor Ray Morgon

Would the Leader of the Council agree that this council should no longer dismiss staff with secret payoffs and signing of compromise agreements, but adopt robust HR procedures so that if any member of staff at whatever level is failing to perform they should be dismissed without compensation paid for by Havering residents.

Answer:

I totally agree that people failing to perform should not receive compensation.

We rarely use compromise agreements. However when they are signed, this is to protect the council's position from long and protracted employment tribunals which would cost more because of the legal fees involved.

Payments linked to compromise agreements often cover statutory redundancy and notice periods which employees are legally entitled to in any case - whereas legal fees could amount to thousands of pounds to manage even spurious claims.

2 DAMAGE TO ROADS AND FOOTPATHS IN HAROLD HILL**To the Deputy Leader of the Council (Councillor Steven Kelly)**

By Councillor Pat Murray

What steps is the Administration taking to ensure that damage caused to roads and footpaths by contractors engaged in the redevelopment of garage blocks and open spaces in Harold Hill are being repaired quickly and to a good standard of workmanship.

Answer:

The Administration is taking great efforts to minimise any inconvenience to those living around the garage sites being redeveloped in Harold Hill, and elsewhere.

During the last 12 months, nine incidents relating to damage to highways and/or paths have been reported to the Garages Redevelopment Project Manager. Five

of these incidents were the responsibility of the house developer, with the necessary repairs works being carried out within 10 working days in each case.

Of the other four incidents, one was due to BT, one was due to a Decent Homes contractor, with the remaining two caused by dust-carts. In these cases, the relevant Council Services remedied the situation as quickly as possible.

There have also been complaints about mud in the road around the garage redevelopment sites, especially in bad weather. In these cases, the developer has been instructed to clean the roads on a daily or even more frequent basis.

In response to a supplementary question, the Deputy Leader confirmed that areas would be returned to their original condition once works had been completed, unless the area concerned formed part of the commitment to improve roads in Harold Hill. Poor standards of repairs should be reported by Members to the building manager or by e-mail to the Deputy Leader.

3 ANNUAL COUNCIL HONOURS

To the Leader of the Council (Councillor Michael White)

By Councillor Jeff Tucker

Following the last Annual Council meeting. What steps will this Administration now take to ensure all future nominees for honours at Annual Council meetings are addressed in the manner they should be.

Answer:

Honour was surely missing. I sat at home, horrified, watching what happened to a man who gave 24 years of his life to this borough - being treated in such an appalling way.

There will be no honours in this Chamber for a long time to come because we as a group won't accept any.

4 COUNCIL TAX BILLS AND THE COST OF EU DIRECTIVES

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Lawrence Webb

In the document YOUR COUNCIL TAX YOUR SERVICES 2013-2014, the Leader of the Council states "we've been spending your money wisely" and the rest of the document then gives some indication of how this money has been spent.

Some mention is given to the levy incurred by the council for landfill tax, but NO mention is given to the true origin of this tax, the EU landfill directive 1999/31/EC.

I am sure that people would be very interested to learn that the cost of implementing the EU Energy Efficiency Directive (2012/27/EU) is behind the closure of many of our public buildings such as police stations and hospitals.

At my first council meeting in March you very eloquently extolled the virtues of openness and transparency when talking about the operation of the council; it is in the spirit of this openness and transparency that I ask, can any future breakdown of council tax bills clearly state the cost of implementing EU directives.

Answer:

We do our best to be as open and transparent as possible but it would not be feasible for us to separate out the cost of meeting EU directives from the cost of meeting any other elements of British legislation.

5 SPITTING

To the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

In response to my question at full Council in March 2012, the Leader announced that the Administration is to bring in a bye-law to ban spitting in public. Over a year later, we are still waiting. Would the Leader explain why there is such a delay

Answer:

To date the Department of Communities and Local Government hasn't approved any of the first wave of applications for a bye-law banning spitting. Until the DCLG has clarified its approach to such a bye-law the Council's desire for one is frustrated.

In response to a supplementary question, The Leader confirmed that the Council was aware that spitting had been classified as waste under a bye-law introduced in Waltham Forest. While there may be a risk of challenges to a bye-law of this type, the Council was investigating whether it would be possible to introduce a similar bye-law in Havering.

6 HEATH & SAFETY REGULATION COMPLIANCE

To the Cabinet Member for Community Safety (Councillor Geoff Starns)

By Councillor Denis O'Flynn

What arrangements do the Council put in place to ensure that Contractors and Sub Contractors comply with Health & Safety Regulations.

Answer:

The council has a strict health and safety policy in place that all contractors and sub-contractors are expected to follow. In addition there is also a corporate training course for staff so that they understand their responsibilities. This is accredited by the institute of occupational safety and health. Schools are also expected to adhere to this process as well although they manage contracts directly.

In response to a supplementary question, the Cabinet Member agreed to provide to all Councillors the contact details of the relevant officers, should Members have concerns of public health being put at risk.

7 CHILDRENS SERVICES**To the Cabinet Member for Children & Learning (Councillor Paul Rochford)**

By Councillor Deon Burton

A recent Ofsted Inspection team rated Havering's child protection service as 'Adequate overall'. A most encouraging standard, but one we should not be complacent about or allow to be put in jeopardy.

Given the Executive would agree that looking after vulnerable children is one of our highest priorities.

In light of the recent legal action against our colleague London Borough of Haringey, where they have been successfully sued for what was deemed their wrongful accusation against parents in regards to the protection of a child.

- A.** What clear and specific steps are being taken by this authority to protect officers, Members and the Authority from such a fate ?
- B.** What considered guidance since the judgement, has been provided to our residents to allay the fears of any who are concerned that they too could face legal action, if they make statements about their neighbours conduct towards children.'

Answer:

Following the Haringey case, we have taken legal advice and reviewed our process around referrals made to us by anyone who has concerns about a child, including anonymous tip-offs. We have also made some changes to our referral forms to ensure it is clear that parental consent is needed before we, or any of our partners, provide or share information about a child or family.

All our partners have been reminded that consent should be obtained before making a referral, unless there are extenuating circumstances not to, such as placing a child at risk.

In the Haringey case, the referral came from an anonymous source and was not identified in court. Havering residents can be confident that we will always protect their anonymity if they need to raise concerns about a child.

In response to a supplementary question, the Cabinet Member agreed to supply to Councillor Deon Burton in writing, details of what specific actions were being taken to improve the OFSTED rating for the child protection service.

8 EXPENDITURE OVER £500

The Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Gillian Ford

Would the Cabinet Member explain why details of expenditure over £500 has not been updated on the Council website since January 2013.

Answer:

With the end of the financial year a backlog arose in the preparation and checking of the data, which takes a considerable amount of time to ensure that personal data is not included. The data to the end of April should now be on the website, and May's will appear before the end of the month.

In response to a supplementary question, the Cabinet Member explained that it was not possible to give a guarantee that expenditure data would be published within the 30 days timeframe due to the need to check the data thoroughly to avoid any fraudulent use and due to the large change to Council structures that had taken place this year.

9 HILLDENE SHOPS – PAY & DISPLAY PARKING AND RESIDENTS PARKING PERMITS.

To the Cabinet Member for StreetCare (Councillor Barry Tebbutt)

By Councillor Paul McGeary

Have the Administration an implementation plan for the introduction of Pay & Display Parking and Residents Parking permits at the Hilldene Shopping Area taking into account the numerous development proposals close by and the disruption likely to be caused by the developments during the construction phases

Answer:

The Council has planned a number of projects in the Hilldene area to improve quality of life for residents of Harold Hill, including the construction of a new Library, increased parking and construction of new affordable homes for local people.

A Project Board has been established to oversee implementation of the projects, including the implementation of the Pay and Display Parking. The Board has a plan which phases works around the Hilldene area to minimise the disruption to local residents, shop-keepers and the general public using the shops.

In response to a supplementary question, the Cabinet Member agreed to supply a copy of the relevant implementation plan, should such a plan be available.

10 ELMHURST LODGE- TORRANCE CLOSE - HORNCHURCH

To the Deputy Leader of the Council (Councillor Steven Kelly)

By Councillor Mark Logan

A Council care home at Torrance Close Hornchurch was closed down and the large parcel of land sold to a developer, was this done to provide urgently needed homes in LB Havering and to help first time buyers get a foothold onto the property ladder.

Answer:

Elmhurst Lodge was one of our remaining in-house care homes and in 2004 we began looking into the future of these homes as they were no longer fit-for-purpose to provide the high-quality of care our elderly residents deserve.

Following a consultation in 2005, we began the process to close the homes and provide the service externally.

The full legal process took several years but by 2010 the site of Elmhurst Lodge was ready to be sold to a developer and transferred into much-needed new homes for local people.

We know how important it is to provide affordable homes for local people and that's why we have been working closely with developers across the borough to provide homes where they are most needed. On this site, we ensured there would be six flats which will be affordable housing.

11 FREEDOM OF INFORMATION REQUESTS

To the Cabinet Member for Community Safety (Councillor Geoffrey Starns)

By Councillor Linda van de Hende

Would the Cabinet Member confirm how many Freedom of Information requests have not been completed within the statutory timeframe over the past 12 months

Answer:

The number of FOI requests received by the Council have quadrupled since 2005 from just under 300 requests that year to more than 1200 requests in 2012 - with no increase in staffing resources to co-ordinate the answering of them. The questions are also getting more complex, so they are taking longer to research.

The Council normally responds to over 85% of FOI requests within the 20 day time limit, which is the Information Commissioner's target figure for Councils. However the performance in 2012 was affected by changes to the supporting technology which meant that 218 requests were answered after the 20-day limit – equating to approximately 18% of requests. We expect the performance figures to improve this year.

In response to a supplementary question, the Cabinet Member explained that the contents of the Members' information Pack were decided by the Administration and there were no plans at present to alter this to include performance on Freedom of Information requests.

12 DETERRING “COLD CALLERS”**To the Cabinet Member for Housing, with responsibility for Public Protection (Councillor Lesley Kelly)**

By Councillor Denis Breading

Will the Administration facilitate the provision of a standard “No Cold Callers” sign for residents to place in a doorway or front window of their property to deter “Cold Callers”

Answer:

A multi-agency Bogus Callers Group has been established to address crimes against older and vulnerable residents by bogus traders.

Officers from our trading standards and community safety teams, alongside Havering Police, have recently developed a Stop Cold Calling pack which will be piloted in a small area of the borough this summer.

Depending on its success, the Bogus Callers Group will seek funding to roll it out to other areas.

In response to a supplementary question, the Cabinet Member explained that it would not be possible to make all areas of Havering Cold Caller zones as this would not have any effect. It was important to prioritise vulnerable residents.

13 RE-DESIGNATION OF COMMON LAND**To the Deputy Leader of the Council (Councillor Steven Kelly)**

By Councillor David Durant

The land status of open spaces in Havering varies and has different levels of protection from development.

For example, Green Belt land is protected and Council parkland and recreational grounds are mostly protected, but common land has only limited protection.

This is why where appropriate, popular common land used by the community should be re-designated as Council parkland or recreational grounds to ensure the green character of Havering and quality of life of residents is retained!

Therefore please explain how a resident who wants common land re-designated as parkland or recreational ground should submit a request to the Council and how their request would be processed?

Answer:

Firstly, I'd like to clarify what we mean by 'common land'. In Havering we have four areas of designated 'common land, across Upminster, Havering-atte-Bower and Gidea Park. This is land which is registered under the Commons Registration Act 1965.

These are all protected by a range of legislation, including the Commons Act 2006, the Road Traffic Act 1988 and the Open Spaces Act 1906. Common land is also protected through planning policies and guidance.

We are content that in Havering all our open space which needs protection is protected, while also bearing in mind the importance of ensuring land is available for essential needs such as housing, infrastructure and jobs.

Our own planning policies also allow us to ensure open spaces used by the whole community are taken into account when we look at planning applications and the Government's National Planning Policy Framework provides protection for green spaces which are of local importance through local and neighbourhood plans.

If anyone wanted to suggest that an area become a park they would have the opportunity when the Council prepares its new Havering Local Plan. They would need to make this suggestion during the planning stage by commenting on the emerging plan.

Any comments would be considered. The procedure for making a local plan means that other people would also have the chance to comment on any proposals for a new park being included before the plan is completed and put in place.

We are currently undergoing a review of all of our byelaws which includes protecting both common land and parks and pleasure grounds.

In response to a supplementary question, the Deputy Leader confirmed that both common land and Green Belt in Havering would be protected against any attempts to use it for housing etc.

14 BLUE BADGE APPLICATIONS

To the Cabinet Member for Transformation (Councillor Mike Armstrong)

By Councillor Barbara Matthews

At full Council in July 2012, we were advised that the turnaround time for a blue badge application was two weeks for an automatic application and up to four weeks for a mobility assessed application. Would the Cabinet Member advise what turnaround times have been achieved expressed in numbers of applications and the amount processed within the timescales.

Answer:

We are in the process of moving blue badges onto a National Database which currently does not capture all pertinent information on timescales. However, to ensure the quality and speed of service, we carry out monthly sampling of Blue Badge processing timescales.

These currently show that automatic applications (where the customer fully qualifies) are taking approximately 10 working days, from the application being received to the customer receiving their badge. It can take up to 4 weeks for a mobility application to be fully processed. Mobility applications can require assessment, so the total length of time is dependent on how quickly customers book their assessment after having been advised they require one.

These timescales have been the average for some time now.

15 PRIMARY SCHOOL PLACES

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Keith Darvill

Will the Lead Member for Children Services make a statement about the number of Primary School Places required for September 2013 and the plans he has to ensuring that all primary age children will be provided with a place.

Answer:

As per last September's Cabinet report, a total of 12 permanent forms of entry for primary schools, amounting to 84 classes and 2,250 places, were required for September 2013. Nine of the 15 schools we identified for expansion required statutory approvals and I can confirm that all these are now in place. Building works are underway and progress is good in all schools needing building works.

Currently, all children who have applied for a place in September have been allocated one. However, our school admissions team have identified that we may need to provide further places in some areas of the borough. Discussions are well underway with schools should we need to do this in the coming weeks.

In response to a supplementary question, the Cabinet Member confirmed that the Council had a good idea of the areas affected by the need for further school places and was talking to several schools in those areas in order to ensure these additional places were provided.