



## **MEMBERS' QUESTIONS**

### **Allotments**

**1) To the Leader of the Council (Councillor Ray Morgon)**

**From Councillor Jackie McArdle**

Will the Leader of the Council provide assurance to the 1000s of allotment holders across the Borough that the Administration will take the appropriate steps to make statutory the four allotment sites in Havering still designed as 'temporary'?

### **Answer**

Havering Council provides 27 allotment sites, 23 of which are already designated as statutory allotments under the Allotments Act 1925, providing them with some degree of protection against development, or alternative use.

It was agreed at the most recent allotment society meeting, chaired by Cllr Mugglestone, that the Council would seek to designate the remaining four sites as 'statutory' sites under the Act.

(No supplementary question).

### **Exemption Bays**

**2) To the Cabinet Member for Environment (Councillor Barry Mugglestone)**  
**From Councillor Keith Darvill**

What arrangements are made to ensure that the specially marked out exemption bays are maintained with clear markings so that residents, visitors and enforcement officers are in no doubt that parking is permitted in such bays thus avoiding misunderstanding and wrongful parking charge notices?

### **Answer**

As members will know, all road markings and parking signs are installed in accordance with published regulations. This ensures consistency (nationally), general and widespread understanding and ability to effectively enforce.

Regular inspections are carried out by the Councils highway inspectors. The frequency of these inspections (as part of wider highway safety inspections) is determined by the type of road as set out in the Maintenance Policy and Plan.

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Additionally, if a Civil Enforcement Officer is concerned about an area of road marking, processes are in place for this to be reported and inspected (and enforcement suspended until the work is complete).

Where works to refresh markings are instructed repairs should be completed within 28 days.

A supplementary question asked if the Cabinet Member would attend the Harrow Crescent area in order to view the position directly. The Cabinet Member responded that he would ask officers to attend the location initially but that he was prepared to do this if required.

## **Treatment and Allocation of Capital receipts, following the agreement for a Capitalisation Direction**

### **3) To the Cabinet Member for Finance (Councillor Chris Wilkins) From Councillor Martin Goode**

Can the Cabinet Member for Finance, please confirm the total amount to date, that represents loans from Capital to cover Revenue expenditure?

#### **Answer**

Members are aware that the Council has applied for Exceptional Financial Support to fund revenue expenditure, resulting from insufficient government funding to fully deliver council services.

Exceptional Financial Support enables councils to fund revenue expenditure from Capital through receipts or borrowing.

To date, the Council has not taken out borrowing directly associated with the Exceptional Financial Support applications.

A supplementary question asked what was the total to date for loans from Cabinet to income. The Cabinet Member responded that the capitalisation directive for 2024 totalled £18.1m and this had been fully funded from capital receipts.

## **Speed Enforcement**

### **4) To the Leader of the Council (Councillor Ray Morgon) From Councillor Philip Ruck**

Given that children are now back at school, can the Leader outline any plans his Administration has to increase the monitoring of 20mph areas (for example Alma Avenue), or to introduce additional measures such as speed bumps, to help reduce speeds and improve the safety of residents?

**Answer**

Through the Council's Road Safety Education and School Travel Plan programmes, the Council works closely with schools across the borough to support pupils, parents and teaching staff to travel to and from school sustainably and safely. The Council's work has also included the delivery of 15 school streets schemes in the borough.

The Council's road safety education programme is delivered in schools across the borough covering subjects such as the Green Cross Code, sensible behaviour around roads, sustainable travel and sensible behaviour when cycling.

Regarding the monitoring of 20mph zones, the Council has no powers to enforce these. Speed enforcement powers lie with the Police. When implementing such measures we will always look at what additional traffic calming measures can be introduced to support self-enforcement, and support safety of pedestrians like refuge islands or raised crossings.

The safety of residents when delivering any schemes on the highway is of course our upmost priority. Through our Local Implementation Plan we have allocated funding specifically aimed at supporting Vision Zero and the safety of our residents. This includes funding to look at the feasibility for introducing further 20mph zones in the borough, and I understand my officers have already started to contact local ward Councillors in areas where schemes are being considered, to seek their views.

Of course, any measures that are taken forward whether that be 20 mph zones or other annual accident reduction schemes to reduce KSI rates, will be subject to formal public consultation including consultation with local ward Councillors.

A supplementary question asked what plans there were to increase monitoring of car speeds in the area or to introduce speed bumps etc. The Leader of the Council replied that a history of road deaths or serious injuries in an area had to be demonstrated to Transport for London in order for funding to be secured.

Traffic calming measures could be put forward by Members and the Police Safer Neighbourhood Teams could also be asked to undertake a speed monitoring exercise.

**Volunteer Centre Rent**

- 5) To the Cabinet Member for Finance (Councillor Chris Wilkins)  
From Councillor David Taylor**

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Can the Administration confirm whether the rents for the Havering Volunteer Centre will be increased?

**Answer**

Thank you for your question Councillor Taylor.

We fully understand and appreciate the important work HVC deliver to help our communities and we will continue to support them where possible.

HVC have been offered various accommodation options going forward, including the option to remain in their current premises. Each option is available on a three-year lease, at a market rent, offering greater security than the Tenancy at Will that they currently hold.

HVC have been asked to confirm which accommodation option they wish to pursue. We look forward to hearing from them in due course. At that point we will be able to assess the impact on their rent.

A supplementary question asked if the Cabinet Member would review previous correspondence between the Volunteer Centre and Council officers to confirm the financial required had been supplied. The Cabinet Member confirmed that he would do this.

**Fly-Tipping Enforcement**

**6) To the Cabinet Member for the Environment (Councillor Barry Mugglestone)**

**From Councillor Jane Keane**

Fly-tipping is blighting the lives of households in Havering, does the Cabinet Member agree with me that tougher enforcement combined with the weekly publication of the Borough's fly-tipping statistics including the cost of clearing fly-tipped detritus and information relating to successful prosecutions and investigations, all of which will help to inform residents and contribute to reducing such illegal activity?

**Answer**

Fly tipping is a national problem, and the Council has increased enforcement actions every year since 2021.

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We have a duty to report environmental enforcement and fly tipping statistics to DEFRA every quarter and these are later published annually as part of a wider national table.

Additionally, we already publish data relating to Fixed Penalties issued and publicise all environmental enforcement prosecutions in the Quarterly Community Safety Partnership Newsletter and Living In Havering Magazine.

Since January 2024, the Council has issued 261 Fixed Penalty Notices for fly-tipping, resulting in £30,400 of fines paid.

A supplementary question asked if it would be possible to introduce a 'wall of shame' identifying people who been convicted of flytipping. The Cabinet Member stated that he would discuss this with officers.

## **Recycling Sacks**

### **7) To the Cabinet Member for the Environment (Councillor Barry Mugglestone)** **From Councillor Darren Wise**

Could the Cabinet Member, outline what progress has been made in finding alternative venues in Harold Wood where recycling sacks can be collected from?

## **Answer**

Following advice from local councillors, the waste team contacted the local church who responded to say they cannot assist with the recycling sacks due to limited staffing of their front desk.

The team also contacted the Hub on Gubbins Lane and they are currently unable to help due to commercial reasons but were happy to have a follow up in 6 months' time.

A roll of 16 orange sacks is delivered to each Havering household every 13 weeks. 8 locations in the borough offer smaller rolls of additional orange sacks, and officers would be happy to speak to any other establishments suggested to the team.

A supplementary question asked if the Cabinet Member could advise who was contacted at the organisations mentioned and when. The Cabinet responded that he would get this information from officers.

## **Social Housing**

**8) To the Cabinet Member for Regeneration (Councillor Graham Williamson)  
From Councillor David Taylor**

How many homes will be provided to Havering Council directly, for social rent or similar, by Mercury Land Holding's Como Street development?

### **Answer**

The MLH planning application for the Como Street development is currently under review by the London Borough of Havering. The scheme design is at an early stage in the development programme. The current expectation is that the development will provide in the region of 138 homes in total. The number of affordable homes will be decided on in discussion with the Local Planning Authority and will be dependent on the viability assessment. This work is ongoing.

A supplementary question asked if the Cabinet Member felt that it would be most appropriate for Mercury Land Holdings to provide social housing rather than other affordable housing. The Cabinet Member responded that all social housing schemes depended on their viability. The only local developers who were achieving the target of 35% affordable housing were Mercury Land Holdings.

## **FCC Performance**

**9) To the Cabinet Member for the Environment (Councillor Barry Mugglestone)  
From Councillor Mathew Stanton**

Given the contract with FCC is described as an outcome based contract, is the Cabinet Member satisfied with the performance of FCC with regard to weed spraying and clearing across the Borough?

### **Answer**

The Council's monitoring team regularly inspect both weed growth and general street cleansing standards, and FCC's Operational teams have also been carrying out regular site visits along with the weed treatment contractor.

In order to improve standards I am pleased to report the Council is delivering an additional treatment, which will be carried out early in the season next year.

Furthermore, in the last few weeks FCC have introduced an additional three manual weed removal teams to combat particular hotspots; this has had a

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positive impact on weed levels in the borough with over 100 streets already cleared of weeds.

The service has also been trialling alternative treatments to the current glyphosate-based chemical, the results of which are being observed throughout the current growing season.

(No supplementary question).

**Illegal HMO**

**10) To the Cabinet Member for Housing & Property (Councillor Paul McGeary)**

**From Councillor Tim Ryan**

Will the Administration please outline the process for shutting down an illegal HMO, including the timeline from first report to affecting a closure order?

**Answer**

Operating an unlicensed HMO is an offence for which Local Authorities can pursue either a civil penalty or a criminal prosecution.

However, there is no legislative provision to shut down an unlicensed HMO. To do so would result in the occupants becoming homeless and would thereby create a duty for the Council to re-house the occupants

We can request the owner or agent to apply for either an appropriate license, or a Temporary Exemption from licensing, so they can legally evict the occupants.

Also, we can pursue a Rent Repayment Order to re-claim the housing benefit element of any Universal Credit received by the agent or owner.

In the event of an imminent risk of serious harm to health or safety to any of the occupiers, an Emergency Prohibition Order can be served by the Local Authority, who could then be responsible for re-housing the tenants, and paying compensation to displaced tenants and the owner of the property.

A supplementary question asked how many officers worked on the enforcement team that shut down HMOs. The Cabinet would check with officers and advise this figure.

**Anti-idling**

**11) To the Cabinet Member for the Environment (Councillor Barry Mugglestone)**

**From Councillor Jane Keane**

Following the motion passed at Full Council on 23rd July this year at which the Council committed to an anti-idling campaign, what actions have been taken towards implementing such a campaign?

**Answer**

There is a well-established programme aimed at supporting Havering schools to enable the school community to travel to and from school in ways that support an active lifestyle, and which help mitigate the impact of engine idling in the vicinity of schools.

This included delivery of a comprehensive anti-idling programme over the last two years which benefited over a dozen schools and 2,000 students. The programme involved anti-idling workshops and saw pupils talking to drivers about the impacts of engine idling. Now, having attended one of these workshops at a school in my own ward, I saw for myself the impact it had on drivers, many of whom were unaware of the damage leaving their engines idling can have on the local environment.

Results of this programme really speak for themselves, with 89% of drivers spoken to by pupils pledging to cease idling.

In the new academic year, we will be supporting a further five schools with anti-idling programmes. This will include interactive and education workshops, idling action events at pick up time, co-designed banners using pupils' artwork, raising awareness of engine idling impacts amongst parents and school staff, development of an anti-idling toolkit for additional schools, and production of an anti-idling leaflet for schools.

A supplementary question asked what more the Cabinet Member would do reduce engine idling. The Cabinet Member responded that he had already answered this question.

**Section 106**

**12) To the Cabinet Member for Regeneration (Councillor Graham Williamson)**  
**From Councillor Jason Frost**

At the last Full Council meeting during debate, the Cabinet Member for Regeneration said "...there was no additional unallocated 106 monies left." This is contrary to the £3 million plus unallocated 106 money as presented in July 2024. Could the Cabinet Member please inform the Council; where the £3 million pounds has been spent, which area and what additional infrastructure projects this will pay for, to benefit Havering residents?

**Answer**

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It is believed the question relates to the debate at Full Council about CCTV and availability of CIL funding rather than S106 funds.

S106 funds are secured in relation to planning applications and any financial obligations can only be spent on items specified in the legal agreement that are necessary to mitigate the impact of the development. There are no S106 monies received or due for CCTV provision. Circa £4m for specific purposes is currently unallocated, mainly available for specified highway improvements in the vicinity of development sites or carbon offset fund for carbon reduction projects.

In respect of CIL, the amount of CIL available at any time fluctuates depending on amounts received through commencements of housing developments and amounts spent or allocated. £0.75m CIL has been allocated and spent for recent CCTV improvements. As of end August, there is approximately £2m unallocated CIL.

(No supplementary question).

**PCN Discounts**

**13) To the Cabinet Member for Environment (Councillor Barry Mugglestone)  
From Councillor Keith Prince AM**

Can the Administration please explain how it justifies the decision to remove the automatic re offer of the 50% discount to appellants who lose a PCN challenge—especially given evidence that this may disproportionately penalise residents making genuine, but ultimately unsuccessful, appeals?

**Answer**

At the present time Penalty Charge Notices paid within 14 days are discounted by 50%. Conversely, PCNs paid late attract a 50% surcharge. This regime is as per published, legal, requirements.

The decision to remove the 50% discount following unsuccessful challenge was made in July 2024.

The full reason and rationale for this was set out in the Executive Decision at the time and followed a public consultation. In summary, the aim of removing the discount was to reduce the number of speculative challenges and consuming valuable council resources, the majority of which were unsuccessful.

The ED noted that out of 183,000 issued PCNs the previous year, 53,000 were challenged. 35% of challenges were unsuccessful indicating a very high level of speculative challenges. The latest data shows this has reduced to

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21%. This change represents around 14,000 fewer cases to be handled by the back-office team, per year. In addition, of those challenged or appealed currently only around 26% are successful whereas this was 35% previously.

In advance of the decision being taken, the Council secured external legal advice to ensure any decision taken was compliant and legally sound. An equality assessment was also completed.

Whilst I understand the points made in the question, the Council tries to aid motorists considering whether to challenge a PCN through information provided on the website, including publication of the discretionary policy.

A supplementary question asked if it could be confirmed that 9% of previously successful appeals were now denied. The Cabinet Member responded that a parking fine could be appealed against and then taken to a tribunal. If an appeal was successful at the tribunal stage, the 50% discount would not be required as the parking fine would be cancelled.

## **Working Abroad**

### **14)To the Leader of the Council (Councillor Ray Morgon)** **From Councillor Viddy Persaud**

How many staff members have applied for, and given leave to, work from abroad as per page 4 of Havering Council's 'Working from Abroad' procedure?

## **Answer**

The total number of users who requested, and received approval, to work from abroad are as follows:

London Borough of Havering:

2023: 90

2024: 86

2025: 65

For 2024 and 2025 (to date) we're able to share more detailed information about the duration that access from outside the UK was granted.

<b>Duration</b>	<b>2024</b>	<b>2025</b>
Up to 14 days	40	40
15 – 30 days	24	16
31 – 60 days	12	7
61 – 90 days	5	1
91+ days	2	1

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unclassified	3	0
<b>Total</b>	<b>86</b>	<b>65</b>

The numbers above are a mix of both Council Officers and Council Members.

Earlier this year it was decided that access from outside the UK would only be granted for a maximum of 90 days to improve the Council's security posture. Should the access be required for a longer period, another request must be submitted.

IT and the Cyber Team have no requests for individuals to work abroad on a full-time basis.

Extended periods of access may be required where the Council is working with 3<sup>rd</sup> parties who provide technical development or support outside of the UK and the access is essential for fulfilment of the contracted services.

A supplementary question how performance of staff working abroad was managed to ensure value for money for rate paying residents. The Cabinet Member felt that many staff could fulfil the same role from abroad and their performance would be monitored in the same way.

### **Resident Notification**

#### **15)To the Cabinet Member for the Environment (Councillor Barry Mugglestone)** **From Councillor Robert Benham**

Can the Cabinet Member for the Environment explain why local residents on neighbouring roads have NOT been written to inform them of the implementation of the School Street Zone in Ayr Way Rise Park?

### **Answer**

In accordance with the Councils established arrangements when developing new schools streets, the residents who reside directly inside a proposed zone would receive letters informing them of the proposals and asking for their views.

Schools are engaged with and we ask them to include information in their newsletters.

A consultation exercise is held, inviting all residents to reply, and this is also usually publicised in Living. Often, word of mouth and local social media pages are very effective in sharing news. Ward members often liaise with their constituents too.

The public consultations run for three weeks.

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In addition to the above - site notices inviting responses from residents outside the zone were placed at the following junctions

- Ayr Way with Moray Way
- Deveron Way with Clyde Way
- Ayr Way with Pettits Lane North

In advance of any scheme commencing, further notification (in line with the above) is issued advising residents of the scheme and how to obtain permits and exemptions.

A supplementary question asked why many local residents continued to report they had not been advised of this change. The Cabinet Member replied that he could investigate this if the Councillor could provide specific details.