
Question 1: Arcade Investigations

K Lord, resident requested answers to the following questions:

Part 1. Why the Council sold the Arcade Site for £4M when £6M was spent on it?

Part 2. Why Cabinet Councillors (in particular the Leader of the Council and the Cabinet Portfolio Holder for Regeneration) were not asked to give evidence at the Overview and Scrutiny Panel that considered the Arcade site?

Responses:

Part 1: (a) Paul Humphreys, Head of Asset Management

Authorities that can seek to use powers of compulsory purchase (such as Local Authorities) do so to enable suitable redevelopment/regeneration of key sites such as the Arcade site. It is quite common therefore for the costs of acquiring all the interests that make up such sites to be more than the disposal value of the assembled/combined site. This has certainly always been likely to be the case with the Arcade site. However, the final receipt from the selected Developer (St Modwen) will not be known until the scheme goes "unconditional" i.e. when all the conditions in the development agreement are met - such as the grant of full planning consent and the signing up of key tenants to pre-let agreements. At present we are not able to disclose any figures due to the commercial sensitivity of the matter, and it is not therefore appropriate to speculate on what difference there may be between the costs of acquisition and the final disposal receipts. Full information will however be made public at the appropriate time.

Part 2: Phil Williams, Scrutiny Manager

The Arcade Scrutiny Panel was an investigation to look at past decision making processes in the Arcade redevelopment and, having reviewed the existing paper evidence, the Panel did not feel that the Current Leader or the current Portfolio Holder for Regeneration could shed any light on those matters, having not been in post during the time in question. The Panel did request both the then Leader and previous Portfolio Holders to give evidence however both failed to respond to the request

Question 2: Grading of the Head of Libraries, Museum and Gallery

J Wright – "Following the response given by the Acting Monitoring Officer to P Spiro (Question 10 see below), she would like to have further clarification on the answer she received to her request under the Freedom of Information Act. In the answer she was told that the Head of Libraries, Museum and Gallery was originally on PO8 and on a pay band of £42,000 - £45,000. She

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said that if the appointee was paid at PO8 rate and then moved to PO11, the answer conflicted with the Freedom of Information.

****[QUESTION 10 AS REFERRED TO ABOVE WITH REPLY ROSE AT COMMUNITY COUNCIL MEETING VIA HELP FORM ON 19 NOVEMBER 2007 BY P SPIRO**

Response from Daniel Fenwick, Acting Director of Governance & Law, on behalf of Cllr. Reardon.

I am the Council's Acting Monitoring Officer and in the absence of Satish Mistry (the Monitoring Officer), I am responsible for monitoring the legality of the Council's decisions and actions.

Your question alleges that the Council did not correctly follow its procedure in respect of the appointment of Lorna Lee to the Post of Head of Libraries, Museum, Archive and Gallery. Ms Lee was originally employed as Head of the Museum, Gallery and Archive Service. This post was graded at PO8. In January 2006, she was asked to undertake additional duties in consideration of an honorarium that took her pay to PO10. This arrangement was lawful and in accordance with Council procedure. It also did not affect the substantive grade of the post of Head of the Museum, Gallery and Archive Service, which remained at PO8.

Ms Lee continued to perform the additional duties until July 2007 and during which time the Council undertook a review of its Museum, Archive & Gallery Service. This review took place in the first quarter of 2007. As a result, a new structure was agreed, which included deletion of the post of Head of the Museum, Gallery and Archive Service. The duties of the Head of the Museum, Gallery and Archive Service were absorbed into the new post of Head of Libraries, Museum, Archive and Gallery graded at PO11/12. This placed Ms Lee into a potential redundancy situation.

Under the relevant employment legislation, the Council owed Ms Lee a duty to consider her for suitable alternative employment, as it would to any employee with sufficient continuous service. This included the application of its own employment procedures to her situation. You correctly identified the Managing Change Procedure (the Procedure) as the relevant procedure.

The Service considered the procedure and took advice on how to treat Ms Lee. In Ms Lee's case, under the Procedure, the key issue was whether Ms Lee had a "prior claim" to the new post (see 9.1.2) by reason of the additional duties she had undertaken. Paragraph 9.1.2 states that the Council should only "allow staff a prior claim to a job only where they can justify it on clear and objective grounds". Personnel's advice was that the fact of Ms Lee's very lengthy undertaking of these additional, relevant duties provided these grounds. This advice was accepted and meant that Ms Lee was treated as a PO10 graded re-deployee.

Under paragraph 9.1.4 and 9.1.5 of the procedure combined, this entitled Ms Lee to a competitive advantage to any suitable post within 1 grade, alongside

any other similarly qualified re-deployee. The relevant post was the Head of Libraries, Museum, Gallery and Archive. It did not, however, entitle her to be assimilated into the job without first proving to the Council that she met the essential criteria for the post, see 9.1.4. Therefore, in accordance with paragraph 9.1.4, Ms. Lee was subject to an interview and testing process in May 2007 by a recruitment panel to establish that she was appointable. The panel found this was the case and she was re-deployed into the post.

It is clear that this is an unusual case given the length of the additional duties undertaken by Ms Lee but I am satisfied that the Council acted lawfully at all times. Its interpretation of the Managing Change Procedure was entirely reasonable, having regard to its duty to Ms Lee under employment law but also the interview and testing process also ensured that the Council satisfied itself a suitable person was appointed on merit.

In the course of my investigation, I note that there has been some significant history to the questions asked about Ms Lee's appointment, some of which has been very unpleasant and personal in tone and mixes decisions made by the Council as a corporate body and the role of an individual officer in implementing those decisions. I am pleased to say your correspondence (and I include here the question at the Community Council) is courteous and polite and seeks only to interrogate Council decisions. The Council is willing for its decisions to be robustly scrutinised but reserves its right to protect its employees from unwarranted and misdirected personal abuse.

It is my view that this matter is now closed; a clear and full explanation of Ms Lee's appointment has been provided. You are entitled to disagree with the Council's position but I have advised the relevant officers and members that they should not correspond further on this matter. I am, of course, happy to receive a response from you (including the Community Council) but will not revisit matters I have already investigated in the absence of fresh evidence.]

New response to question 2 received 12 March 2008 from Daniel Fenwick, Principal Corporate Lawyer.

A further reply has been provided to Ms Wright. Permission was sought from Ms Wright to share that response with the CC but this has not to date been forthcoming. In general terms, it is the Council's position that she has not been provided with false information. The Council reasonably understood her request to relate to the post of Head of Libraries and supplied this information. Ms Wright then clarified she sought relating to the postholder herself. This information has been provided to the CC. It is not unusual in FOI requests for clarification to be sought in this way and the Council is happy to assist. Ms Wright has been provided with details of how to appeal this decision, if she is dissatisfied. We deal with approximately 300 requests per year and have a very low complaint rate. I hope this provides the CC with the information requested

Question 3: Grading of the Head of Libraries, Museum and Gallery

P Spiro (Somers Road) (A) "With regard to response given 19th November (see above) on the response sheet, can the Acting Monitoring Officer please

explain how in appointing the candidate to the post of Head of Libraries, Museum and Gallery, under their 'Management of Change' procedure, the Council could treat the temporary honorarium for temporary additional duties, which she was paid for 16 months (January 2006 – April 2007) as a basis for awarding her a permanent personal regarding from PO8 to PO10?

In his response, the Acting Monitoring Officer accepts 'that this is an unusual case': are there any recent Council precedents for treating such an honorarium as entitling the office-holder to a definitive substantive staff re-grading?

In this case, the appointee previous post had been graded PO8 and the temporary honorarium apparently entitled her to a personal promotion of two grades. Who made this Council decision?

Can the Acting Monitoring Officer also please furnish me with the relevant entries in the Council's Financial Accounts for 2005-06, 2006-07 and 2007-08 relating to the appointee's honorarium and salary for these years?"

New Response to question 3 dated 12 March 2008 from: Daniel Fenwick Principal Corporate Lawyer

I believe questions relating to the decisions about Ms Lee have been answered previously. As previously stated, a full explanation has been provided and the Council considers the matter closed.

Question 4: Schemes under the Transport Act 2000

K Lord and the Community Chair pointed out that the Borough parking control account has increased its profits from £163,000 (year 1), to £643,000 (year 2), to over £1,800,000 (year 3), to 1,656,000 (year 4). Therefore, he believed that the profit could be used for the upgrading of High Street.

The Community Chair asked for a break down of where the profit of the parking control has been used.

Response: Steve Leftwich, Parking Section Manager - Under the Transport Act 1991, the Council provides on-street car parking. Any surplus generated can only be legally spent on highway and/or public transport related items (**see Extract from Borough Parking Accounts below**). As can be seen from the extracts surpluses support and contribute towards budgets. Therefore if a budget were to be in place for the High Street any surpluses could contribute to it but these monies can only be spent on Highway matters such as road/footway surfaces, lighting etc.

Borough Parking Accounts
2004/05

TOTAL EXPENDITURE	5,660,021
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EXCESS INCOME OVER EXPENDITURE	643,543
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APPLICATION OF SURPLUS ON PARKING ACCOUNT	£
1) Support towards maintenance of Borough Roads	519,543
2) Contribution to earmarked reserve for future parking schemes	124,000

2005/06

EXCESS INCOME OVER EXPENDITURE	1,968,713
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APPLICATION OF SURPLUS ON PARKING ACCOUNT	£
1) Support towards maintenance of Borough Roads	1,288,713
2) Contribution to earmarked reserve for future parking schemes	125,000
3) Contribution towards purchase of CCTV van	55,000
4) Provision for legal fees, repayment of penalty fees and permits	200,000
5) Contribution towards concessionary fares	300,000
Total	1,968,713

2006/07

EXCESS INCOME OVER EXPENDITURE	1,657,316
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APPLICATION OF SURPLUS ON PARKING ACCOUNT	£
1) Support towards maintenance of Borough Roads	1,232,316
2) Contribution to future parking schemes	125,000
3) Contribution towards concessionary fares	300,000
TOTAL SURPLUS FUNDS APPLIED	1,657,316

Question 5: Street Cleaning

D Allen, Lawrence Avenue said he would like to see a presentation on the state of the cleanness of the Borough. He was concerned that street cleaning has not improved and rubbish was let around in the street after the recycling collection.

Cllr Meiszner said he would look into the issue.

Response: Graeme Lawes. Interim Development Manager - Street Scene.

The monitoring of street cleansing has been recently reorganised. This has provided for two chargehands to specifically check the efficiency and quality of street sweeping in the borough. We have also arranged for 3 additional small mechanical sweepers to be used, which will start work from the 18th Feb 2008. With regard to the litter after recycling collection, this is an increasing problem, one that I am in discussion with the contractor to resolve. I would be willing to meet at anytime to discuss the challenges.

Question 6: Contact for London Flood issues?

P Harries (Edward Road), "Who is the point of contact for managing the environment, in particular London flood issues?"

Response: Chris Warner, Public Lighting and Operations Manager – Street Services - The Environment Agency (EA) has overall strategic control for the London area. Their operation is controlled from Kings Meadow House, Kings Meadow Road, Reading RG1 8DQ. Tel: 01189535848. Obviously there would be local coordination with the EA through the Councils Emergency Planning team.

A further response was sought on 12 March 2008, from Pierre Rossouw, Civil Contingencies Co-ordinator. His reply was as follows -

Day-to-day issues (not constituting a Major Emergency) are dealt with by Chris Warner, telephone number 020 8496 2515.

Flooding on a 'Major Emergency' scale (as defined by the Civil Contingencies Act, 2004) will be dealt with by the Borough Emergency Control Centre (BECC).

Flooding information can be reported to Waltham Forest Direct Call Centre on 0208 496 3000.

Monitoring of flooding takes place through updates from:

- MetOffice (daily)

- EA (flood plains/ quarterly or more frequently as situations worsen)

- Floodwatch (free registration on 0845 9881188)

- NE London Resilience Forum, etc

MetOffice give weather warnings (rain, wind, snow excluding water levels (floods)).

EA give flood warnings - river levels. They further manage the rivers and the maintenance of flood defences.

Question 7: Wiped-out street signs

D Harries (Edward Road) “The obliteration of street signs causes confusion and danger. Why have hundreds of street names been obliterated with white paint?”

Response Alam Zaman - Highways Inspector

I believe the customer is referring to street nameplates fixed on private houses. I have a feeling that the householders may have done this themselves as a protest to having the nameplates on their houses. I am not sure when these name plates were put up, but perhaps if the house has since changed ownership, the new house holders have painted over them.

I have not received any inquires from any householders to remove these nameplates from their walls.

I will have to speak to my manager to see what we can do regarding this issue.

Question 8: No more litter

D Harries (Edward Road), I used to work at a school, which responded to the ‘UN clean up your neighbourhood Day’, by organising students to go around the streets adjacent to their school to pick up litter with protective gloves and litter bags. It educated the children to avoid dropping their own litter. Can the Council use such alternative solution to preventing litter?”

Response: Graeme Lawes. Interim Development Manager - Street Scene

I have initiated “Street Pride” an initiative to engage the community in preventing litter and fly tipping. Due to restriction of resources, we are only to trial in three areas of the Borough beginning in March.

Question 9: Broken bicycle rack at Blackhorse Road

S Creasy, (Warner Road) Can the Council ask Transport for London (TfL) to fix the broken bicycle racks at Blackhorse Road tube station and look into introducing additional ones?”

Response: Gina Harkell, Principle Transport Officer

We could replace the existing stands with Sheffield stands but we have been bidding for funding from TfL every year for the past four years for a secure bike shed here. One of our arguments is the poor condition of existing bike stands so we are loathe to put in new ones as this will reduce the strength of our argument. We think our best chance is to build the new shed with Section 106 funds as part of Blackhorse Lane regeneration. A secure shed would cost about £250,000 as it would need to be built on the embankment.

Question 10: Recycling of paper in the station area

Query (Warner Road) asked whether the Council would follow the London Borough of Westminster to work in partnership with TfL for the collection and recycling of newspapers in the station area

Response: Graeme Lawes. Interim Development Manager - Street Scene

- This is part of the “Street Pride” initiative, and will be trailed in March.

Question 11: Ticketing on Milk Floats

“J Wright (Chewton Road) .Why are traffic wardens being allowed to harass milkmen and put tickets on milk floats? This is a vital service and

environmentally excellent – the Council should be encouraging it, not forcing dairies out of business. The present situation would only benefit supermarkets?”

Response: Steve Leftwich, Parking Section Manager

Milk floats are a registered motor vehicle they are not exempt from traffic/highway laws. The driver has to be licensed and the vehicle itself has to be taxed and insured so if one is illegally parked it will be penalised.

Question 12: Flytipping in the Borough

Cllr Meiszner wanted to know how often people were prosecuted for fly tipping in the Borough.

Response: Gareth Jones, Enforcement Manager

Since Jan 2006, we have prosecuted 3 persons for flytipping in this area but that took in 9 offences. One was fined £8270 and the other two were fined £750 each. We have also given conditional cautions to 10 persons where the amount was small and they had no previous convictions, in accordance with legal guidelines. The condition of the caution is that they pay the Council the costs of clearance and enforcement and this has resulted in the recovery of £1225. One person from the WWCC area has also had a conditional caution for flytipping in another part of the borough resulting in the recovery of £1250 in costs. We have a number of ongoing investigations throughout the borough at the present time.

Question 13: Using pressure washers to clean the Market

J Johnson (Cleveland Park Avenue) Suggested using pressure hosing to clean the market area.

Response: Graeme Lawes, Interim Development Manager - Street Scene
- Pressure washing is done where necessary. I hope that the small mechanical sweeper will be used in the market area

Question 14: Market cleaning

Cllr Smith would like M Esom, Executive Director Environment & Regeneration, to come to the next Community Council meeting to give a fuller answer to questions 13 & 14.

Response: Gareth Jones M Esom's colleague will come along to the next meeting to answer Q.13 &14 above.

Question 15: Religious holidays in schools

I Capes (Northcote Road) asked the following:

(a) Parents and carers of children attending LBWF state schools are being inconvenienced by the Council's long standing policy of compulsory ad hoc religious holidays. Faith school within the borough are exempt from this practice that does not happen in most other London Boroughs and in other large cities nationwide. Could the Council comment on why it imposes compulsory ad hoc religious holidays when it is not a statutory national requirement?

(b) Parents would prefer that children from families adhering to these religions be permitted to have the day off with official permission. The remaining children would attend school as normal but with lessons focused on the

religious and cultural reasons why their friends are away for the day. This would also mean that the children benefiting from an authorised day off would not miss out from core curriculum work. Could the Council comment on how it views the above idea?

(c) There is a peak of demand for places in nurseries and play schemes on these ad hoc religious holidays with demands outstripping supply. Other people may be unable to afford such schemes and have no extended family support yet still have to work. Is the Council aware of the potential childcare issue, which could be viewed as an unintended consequence of the policy?

(d) We understand that the next forum to set school holidays for the academic year 2009/10 will take place in March 2008. Will the Council review this policy and seriously consider rescinding the compulsory status of these ad hoc religious holidays?"

Response: Debbie Callender, PA to Acting Head of Services for Vulnerable Children - EduAction

Schools are consulted year each on the setting of dates for the following academic year. The calendar is compiled by using the dates approved by the Local Government Association, consulting neighbouring boroughs on their school year setting arrangements, then applying any local factors.

We will be consulting with Waltham Forest schools in April 2008 for the 2009/10 academic year and will highlight any factors that arise as a result of applying local policies. Results of the consultation will be submitted to Cabinet in July 2008.

Question 16: Lights in library left on all night

D Martin, (Wadham Avenue) asked - "Why are the lights at Walthamstow Central and Wood Street libraries left on all night? Does this practice also take place in other libraries around the Borough?"

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

A number of lights are left on in library buildings for security reasons and to ensure CCTV cameras can operate effectively

Question 17: Closure of William Morris Gallery during Christmas 2007

P Spiro (Somers Road) asked: "Why was the William Morris Gallery closed to the public in the week after Christmas 2007?"

Why was no advice notice given on the Council's website, nor in the Waltham forest Magazine?

Why did duty staff responding to telephone queries on Waltham Forest Direct not know about this closure when asked about the opening days and hours?

Whereas, relevant similar information was available regarding local libraries, and on the website, regarding the Vestry House Museum.

Visitors I brought to the Gallery on Friday 28th December were very disappointed to find it closed and felt that they had partly wasted their journey from inner London."

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

Peter Spiro has already received a response to his query, which he sent to Cllr Reardon after Christmas – please see below:

‘The Gallery is normally closed over the Christmas holiday period, and this information should have been on the web site. That it was not, was an error with internal communication. The Council 'wfd' information service uses the web site as a means of getting relevant service information. As this was not on the web site they could not provide you with the information you needed to plan your visit. Once again I apologise for the inconvenience this caused you and the others in your group. Please be assured that all future details of the opening hours of the gallery will be clearly available on the web site and via other media. ‘

Response: Julie Coulson, WFD - Interim Contact Centre Manager

WFD advisors rely on the LBWF web site to hold correct information this is where we obtained the opening hours to give to the customer, once we were made aware that this was incorrect I contacted Clive Morton. I contacted Clive Morton on the 31st December this is an extract from my email.

“Dear Clive,

I will ensure that all WFD advisors are now made aware that Vestry House and William Morris Gallery are closed today Monday 31st December 2007 - please confirm when they will reopen as the link refers to the opening hours from the 3rd January 08”.

Question 18: Walthamstow Library

D Harries, (Edward Road)

A) “Muddled priorities for expenditure in Walthamstow Central Library. Who is responsible for this poor judgement?”

B) Is it true that £8,000 had been spent on an aquarium at Central Library at a time when the number of shelves has been reduced and books are piled in random order on the trolleys?”

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

The library management team who worked on Walthamstow Library no longer work for the authority. In terms of visits and issues Walthamstow Library has been very popular, with over 480,000 visits since the beginning of April 2007, and over 200,000 issues.

Walthamstow fish tank cost £7,263 for tank, fish and equipment.

The only books on trolleys are those, which have been returned and are awaiting re-shelving.

Question 19: St James Street Library

Resident, (Coppermill Lane) What appropriate alternatives uses are being considered for St James Street Library?

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

The building which formerly housed St James St Library is now within the overall accommodation portfolio of the council. It has been confirmed by this department that the future use of the building has not yet been agreed. A number of options have been considered, to house other council services or those working in partnership with council departments.

Question 20: Walthamstow Library – shelving; Qualified Librarians

J Wright (Chewton Road)

A) “How many books is the shelving in Walthamstow Central Library meant to hold?”

How can the Council claim it holds more books than before the makeover, when it visibly has only a fraction of the shelf space?”

B) “The Head of Culture & Leisure says fixed shelving has been removed from libraries to make the space more flexible. But walls shelves in Walthamstow Library used to hold tens of thousands of books (not counting those that extended across the room) while using about 30 cm of space. Now there are 8-wheeled bookcases filling the room while providing the space for fewer than 6,000 books. Surely this is less flexible than keeping shelves along the walls?”

C) “Hale End Library has lost nearly 2/3 of its shelf space during its refurbishment. How many books is it intended to hold now, compared with before its makeover? How many books has it actually got?”

D) “How many qualified librarians are working for the Borough’s libraries face-to-face with the public? A previous answer received, did not specify whether the Borough’s 13 librarians are on front desk positions?”

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

A) There are approximately 810m of shelving at Walthamstow Library. Several shelves are used to display books, CDs, magazines ‘face out’, although the majority are displayed in the traditional manner. Based on an approximation of 35-45 items per metre dependent on layout, this gives shelf space for around 32,400 items (including books). Currently there is 37% of lending stock on loan, which is in addition to the stock available on the shelves. It should also be borne in mind that the refurbishment has brought two new areas into use- the first floor that now houses the reference library and the new children’s library. Neither of these was used for the public library before the refurbishment, which has increased the available floor space.

B) The flexibility stems from the ability to move the wheeled shelving units around, as was highlighted recently at the public meeting held at Hale End Library. In Walthamstow Library, the ICT has been placed around the walls of the rooms. The children’s library has extensive wall shelving. Fixed wall shelving is not used in the first floor reference section due to the wooden panelling.

C) Hale End Library:

The current shelving should hold approximately 14,600 items (books, CDs etc). The catalogue shows that there are currently 14,543 items available in the library, with a further 7,488 out on loan.

The catalogue records before refurbishment were not accurate; they showed that the stock available at Hale End was 17,055, including items on loan.

As of 22/2/08 Hale End Library has a total stock of 19,824 books, of which 13,034 are in the library with 6,790 on loan.

D) There are now 16 qualified librarians in the service as some new staff have joined the service. These staff fulfil a number of roles across the service, including senior management (3), members of the project team (6) and front line library supervisors (7)

Although the project officers are not based in the libraries, they work across all the libraries to support service developments and deliver front line events and activities.

Question 21: Rebuilding Willowfield School

M Leigh (Blackhorse Road Action Group) asked why the Council preferred to build the new Willowfield School on a greenbelt flood plane rather than prime sites such as opposite its present location or on the same site as the George Monoux College.

Response: Simon Newland, Head of Capital Strategy & Partnering

The Council has undertaken an extensive search for sites, which meet requirements for a school site for a 900 pupil school. This search is continuing. One criteria is that the site is reasonably close to the current school site. Monoux College is not. It is unclear what the resident is referring to by "the prime site opposite its current location". All the land adjoining the current Willowfield School site is heavily developed and owned by a range of different parties. The Douglas Eyre Playing Field has a number of disadvantages, but in terms of location and access to open space and playing fields, would be very suitable for a school.

We have provided thousands of pages of information to various local residents under Freedom of Information Act, linked to the Blackhorse Lane Action Group.

Question 22: Toilets at Tom Hood School

D Harris (Edward Road), B) "Tom Hood School is degraded and stinking toilets are offensive. The glass doors are scruffy and dirty. Toilets should be cleaned up and treated with antiseptic before the evening classes to reduce the appalling smell. Can Tom Hood meet prevailing standard of best practice in matters of hygiene and public presentation?"

Response: Candice Dwight, Head Teacher of Tom Hood School. I am sorry that you have not found the toilets at Tom Hood Community Science College of an acceptable standard of cleanliness. The toilets were all refurbished in 2005. However, CLASS, the Adult Education Service, do not make any financial contribution for the use of the school and the cleaning rota

means that some parts of the school are cleaned after 4 o'clock for the Adult Education Service and some are cleaned early in the morning for the school community. We do not have additional resources to provide additional cleaning.

If you have any further concerns, please make these known to the Adult Education staff on site so that they can be more individually addressed.

Email received from ClaSS confirming that ClaSS would pay for cleaning of the toilets. This will start after the Easter break, 2008.

FURTHER QUESTION ASKED BY RESIDENT (K. LORD) IN JANUARY 2008

Arcade Investigations

1. Question K Lords still would like answers to 10 September's 2007 response sheet:
 - A breakdown and analysis of each of the costs below e.g. What were the professional costs? Who were the consultants, other agencies, security services, etc – please provide names, costs, reasons, etc?
 - Why did the council not use its own services? – please provide the same as above

Response: Maureen MacDonald-Khan, Head of Property Services

The Professional fees relate to external Legal Property Advice. The Council does not employ barristers. The external property advisers used by the Council in relation to the sale of the Arcade site were BPS Chartered Surveyors, BPS House, PAnnells Court, Guildford, Surrey GU1 4EU.

They were able to provide the council with independent advice and tender evaluation in relation to the technical aspects of the sale of the site.

2. 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

3. The overall scheme value is given at £100M of which £42M is the expected cost of the scheme.

Where is the other £58M?

Who gets it?

Where is it?

Why?

(Question taken over the phone on Thursday 28 February 2008 at 11.00 am from Kevin Lord. He said this question was raised at the January meeting, but not minuted).

Response: Maureen MacDonald-Khan, Head of Property Services

I am not able to comment on the suggestion that the scheme value is £100 million, as this is not correct. The overall scheme value is of course not finalised yet as it is still early days and the scheme has not been built or let or sold. However the current appraisals indicate that the scheme value is in the region of £50 million.

The value of the finished scheme is based on the sale value of residential units and the capitalised value of any rental income from retail or other units. On the costs side the majority is the build cost, interest payments and professional fees and then the element that will be payable to the Council as land value. All developers expect to see a return (i.e. profit) between 12% and 15% and this makes up the final portion of the total.

4. Why were residents given monies to move out of their homes?

Response: Maureen MacDonald-Khan, Head of Property Services

The only payments made to owners or occupiers of property on the Arcade site would have been in accordance with the rules of compensation (Land Compensation Act) and subject to the taking of possession under the Compulsory Purchase Order. Residential occupiers may have been able to claim "home loss" payments in accordance with those rules if they met the criteria under the relevant Act, as part of any compensation claim they may have made.