

## **MINUTES**

**of the proceedings of the Ordinary Council Meeting of the London Borough of Waltham Forest held at Walthamstow Town Hall, Forest Road, London E17 on Thursday, 9 July 2015.**

### **PRESENT:**

**Mayor:** Cllr Saima Mahmud

**Councillors:** Terry Wheeler, Masood Ahmad, Nadeem Ali, Liaquat Ali MBE JP, Raja Anwar, Mohammad Asghar, Naheed Asghar, Aktar Beg, Tony Bell, Karen Bellamy, Tim Bennett-Goodman, Kastriot Berberi, Roy Berg, Paul Braham, Matt Davis, Shabana Dhedhi, Paul Douglas, Jacob Edwards, Patrick Edwards, Stuart Emmerson, Caroline Erics, Marion Fitzgerald, Jemma Hemsted, Peter Herrington, S K A Highfield JP, Whitney Ihenachor, Ahsan Khan, Khevyn Limbajee, Sally Littlejohn, Clyde Loakes, Gerry Lyons, Asim Mahmood, Anna Mbachu, Bernadette Mill, Simon Miller, Louise Mitchell, John Moss, Yemi Osho, Keith Rayner, Chris Robbins, Mark Rusling, Alistair Strathern, Richard Sweden, Steve Terry, Sharon Waldron, Geoff Walker and Grace Williams

### **10. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Clare Coghill, Jenny Gray, Nick Halebi, Andrew Hemsted, Tim James, Johar Khan, Sheree Rackham and Alan Siggers.

### **11. DECLARATIONS OF INTEREST**

Cllr Naheed Asghar declared a pecuniary interest in Item 8 - Motion on Private Rented Lettings as her spouse owns a lettings agency and as a consequence withdrew from the meeting room and took no part in the debate or vote.

### **12. MINUTES OF THE COUNCIL MEETING HELD ON 21 MAY 2015**

Council noted the following amendments:

- a) Minute 6: Appointment to Committees and Council Bodies 2015/16 has been changed to reflect that the Council agreed that the Mayor receive a Special Responsibility Allowance not a Civic Allowance.
- b) Minute 8 (Appendix D): The dates of the Jewish holidays should be:
  - a. Eve of Rosh Hashanah: Sunday, 13 September
  - b. Monday, 14 September - Rosh Hashanah Day I
  - c. Tuesday, 15 September - Rosh Hashanah Day II
  - d. Sunday, 13 December - Hanukkah - 8th last candle

### **13. ANNOUNCEMENTS FROM THE MAYOR, COUNCIL LEADER, CABINET MEMBERS AND CHIEF EXECUTIVE**

The Mayor made announcements relating to:

- a) The Mayor's Charity Event
- b) Remembering Srebrenica – event on Saturday, 11th July
- c) Council Ifthar and other Council Events

### **14. PUBLIC STATEMENTS**

There were no public statements.

### **15. EXECUTIVE REPORTS TO COUNCIL**

#### **15. (a) REPORT FROM THE HOUSING PORTFOLIO LEAD**

The Council noted the report from the Housing Portfolio Lead.

#### **15. (b) REPORT FROM THE HEALTH AND WELLBEING PORTFOLIO LEAD**

The Council noted the report from the Health and Wellbeing Portfolio Lead.

### **16. MEMBERS' QUESTIONS**

The Council noted the two questions put to Portfolio Holders and the written replies given in accordance with Council Procedure Rule 12. The questions and answers are set out in the Appendix to these minutes.

The Council also noted the supplementary question in relation to Question 2 the Mayor stated that Cllr Coghill, Portfolio Lead Member for Growth and High Streets would respond to Councillor Moss with the information he requested.

### **17. PRIVATE RENTED LETTINGS**

The following Motion was adopted:

It was moved by Councillor S. Littlejohn and seconded by Councillor J. Edwards:-

#### **The Council Noted**

- a) The number of households renting privately in the borough has increased from 15,500 to 26,100 between 2001 and 2011<sup>1</sup>
- b) In 2012 a total of 31,810 privately rented properties were identified in the area and estimated that the PRS now makes up 32% of borough's housing stock/residential dwellings.<sup>2</sup>
- c) With approximately 66% of all tenancies being arranged through the letting market<sup>3</sup>

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<sup>1</sup> ONS Census Data, 2011

<sup>2</sup> Strategic Housing Market Assessment, 2012

- d) The average letting agent fee is £355 in England and Wales<sup>4</sup>
- e) The average costs of moving into private rented accommodation are around £2000 in London<sup>5</sup>
- f) One in four people have been charged what they felt were unfair letting agency fees<sup>6</sup>

#### **This Council Believed**

- a) High letting agency fees place an unfair burden on prospective renters who are unable to plan for unpredictable and arbitrary costs
- b) That as the private rented sector grows and the use of Letting Agencies increase it is vital to improve the security and conditions for the increasing number of tenants in Waltham Forest
- c) A lack of transparency allows Letting Agencies to double charge landlords and tenants for the same service
- d) That some agents in the letting market charge high fees, which do not reflect the service they provide, simply because they can

#### **This Council Resolved**

- a) To require letting agents to undertake comprehensive publication of their fees and charges
- b) To utilise powers granted in the 2015 Consumer Rights Act that allow the imposition of sanctions following non-publication of fees
- c) To call on the government to introduce primary legislation that will end upfront fees paid by tenants to letting agents

It was then moved by Councillor J. Moss and seconded by Councillor J. Hemsted that the motion be amended as follows:-

Amend Resolution 3 to read:

To congratulate the previous Conservative led Government on passing the 2015 Consumer Rights Act allowing the Council to take these steps and to call on the current government to introduce primary legislation that will end upfront fees paid by tenants to letting agents.

As a result of voting the Mayor declared the amendment in the names of Councillors J. Moss and J. Hemsted lost.

The original motion was thereupon put to the vote and CARRIED unanimously.

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<sup>3</sup> Which? Renting roulette, Consumer experience of the lettings market, November 2012

<sup>4</sup> YouGov Survey, 2012

<sup>5</sup> Resolution Foundation, Renting in the Dark, 2011

<sup>6</sup> YouGov Survey for Shelter, December 2011

## **18. ANNUAL TREASURY MANAGEMENT REVIEW 2014-15**

It was moved by Councillor P. Douglas and seconded by Councillor J. Edwards and **RESOLVED** unanimously

That the Council agreed the Annual Treasury Management report 2014/15.

## **19. AMENDMENT TO THE CONSTITUTION - EMPLOYMENT PROCEDURE RULES**

It was moved by Councillor P. Douglas and seconded by Councillor J. Edwards and **RESOLVED** unanimously

That the Council:

- a) adopt the amended Employment Procedure Rules as set out in Appendix A of the report.
- b) agree the establishment of an Independent Panel as an advisory committee of the Council with the terms of reference set out in Appendix B of the report;
- c) delegate to the Chief Operating Officer (or her nominee) the authority to make arrangements for the appointment of independent panel members and to appoint those members and to amend any HR policies as appropriate to reflect these changes and to provide training to the new independent panel members
- d) amend the Members Allowance Scheme so that independent panel members are paid at the same rate as the current independent member appointed for the purposes of the Code of Conduct

## **20. REVISED TERMS OF REFERENCE FOR PLANNING COMMITTEE**

It was moved by Councillor P. Douglas and seconded by Councillor J. Edwards and **RESOLVED** unanimously.

That the Council adopt the revised Terms of Reference for the Planning Committee at Appendix 1 of the report.

## **21. AUDIT AND GOVERNANCE ANNUAL REPORT**

It was moved by Councillor P. Douglas and seconded by Councillor J. Edwards and **RESOLVED** unanimously.

That the Council note the Audit and Governance Committee's 2014/15 Annual Report.

## **22. APPOINTMENTS**

The Council agreed the following appointments:

### **Other Committees and Outside bodies**

#### **Mobility Forum**

Cllr Paul Braham be appointed to replace Cllr Alan Siggers

#### **Transport Liaison Consultative Group**

Cllr Paul Braham be appointed to replace Cllr Alan Siggers

Cllr Shameem Highfield be appointed to replace Cllr Marie Pye

**Waltham Forest Race Equality Council: Management Board**

Cllr Peter Herrington be appointed to replace Cllr Bernadette Mill

**Waltham Forest Race Equality Council: Executive Committee**

Cllr Peter Herrington be appointed to replace Cllr Bernadette Mill

Council rose at 8:15pm having completed its business.

**MEMBERS' QUESTIONS****QUESTION 1****FROM: COUNCILLOR SHEREE RACKHAM****TO: COUNCILLOR CLARE COGHILL – PORTFOLIO LEAD FOR ECONOMIC GROWTH AND HIGH STREETS****HIGHAMS PARK INVESTMENT**

Will the Portfolio Holder please confirm the source of the funds from which the £100,000 investment in Highams Park is being made?

**REPLY:**

The £100,000 is New Home Bonus Top Slice funding which was agreed for allocation to Highams Park at March Cabinet.

The New Homes Bonus is a fund that rewards local authorities for providing additional homes. As a part of negotiations with Central Government about the Growth Deal for London a top slice of roughly 27% was agreed from individual boroughs' allocations. This was then provided to the Greater London Authority as a grant by CLG, and allocated back out to boroughs for the purposes of regeneration around the themes of the London Growth Deal.

In London the Growth Deal invests in a number of themes, including training and apprenticeships, employment, high streets, places of work and reclaiming land. The New Homes Bonus top slice will be invested against these and other themes through boroughs "bidding" for funds equal to the amount of their top slice.

Three projects were proposed in a bid submitted by LBWF at the end of August 2014 and were agreed by the LEP at their meeting in October 2014.

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**QUESTION 2****FROM: COUNCILLOR JOHN MOSS****TO: COUNCILLOR CLARE COGHILL – PORTFOLIO LEAD FOR ECONOMIC GROWTH AND HIGH STREETS****THE SCENE MARKETING SUITE**

In the Budget it was stated that the Council would be purchasing an apartment at The Scene for £429,000 for use as a Marketing Suite. I understand the purchase completed on 22 April 2015.

Could you please confirm the specific property interest that has been acquired, what was the purchase price and can you confirm that the property interest is readily saleable should the Council decide it no longer needs the property?

Since purchasing the apartment, can you confirm how many times it has been used to "showcase the Borough" to potential developers and investors, which officers were present

and which members were present. Could you also confirm if it has been used for any other meetings and, if so, by whom?

**REPLY:**

The Council acquired a leasehold interest in 24 Grant House on 22 April 2015 for a term of 250 years and at a purchase price of £429,875. The Council paid for the apartment by forfeiting part of the income from the leasehold interest in the Scene, with the aim of utilising the space to sell the borough to potential investors as part of our approach to inward investment and growth. I can confirm that the property interest is readily saleable and it is the Council's intention to sell the property. Since the flat has been available, it has been used on seven occasions with current and prospective investors, with a variety of Council officers and members involved.

The Leader, Deputy and Lead Member for Economic Growth & High Streets have all attended some of the meetings and various officers have been involved as appropriate. The names of these officers are available privately if required.