

**Responses to comments and enquiries made at the
Walthamstow West Community Council on
10 September 2007**



Recruitment process

Questions asked by Peter Spiro:

Response: Mimi Konigsberg Executive Director and Louise Frayne Head Of Human Resources of Adults and Community Services.

1) When and where was the post of Head of Libraries, Museum and Gallery advertised?

A) The post was not advertised see statement below.

2) Were other candidates considered and interviewed?

A) No, see statement below.

3) What qualifications did the appointee have to obtain the post?

A) This information is personal data under the Data Protection Act 1998 and is also confidential. The Council does not make specific comments on individual appointments. Please see the statement below in respect of the Council's redeployment procedures.

4) J Wright asked to receive copies of the publications in which the post was advertised.

A) The post was not advertised see statement below.

5) Kevin Lord asked to have the text of the advert and job description

A) The job description is available upon request (please contact the Community Council officer) and a copy will be available at the meeting together with the Council's personnel procedure 'Managing Change'.

In respect of the answers to all questions, please see the Council statement below.

The Council remains firmly committed to the success of our Libraries, Museums and Gallery Service. We are proud of and committed to all our libraries, William Morris Gallery and Vestry House Museum.

The Council decided to improve its service in these areas by having one manager overseeing these services in order to provide for greater integration into the wider work of the Council. The ultimate aim of the restructure is to put in place a service which will deliver increased visitor numbers to the museum and gallery, particularly by borough residents.

As a result of this restructure, some posts were deleted and some were changed. In these cases, as with any responsible and fair employer, all staff who were affected had a right to be considered for posts within the new structure where they had assimilation rights under the Council's personnel procedures - in this case called 'Managing Change'.

The procedure allows for staff to be directly assimilated into roles at the same grade or interviewed for posts where grades increased. Staff who were not able to be assimilated in this manner were then given the opportunity to be considered for redeployment to another

post within the Council. Where posts were unable to be filled internally, the Council then considered external recruitment.

All employers have a duty to mitigate staff who would otherwise be at risk of redundancy through such changes. They do so through similar procedures. This is common practise in large organisations, such as Waltham Forest to redeploy staff rather than making them in effect unemployed. All our procedures are negotiated with the appropriate trade unions.

Staff who applied for posts in the new structure underwent rigorous interview processes, and were appointed on their ability to fulfil the job specification, in line with the Council's procedures.

It is the Council's duty to ensure that all appointments have been carried out in accordance with employment law and its own internal policies. We are confident that we have done so in this restructure. The suitability of staff for posts and their performance within them is the Council's responsibility and it is a responsibility, which we take very seriously. We have rigorous procedures in place to appoint, vet and performance manage staff and we will continue to do so.

The Council has the utmost confidence in all of its staff appointments made through this process, and in the ability of the new structure to deliver the long term vision and improvements to the service which we have planned.

Arcade Site

Questions asked by Kevin Lord:

6) At the Community Council meeting in February, it was stated that £250,000 had been given to Henry Boot as a penalty charge and compensation for the work undertaken. Why did the Council waive the tendering process? Why was this fact not included in the Scrutiny report? Also, why were there no details given to the Scrutiny Panel regarding waiving tendering processes to continue dealings with Henry Boot?

The Panel learnt that the £250,000 compensation was a pre-contract, indemnity agreement with Henry Boot and saw no wish to comment on this issue.

Response: Phil Williams, Scrutiny Manager

The Panel learnt that in February 2001, Henry Boot Developments was chosen as the Council's selected partner following an open tender process.

The Panel also learnt through an exempted report that a new tendering process was not entered into in February 2005 as legal advice was given to the Council that said that a second independent evaluation of the site was sufficient in order to comply with the Council's duty to provide best value for the disposal of the asset. Again, the Panel saw no reason to comment on the Council properly acting upon this legal advice.

The Cabinet minutes of 8 February 2005 sets out the issue and can be found on paragraph 129 at:

<http://www.walthamforest.gov.uk/cor-pdf-cab-min-rev-080205.pdf>

The Overview and Scrutiny Commission took an exempted report on 3 February 2005, which set out the financial and legal issues in detail. Again, the Panel saw no reason to comment on this as due process was followed.

7) Why has Scrutiny not recommended that there should be further investigations into the background processes having seen that the Panel a) did not have access to a full documentation; b) that some documentation was withheld; c) that some people called as witnesses did not attend or refused to attend the Scrutiny meeting.

Response: Phil Williams, Scrutiny Manager

This is a misunderstanding on the part of the questioner. The Scrutiny Panel had full and unobstructed access to all Council-held documentation. The issue about the withholding of information refers to a point in time when sensitive commercial documentation was allegedly leaked to the press and some information was withheld from members.

In relation to witnesses choosing not to accept the Panel's invite to attend, the Panel comments on this in the report and makes a series of three inter-linked recommendations on the issue:

For Governance and Law

Recommendation 5

That the Chair of Overview and Scrutiny writes to the relevant Minister of State at the Department for Communities and Local Government on the issue of the power of scrutiny to subpoena key witnesses.

For Corporate Services

Recommendation 6

That the Council uses its best endeavours to develop contracts of employment that would require all employees, current and former, to attend scrutiny sessions as a witness when requested. Due consideration must be given to the legality and practicality of requiring such attendance after an officer has left the Council's employ.

For Corporate Services

Recommendation 7

That the Council modifies contracts for all consultants so that they have an ongoing contractual requirement to attend scrutiny when required, including after expiration of contract.

8) When £400,000 has been spent in the year 2005/06 (cfr. February 2007 Community Council Meeting); why has a further £300,000 been spent in the year 2006/07 (cfr. January 2007 Cabinet Monitoring report) on an empty Arcade Site?

Response: Maureen MacDonald-Khan, Head of Property Services

The expenditure on the Arcade Site is as follows: -

2006/07 (1.4.06 to 31.3.07)

Consultants	£1,655.00
Other Agencies	£265,985.93
Security Services	£67,905.12
Planned Building Works	£9,302.46
Legal Fees	<u>£60,899.47</u>

TOTAL £435,747.98

9) Why has Scrutiny not recommended that people responsible be brought to account?

Response: Phil Williams, Scrutiny Manager

Members undertaking the scrutiny investigation wished to examine the process and not the individuals. This was set out in the report on Page 5 *“to examine the decision making process adopted in developing the Walthamstow Town Centre Arcade Site from June 2000 to the present.”*

Parking issues

10) Kevin Lord asked why the Council does not use traffic wardens to stop people, including Councillors, from parking in the double yellow lines at the Town Hall?

Response: Steve Leftwich, Parking Manager, Street Services

Current governmental legislation only permits the Parking Attendants who patrol the boroughs roads to have the authority to enforce restrictions on the public highway – the Town Hall complex is private land, so legally they cannot patrol the complex.

11) Why are Police officers being asked to pay up to £500.00 to come into the borough to fight crime, when there is a CPZ extension being proposed in Greenleaf area, near the Police Station. There is no parking provision for the police. The Council should make this provision.

Response: Tom Wright, Traffic Team, Street Services

Councillors decide charges for all services (including parking permit charges) as part of the annual budgeting process. For parking permits the case for special exemptions or reduced charges for public services has been considered in the past and this resulted in the introduction of the 'Essential User' Permit. These are available at a reduced rate (£165 per year) for Police and other public services employees driving on essential business.

The Essential User Permits are valid in all Controlled Parking Zones (CPZs) in the Borough. If driving to work in the CPZ but not driving in the course of their duties employees are entitled to a Business Permit at the normal rate (currently £355/year). Permits will not be required for marked police vehicles or for parking in the private car park at the Police Station. A small number of free parking spaces (2-hour time limit) are proposed for people visiting the Police station who, especially in an emergency, may have no alternative. Greenleaf Road will be the first Police Station in a Waltham Forest CPZ but there are many others within CPZs in other parts of London. Full details of the CPZ scheme have been provided to the Police.

Officers are currently considering objections to the High Street zone CPZ extension in consultation with the Environment Portfolio Holder. Once a final decision is made we will write as soon as possible to all residents of the area.

Environmental issues

12) D Allan enquired about the street cleaning in the grassed areas in Lawrence and McEntee Avenue. Also, he noted that with the introduction of mechanical street cleaning,

some areas were not properly swept. He then suggested that street cleaners should carry radios to report back to depot any fly tipping

Response: Penny Bond, Street Cleansing Manager, Environmental Services

We are considering issuing all of the sweepers with mobile phones to enable ease of contact both ways. However, with the service in the process of being outsourced, this will now be a decision for the new contractors.

13) J Beaton asked why we are no longer allowed to put bagged shredded paper out for recycling (cfr Cllr Belam, Local Guardian 06/09/2007). I have been in the trial recycling area for over a year. In 2006, I phoned WF Direct to ask if I could put out shredded paper and the answer received was 'Yes, if it is bagged'. If it is not collected with the black box, can the shredded paper be put in the brown wheelie bins".

Response: Anita Starling, Recycling Officer, Environmental Services

The issue of shredded paper has been ongoing. Officially we should not take it for the following reasons:

As it is collected it flies away and causes a litter problem.

It clogs up the mechanism for lifting on the lorries.

As the paper is shredded the fibres are cut too short and can cause a quality issue with the recycling factory.

However, as most residents only have a very small amount of shredding we have always accepted it. The discussion has only come up since the issue was covered in the Guardian. We are continuing to take small amounts of shredded paper; it needs to be wrapped in a sheet of newspaper to prevent the pieces of paper from flying away.

St James St Library

14) A resident asked what the estimated cost for the refurbishing work at St James Street Library was in order to make it DDA compliant. What was the nature of the works. What work had been done to undertake the estimation and when was it done?

Response: Lorna Lee, Head of Libraries & Information

The decision to close St James St was based on a number of parameters, including low usage and the proximity of the new refurbished Walthamstow Library. An additional factor was that significant works would be needed to bring the library up to modern standards, including compliance with the Disability Discrimination Act. As mentioned at the meeting itself none of these essential works were costed, as the actual costs were not in themselves a crucial factor in the decision to close the library.

Community Council Spend

15) Could we have a list of previous recipients of the Walthamstow West Community Council budget to see that all section of the community receive a fair share of the budget".

Response: Shirley Haynes, Community Council Officer.

Spend 2003/05 - £20,000

Project	Amount	Community Group
Grant Night Shelter for bedding	£500	Adults
Sports sessions in Lloyd Park	£2200	Young people 10 –16
Single use cameras & processing	£950	Young people
Schools Environmental Project	£2000	Primary children
Purchase litterbins	£3200	Adults
Two scooters for Shopmobility	£2400	Adults
Climbing frame, base & installation	£7971	Primary children
Publicity costs Friends of Lloyd Park	£779	Adults

Spend 2005/06 - £10,000

Project	Amount	Community Group
Mobile Youth Centre (Priory Court)	£5000	Young people
Schools Environmental Project	£2000	Primary children
Football Pitches (mark out) Aveling Park	£700	Young people
Two basketball posts & installation	£2300	Young people

Spend 2006/07- £10,000

Project	Amount	Community Group
Schools Environmental Project	£3000	Primary children
Anti Litter Campaign	£2000	Young people 16 – 19
WF Disability Resource Centre	£1600	Adults
Sports Facilities in Aveling Park	£2000	Young people 10 – 16
Coppermill Lane Goal Post	£1000	Young people
Cheney Row Goal Posts	£400	Young people

Summary of £40, 000 spend

Adults - £8500 (£4000 disabled adults)

Children & Young People - £31500

Police Arrests

16) Mr Eaton asked how many arrests have taken place in the Banbury Road, Cormorant Close, Greenshank Close. There has been an increased level of youth gang activity in the area over the last six months

Response: Officer (name?) from **Higham Hill Safer Neighbourhood Team**

Regarding an update in the Banbury Road, Cormorant Close and Greenshank Close.

One person has been arrested during this period. We are maintaining our usual patrols in the area and have found that the calls from local residents have reduced a great deal.

We have put posters up in the local schools and local places of interest. Regarding an intervention scheme such as "Kickz" more information can be found

<http://www.footballfoundation.org.uk/our-schemes/kickz/>

I would ask residents to call me on 8721 2644 if they are experiencing problems in the area.

Museum & Gallery Services

17) J Wright asked what has been done in the last three years to extend museum and gallery services to increase revenue or to improve publicity?

Response: Lorna Lee, Head of Libraries, Museum and Gallery

This is quite a question as we could say that most of our activity in the museum and gallery relates to extending museum and gallery services, income generation or publicity.

I will try and summarise a range of key themes under these headings:

a) Extending museum and gallery services

- Working with CLaSS (Community Learning and Skills Service) to deliver family activities, including a family history course. This has delivered a range of holiday activities, broadened audiences at no cost to the service. It also gives access to a large database for publicity purposes.
- Worked with the Museum of London on a partnership pilot project to create a web site of local history and personal stories relating to London postcodes.
- Work placement by postgraduate student from City University to extend the educational offer at the William Morris Gallery, resulting in improved links with local schools and teachers, and a web resource for use by schools, related to the National Curriculum.
- Development of strong links with the lottery bid for Lloyd and Aveling Park, to support the proposal for significant lottery funding for development of the Gallery.
- Opening the Gallery for events in Lloyd Park, e.g. the Mela.
- Work with Leyton Orient to create a joint exhibition, and related schools programme.

b) Examples of initiatives to increase revenue

- Review of hire of Community Room at Vestry House, resulting in increased usage and increased income.
- Redecoration and improvements to the community room.
- Application for licence for marriages and civil partnerships, as a means of generating income and also raising the profile
- Redesign of shop at Vestry House Museum and review of stock.
- The Museum gets commission on any sales of work on show by artists.
- Development of limited edition prints for sale at the Gallery.
- Teacher placement in the Archives to develop a citizenship based resource. This attracts funding from MLA for the museum/gallery to improve outreach into schools.

c) Examples of improved publicity

- Events and activities such as E17 Arts trail, using existing networks to publicise the museum and gallery. The E17 Art Trail has been launched at Vestry House for the past two years.
- Involvement with London Open House- giving tours and behind the scenes talks.
- Hosting MLA (Museum Libraries and Archives) meetings eg launch of the accreditation standard for the north London region.
- Providing a tour earlier this year of the museum and gallery to a group from the Visit England and other tourism related bodies.

- On site poster cases at Vestry House Museum to enable publicity to those passing the museum, which is significant along Church Path as this is a main route for commuters using Walthamstow Station.
- Improved work with Council communications section, resulting in a number of wfm articles.
- Improvements to the web site (on going) including virtual tours.
- Contribution to local newsletters, e.g. the Walthamstow Village newsletter, to highlight exhibitions and activities.

This is by no means an exhaustive list but I trust that it gives an overview of the range of activities undertaken.

18) A resident asked what was the percentage of foreign visitors out of the 22,000 people who visited the Gallery every year?

Response: Lorna Lee, Head of Libraries & Information

We collect data every month. The last review of this data showed that over 80% were from outside the borough.

Planning applications Blackhorse Road Station area

19) H O'Brien asked what range of housing densities are considered acceptable in the relevant policies and guidance for planning applications in the Blackhorse Road Station area?

Response: Brian Whiteley, Planning Policy Programme Manager

There are three documents the Council will refer to when considering future planning applications for the Blackhorse Road Station area:

- 1) Waltham Forest UDP First Review, 2006 – this contains density guidelines at policy PSG4. The site is within an area of medium level public transport accessibility. A density range of 200-450 habitable rooms per hectare will normally be acceptable here.
- 2) The Mayor of London's London Plan (Spatial Development Strategy) – this proposes the same density range of 200-450 habitable rooms per hectare.
- 3) Blackhorse Lane Interim Planning Policy Framework – section 8.4 of the Policy Framework notes that housing densities upto 450 habitable rooms per hectare might be acceptable within the Station area.

It might help here to quote the relevant section from the Waltham Forest UDP First Review on housing density:

10.12 Residential density is a measure of the intensity of residential use of a specific piece of land. It is expressed as the number of habitable rooms there are per hectare and is calculated by dividing the number of habitable rooms by the gross residential site area. A habitable room is defined as a room within a dwelling the primary use of which is living, sleeping, or dining, and includes kitchens larger than 13 sq.m. (140ft). This therefore excludes halls, corridors, bathrooms and lavatories. Gross Residential Site Area is defined as

the site area plus any area of adjoining roads enclosed by extending the side boundaries of the site up to the centre of the road or to six meters out from the frontage, whichever is less.

10.13 It is important to note that these density standards should only be used as a guide. They should not be seen as the main factor in determining whether a development is acceptable. Proposals for new residential developments will be judged mainly on the quality of their design and their ability to satisfy the Council's other planning policies and standards.

10.14 The Council will be flexible in its use of density controls.

10.15 When evaluating the standard of accommodation to be provided by new residential development, the Council will have regard to Parker Morris standards for minimum overall sizes of dwellings, and Housing Corporation standards for minimum room sizes.

10.16 Should housing be proposed at the top range of the area's density allowance, the Council will consider planning agreements/ restrictive covenants to ensure the later addition of extensions by occupants does not take people over the density limits.

Burial Site

20) Decision Making Process – Disposal of Land at Folly Lane, Walthamstow, E.17.

Cabinet report 12th December 2006

A report was considered at the Cabinet meeting held on the 12th December 2006 seeking Cabinet approval for the disposal of land at Folly Lane, Walthamstow at nil consideration to the Trustees of the Waltham Forest Muslim Burial Trust to extend the existing Muslim burial ground.

Cabinet was requested to:

Agree the disposal of the land identified on the site plan as A to the Trustees of the Waltham Forest Muslim Burial Trust at nil consideration applying the Local Government Act 1972; General Disposal Consent (England) 2003, subject to statutory consultation, contract and planning consent.

Cabinet approved the recommendation as above.

Cabinet Report 20th March 2007

A further report was presented to Cabinet on the 20th March 2007, which detailed the outcome of statutory and public consultation. Cabinet was recommended to confirm its decision, subject to contract and planning permission.

Cabinet was requested to:

Agree to take into account the outcome of the statutory and public consultation; and to confirm its decision to dispose of the land identified on the site plan as A to the Trustees of the Waltham Forest Muslim Burial Trust at nil consideration applying the Local Government Act 1972; General Disposal Consent (England) 2003, subject to statutory consultation, contract and planning consent.

The Consultation Process

The decision in December 2006 was subject to consultation.

The Council undertook statutory consultation process under section 123 (2a) of the Local Government Act 1972 by advertising the disposal in a local paper for 2 successive weeks. The Advert was placed in the local Guardian newspapers on the 1st and 8th February 2007. The Council also undertook additional public consultation through a public meeting held on 8th February 2007 at William Morris Primary School. The residents of the following streets were invited to the meeting, as well as ward members, local schools, the trustees and residents of the neighbouring travellers' site.

Residents of:

Durban Road, Stow Crescent, Cheney Row, Kimberley Road, Ascham Road, McEntee Avenue, Amber Avenue, Grebe Close, Osprey Close, Folly Lane, Travellers' Site, Walthamstow Academy, William Morris School, Roger Ascham Primary School, Higham Hill Ward Councillors.

Cabinet was requested to:

Take into account the outcome of the statutory and public consultation;

Note the comments from Ward Members and take action as appropriate;

Confirm its decision to dispose of the land identified on the site plan as A to the Trustees of the Waltham Forest Muslim Burial Trust for nil consideration applying the Local Government Act 1972; General Disposal Consent (England) 2003, subject to statutory consultation, contract and planning consent.

It should be noted that the Trustees have agreed to make a contribution of £10,000 towards 'play equipment/environmental improvement in the area.

Both cabinet reports are 'open' reports and can be obtained from Democratic Services along with a copy of Cabinets decisions.

Current position:

A planning application is being prepared by the Architect for the Waltham Forest Muslim Burial Trust.