

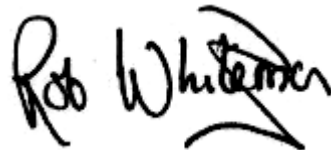
Notice of Meeting

ASSEMBLY

Wednesday, 23 July 2008 - 7:00 pm
Council Chamber, Town Hall, Barking

To: Members of the Council of the London Borough of Barking and Dagenham

Chair: Councillor S S Gill
Deputy-Chair: Councillor W F L Barns



R. A. Whiteman
Chief Executive

15.07.08

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AGENDA

1. **Apologies for Absence**
2. **Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any personal or prejudicial interest they may have in any matter which is to be considered at this meeting.
3. **Minutes - To confirm as correct the minutes of the meeting held on 25 June 2008 (Pages 1 - 3)**
4. **Petition: Proposed Traffic Scheme for East Road/Geneva Gardens, Chadwell Heath (Pages 5 - 7)**
5. **Petition: Dog Fouling in the Local Area and Outside Local Schools - Becontree, Parsloes and Valence Wards (Pages 9 - 12)**
6. **Petition: Parking, Traffic and Highway Improvements Around Great Cullings, Rush Green (Pages 13 - 16)**

7. Petition: Closure of Thameside Park City Farm, Thames View, Barking (Pages 17 - 19)

8. Joint Audit and Inspection Letter 2006/07 (Pages 21 - 35)

Jon Hayes, Relationship Manager, Audit Commission, has been invited to present his report to the Assembly.

9. Neighbourhood Management Presentation: Improving Health in Barking and Dagenham

Matthew Cole, Joint Director of Health Improvement, will give the presentation.

10. Gascoigne Project DVD

11. Annual Review of Council Constitution (Pages 37 - 38)

12. Appointments

13. Leader's Question Time

14. General Question Time

15. Any other public items which the Chair decides are urgent

16. To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.

Private Business

The public and press have a legal right to attend Council meetings such as the Assembly, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). There are no such items at the time of preparing this agenda.

17. Any confidential or exempt items which the Chair decides are urgent

ASSEMBLY

Wednesday, 25 June 2008
(7:00 - 7:40 pm)

PRESENT

Councillor W F L Barns (Deputy Chair in the Chair)

Councillor A Agrawal
Councillor R W Bailey
Councillor R J Buckley
Councillor J R Denyer
Councillor Mrs S A Doncaster
Councillor Mrs K J Flint
Councillor I S Jamu
Councillor S Kallar MBE
Councillor M E McKenzie
Councillor W W Northover
Councillor Mrs L A Reason
Councillor L Rustem
Councillor Mrs P A Twomey
Councillor P T Waker
Councillor J R White

Councillor J L Alexander
Councillor R J Barnbrook
Councillor Ms E Carpenter
Councillor Miss C L Doncaster
Councillor M A R Fani
Councillor N S S Gill
Councillor J K Jarvis
Councillor J E McDermott
Councillor Mrs P A Northover
Councillor B Poulton
Councillor Mrs V Rush
Councillor D A Tufts
Councillor G M Vincent
Councillor Mrs M M West

APOLOGIES FOR ABSENCE

Councillor G J Bramley
Councillor H J Collins
Councillor R W Doncaster
Councillor D Hemmett
Councillor Mrs C A Knight
Councillor R C Little
Councillor E O Obasohan
Councillor L A Smith
Councillor J Steed

Councillor S Carroll
Councillor J Davis
Councillor C J Fairbrass MBE
Councillor Mrs D Hunt
Councillor Miss T A Lansdown
Councillor M A McCarthy
Councillor Mrs J E Rawlinson
Councillor Miss N E Smith
Councillor L R Waker

14. Declaration of Members' Interests

There were no declarations of interest

15. Minutes (14 May 2008)

Agreed.

16. Local Area Agreement

Agreed to adopt the draft final Local Area Agreement for submission to the Government Office for London for approval by the appropriate Secretary of State.

17. * Statement of Accounts 2007/08

Joe Chesterton, Divisional Director of Corporate Finance, presented the Council's unaudited accounts for 2007/08, which are legally required to be approved by the Council by 30 June 2008. External auditors will then approve the accounts and any significant changes will be reported back to the Assembly in September.

The 2007/08 accounts highlight that the Council's financial position is healthy in that:

- The Council's services throughout 2007/08 were maintained and delivered broadly in line with existing budgets;
- The Council maintains an adequate level of reserves;
- The Housing Revenue Account has a good working balance, and
- The Council has no external debt.

Noted that there are two minor amendments to the accounts in that there is an additional technical note relating to risk assessment of financial instruments and a small variation in terms of the outturn position.

Also noted a new element of the accounts introduced for 2007/08, namely the Annual Governance Statement. This replaces the Statement on Internal Control, should enable stakeholders to have an assurance that decisions are properly made and public money is being properly spent on citizens' behalf. The new statement covers all aspects of governance and is more far reaching than the previous Statement on Internal Control.

The Divisional Director of Corporate Finance responded to a range of questions from Members regarding the accounts surrounding such issues as the outturn position, level of reserves, the housing revenue account and pension fund accounts.

Agreed the unaudited Statement of Accounts for 2007/08 and noted that a final version incorporating an Audit Certificate will be reported to Members after the completion of the audit.

18. * Delivering Investment in the Council's Housing Stock 2008/09 and Beyond

Received a report from the Corporate Directors of Regeneration and Customer Services setting out an approach to secure long term and sustainable investment to bring the Council's housing stock up to a standard beyond the narrow definition of Decent Homes by 2016.

Noted the current position on delivery of capital investment in the Council's housing stock, including works on decent homes set out in Section 2 of the report, and **agreed:**

- (i) the overall approach to future investment as set out in Section 3 of the report;
- (ii) the programme as set out in Section 4 and Appendix 1 of the report; and
- (iii) the long term approach as set out in Section 5 of the report.

19. Private Business

Agreed to exclude the public and press for the remainder of the meeting, as the business was confidential.

20. * Phase II Decent Homes Refurbishment Projects 2008/09

Received a report from the Corporate Director of Regeneration seeking approval to enter into up to six contracts with Housing Construction Framework contractors in respect of the Decent Homes Programme.

Agreed:

- (i) the allocation of £23 million to the Decent Homes delivery programme 2008/09 – 2009/10;
- (ii) the appointment of up to six housing construction framework contractors;
- (iii) to delegate authority to the Corporate Director of Regeneration, in consultation with the Divisional Director of Democratic and Legal Services, to award the final contracts pending the completion of the pre-construction phase of the contracts; and
- (iv) that officers review the 2008/09 Decent Homes programme to establish how further support can be given to the Decent Homes Plus agenda.

*Items considered as a matter of urgency with the consent of the Chair under Section 100B(4)(b) of the Local Government Act 1972.

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ASSEMBLY**23 JULY 2008****REPORT OF THE CORPORATE DIRECTOR OF CUSTOMER SERVICES**

Title: Geneva Gardens Area – Petition From Residents		For Information
<p>Summary:</p> <p>Following a successful bid to Transport for London (TfL) to implement a 20 mph zone in the Geneva Gardens area, residents were consulted with regard to changing the speed limit of the residential area and implementing a series of one way restrictions to reduce unnecessary through traffic in the area.</p> <p>The result of the consultation exercise showed majority support for the 20 mph zone but not for the one way restrictions. The purpose of the consultation exercise was determine whether there was community support for the project and therefore, as is normal practice on such traffic and road safety schemes funded by TfL it was decided to accept the majority view and implement only the 20 mph project with supporting traffic speed reduction measures.</p> <p>A petition of over 100 residences was received supporting opposition to the one-way roads. In accordance with the constitution at that time a meeting was held with the lead petitioner and ward councillors where it was acknowledged that the one-way roads proposal would be rejected but that traffic calming by pinch points/width restrictions in Morley Road be considered together with other calming features. The emergency services registered their opposition to the pinch point/width restriction proposal.</p> <p>The 20 mph Zone has been implemented together with speed tables at Morley Road junctions with Geneva Gardens and Pemberton Gardens. In addition the junction of Morley Road and Adelaide Gardens has been highlighted in red. The works have been funded by TfL from the 2007/2008 allocation. .</p> <p>Wards Affected: Chadwell Heath</p>		
<p>Recommendation</p> <p>Members are asked to note the traffic management improvements that have been implemented in the Geneva Gardens area following consultation with local residents and in response to the petition.</p>		
<p>Contact Officer: Gary Ellison</p>	<p>Title: Group Manager for Highways and Civil Engineering Services</p>	<p>Contact Details: Tel: 020 8227 3226 Fax: 020 8227 3116 E-mail: gary.ellison@lbbd.gov.uk</p>

1 Background

- 1.1 The Council bid for funding from TfL to implement a 20 mph Zone in the Geneva gardens area as part of its support for the approved Local Implementation Plan (LIP). Funding was approved for the 2007/2008 period.
- 1.2 In order to maximise the impact of this scheme, consideration was given to other traffic measures that would benefit the community in the area. It was considered that some parts of the area suffer from rat running traffic that by-passes the Eastern Avenue when congested.
- 1.3 A proposal was prepared to introduce one way roads that would prevent traffic from travelling through the area but would still allow access to residents and their visitors. This is normal practice with these type of projects.
- 1.4 In order to inform residents of the proposals and seek their views on the one-way traffic proposal, a consultation exercise was undertaken. Over 500 residences were consulted and responses were received from 265. Approximately 85% indicated support for the 20 mph Zone while almost 65% opposed the introduction of one-way roads.
- 1.5 A petition was also received from residents opposing the one-way road option. In accordance with the Constitution at that time, a meeting was held with the lead petitioners and ward councillors where it was agreed that the one-way proposal was not going to be implemented. It was also agreed to consider traffic calming measures in Morley Road such as pinch points/width restrictions however subsequently the emergency services indicated their opposition to such measures.

2 The Implemented Scheme

- 2.1 Following consultation, orders and formal discussion on the implementation of the 20 mph zone were carried out. The emergency services were formally consulted on the proposals and agreement was reached with regard to speed tables at the Morley Road junctions with Geneva Gardens and Pemberton Gardens.
- 2.2 The junction of Morley Road and Adelaide gardens has also been treated to reduce the potential for vehicular accidents.
- 2.3 Funding has been provided by Transport for London and the Zone and the Zone has an enforceable 20 mph speed limit.

3 Consultees

- 3.1 The meeting with petitioners was attended by Councillor McKenzie, Councillor Carroll and Councillor Carroll. The report reflects the agreed course of action from that meeting.
- 3.2 The following have been consulted in the preparation of this report:-

Councillor McKenzie, Portfolio Holder for Street Scene and Sustainability
Councillor Carroll, Portfolio Holder for Customer Services
Paul Feild, Principal Corporate Solicitor

Tony McNamara, Interim Group Manager Customer Services - Finance
David Higham – Group Manager for Transportation
Steve Jones – Engineering Manager

Background Papers Used in the Preparation of the Report:

- Approved Local Implementation Plan (LIP)

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ASSEMBLY

23 JULY 2008

REPORT OF THE CORPORATE DIRECTOR OF CUSTOMER SERVICES

Title: Petition regarding dog fouling on pedestrian footpath and outside schools	For Information
<p>Summary</p> <p>A petition has been received from residents of Becontree, Parsloes and Valence Wards and staff at Valence Primary School, regarding dog fouling.</p> <p>To address the problem a comprehensive enforcement and responsible dog ownership programme has been devised, details of which are set out in the report.</p> <p>Wards Affected: Becontree, Parsloes and Valence.</p>	
<p>Recommendation:</p> <p>The Assembly is asked to note the enforcement and responsible dog ownership programme, which has been devised to fully address the petitioners concerns.</p>	
<p>Reasons:</p> <ol style="list-style-type: none"> 1. To assist the Council in the implementation of its Cleaner, Greener, Safer Strategy. 2. To assist the Council in achieving its objective of raising general pride in the Borough. 	
<p>Implications:</p> <p>Financial: None specific. Expenditure incurred in implementing the enforcement and responsible dog ownership programme, will be met from the existing services revenue budget.</p> <p>Legal:</p> <p>Enforcement of the Dogs (Fouling of Land Order) 2002, made under the provisions of the Dogs(Fouling of Lands) Act 1996, which requires with some exemptions for disabled persons, dog owners to remove any faeces which their dogs have deposited in designated public places (includes footpaths and parks) in the open air within the Borough.</p> <p>The Litter (Animal Droppings) Order 1991, of the Environmental Protection Act 1990, places a duty on Local Authorities to keep areas clear of dog faeces such as public walks and pleasure grounds.</p>	

Risk Management:

Should the Council not respond appropriately to community concerns about dog fouling, it is likely that further petitions will be received.

The failure to remove dog faeces from public places poses the risk of transmission of diseases such as Toxocariasis and Salmonella. In addition, dog fouling is an extremely offensive nuisance, which defaces streets and recreational areas, and can damage clothing and furnishings.

The Council possess adequate powers to tackle dog fouling under the provisions of the Borough's Dogs (Fouling of Land) Order 2002.

Social Inclusion and Diversity:

Disabled dog owners such as blind people are exempt from the requirements of dog fouling control legislation. The Council therefore has a duty to appropriately advise and support such persons.

Crime and Disorder:

No specific implications. Local authorities have the discretionary power to introduce and enforce Dog Fouling Control Orders for tacking nuisances associated with uncontrolled dogs.

Options Appraisal:

Not applicable

Contact Officer: Darren Henaghan.	Title: Head of Environmental and Enforcement Services.	Contact Details: Tel: 02082275660 Fax: 02082272221 E-Mail: darren.henaghan @lbbd.gov.uk
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1. Introduction and Background

- 1.1 The report sets out details of a petition which has been received from residents of Becontree, Parsloes and Valence Wards, and from people employed at Valence Primary School, regarding dogs fouling local streets.
- 1.2 The correspondence accompanying the petition described the dog fouling problems in the areas concerned and made reference to the need to close Valence Nursery on one occasion. It is claimed that deposits of dog faeces stay on the streets on average for about three weeks.

- 1.3 Most importantly, the petitioners made the following suggestions for consideration:-
- Put up far more and larger anti-dog fouling warning signs, and position them at a height where they can be easily read;
 - Street cleansing staff to be provided with equipment to remove dog faeces;
 - Street Wardens to patrol affected locations, particularly before and after school opening times;
 - Poop-scoop bags to be sold in libraries and shops.

2. Current Position

- 2.1 Having received the petition Street Wardens undertook a survey of the area which revealed some evidence of dog fouling and that anti-dog fouling signage was small and placed well above head height so was unlikely to be seen.
- 2.2 To address the problem a comprehensive enforcement and responsible dog ownership programme has been devised, a summary of which is set out below:-
- A high profile responsible dog ownership campaign, spearheaded by the use of “Fido-Faxes”, containing advisory leaflets on responsible dog ownership and free samples of poop-scoop bags;
 - Street Wardens will encourage the sale of poop-scoop bags from local shops, veterinary practices, libraries and other local authority premises;
 - Improved provision of warning signage - more signs which are larger and positioned at a level where they can be easily seen and read;
 - Street Wardens will visit local schools and other venues to provide advisory presentations;
 - Articles promoting responsible dog ownership will be published in the Council’s Citizen magazine and local press;
 - Enforcement action will be undertaken where required, consisting of issuing fixed penalty notices and/or prosecution under the provisions of the Borough’s Dog Fouling Control Order;
 - Improved responses to requests for the cleansing of dog fouling from streets.

3. Consultees

3.1 The following were consulted in the preparation of this report:

- Councillor McKenzie, Portfolio Holder for Street Scene and Sustainability
- Ward Councillors -Councillors Agrawal, Carpenter and Obasohan (Becontree Ward); Councillors Collins, R Doncaster and Tuffs (Parsloes Ward); Councillors S Doncaster, Hemmett and Rustem (Valence Ward).
- Darren Henaghan, Head of Environmental & Enforcement Services
- Mickey Neale, Group Manager, Transport, Waste and Street Scene
- Tony McNamara, Financial Services
- William Ssempala, Legal Services
- Kristianah Fasunloye, Corporate Communications

Background Papers Used in the Preparation of the Report:

- The Litter (Animal Droppings) Order 1991, of the Environmental Protection Act 1990 – places a duty on Local Authorities to keep areas clear of dog faeces such as public walks and pleasure grounds.
- Dogs(Fouling of Land)Act 1996.
- Dogs (Fouling of Land) Order 2002 (L.B. of Barking and Dagenham.
- Letter and petition sent by Fatema Tucker to Margaret Hodge, MP, on behalf of residents of Becontree and Valance Wards, and the staff of Valance Primary School, dated 30 January 2008.
- Letter and petition from Margaret Hodge, MP, received 30 April 2008.
- Clean Neighbourhoods and Environment Act 2005

ASSEMBLY

23 JULY 2008

REPORT OF THE CORPORATE DIRECTOR OF REGENERATION

<p>Title: Petition regarding change of parking restriction lines and signs, change of direction priority of traffic, reduced speed limits and general highway and footway improvements including parking at Great Cullings, Rush Green, Romford</p>	<p>For Information</p>
<p>Summary:</p> <p>The Council has received a petition from residents of Great Cullings containing signatures of 100 or more separate properties requesting for the removal of double yellow lines from inner bends, together with a request for change of direction priority of traffic into one-way operation, together with a means to reduce vehicular speed and general highway improvements including regulated parking in the area.</p> <p>A key issue is to consult emergency services before taking further action as current arrangements were introduced to facilitate unimpeded access by the emergency services. The residents consider that these arrangements are no longer required as redevelopment in the area has reduced the need for this.</p> <p>Wards Affected: Eastbrook.</p>	
<p>Recommendation(s)</p> <p>That the Assembly notes the report.</p>	
<p>Reason(s)</p> <p>To consider the requests made by residents and take forward any amendments to existing arrangements commensurate with the interests of road safety and emergency services access needs.</p>	
<p>Implications:</p> <p>Financial: Any changes agreed will be met from within the existing investment in highways improvements.</p> <p>Legal: No specific implications other than the making of necessary Traffic Orders.</p> <p>Risk Management: The needs of emergency access will be a key issue in determining any scheme to progress.</p>	

Social Inclusion and Diversity:

There are no specific implications insofar as this report is concerned other than access for disabled people which will be incorporated into any new scheme.

Crime and Disorder:

There are no specific implications insofar as this report is concerned.

Options Appraisal:

Scheme options will be developed for consultation with residents.

Contact Officer: David Higham	Title: Group Manager, Transportation and Traffic	Contact Details: Tel: 020 8227 3817 Fax: 020 8227 3490 E-mail: david.higham@lbbd.gov.uk
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1. Introduction and Background

- 1.1 In 1998 the then Controller of Development and Technical Services in conjunction with the Chief Executive considered under minute No 545 the introduction of "Any Time" restrictions on all bends of Great Cullings in order to maintain access throughout the estate due to difficulties of fire engines gaining access in Great Cullings. The problem had been first reported in 1991 and subsequently 1995, 1996 and with two incidents in 1998. As a result with the advice of the fire services the Council introduced waiting restrictions in the area.

2. The Petition

- 2.1 In summary the contents of the residents' petition is as follows:

- removal of inner circle yellow lines
- 10 to 20 mph speed limit to be introduced
- a clockwise one way system to be introduced
- pavement repairs and on pavement parking

- 2.2 Residents believe that the yellow lines were installed to keep access clear for emergency vehicles to the open fields between Great Cullings and Gorseway (to deal with incidents of vandalism). Since the new estate called Parish Field was built on the Old Rush Green Hospital site and the fields, residents believe emergency vehicles do not have to access the estate on such a regular basis.

- 2.3 The speed limit and one way working are requested for road safety reasons. Pavement repairs and parking are requested to permit parking without hindrance to pedestrians and (large) vehicles.

3. The Council's Response

- 3.1 Access for emergency vehicles is clearly a key issue and any review of yellow line markings would have to be done in close consultation with the emergency services – particularly for large fire appliances.

- 3.2 Road safety is a major objective of the Council and the residents' proposals will be considered to the degree they will or will not meet that objective.
- 3.3 Regularising parking is also an objective with which the Council would in principle sympathise.
- 3.4 The Council is investing £20m in highways improvements and Great Cullings is included in that project. After consultation with residents and emergency services any scheme proposals that can be incorporated with highways improvements and works and within the budget will be undertaken. It is envisaged that this area will be completed before December 2008.
- 3.5 The following steps will be taken to handle the issues raised by the petitioners:
- a meeting will be arranged with petitioners/residents, Councillors and officers to hear at first hand the changes requested
 - this will be in association with a site visit
 - the emergency services will also be invited to the meeting
 - the objective of the meeting would be to agree a way forward with petitioners that can be agreed in time for implementation with the planned highways improvements

4. Comments from Emergency Services Consultees.

Metropolitan Police:

Before we can offer comment to any proposed changes, we would need to be aware of what restrictions are to be removed, and what effect on emergency access this may have.

Any proposal to create one way streets would need very careful consideration. In other parts of the borough where one way streets have been created, this has resulted in a serious enforcement issue.

If LBBDD propose a scheme to answer this petition, early consultation with all parties is the only observation I can offer.

Fire Service.

No comment has been received in respect of this report but the service will be involved in determining a way forward as outlined in para 3.5 above.

Ambulance Service

No comment has been received in respect of this report but the service will be involved in determining a way forward as outlined in para 3.5 above.

5. Financial Implications

- 5.1 Financial implications for the Council will be negligible e.g. the costs for making any traffic orders will be incorporated within the existing scheme costs. Any additional costs will be funded from the existing investment budget

Consultees

The following were consulted in the preparation of this report:

- Councillor Fairbrass, Leader of the Council.
- Councillor McKenzie, Portfolio Holder for Street Scene and Sustainability
- Councillor McCarthy, Portfolio Holder for Regeneration and Ward Councillor
- Eastbrook Ward Councillors - Cllrs Connelly and Little
- Jennifer Dearing, Corporate Director of Regeneration
- Jeremy Grint , Head of Spatial Regeneration Division
- Darren Henaghan, Head of Environmental & Enforcement Services
- Emergency Services - Fire, Ambulance, Met Police.

Background Papers Used in the Preparation of the Report:

London Borough of Barking and Dagenham Notice and Agenda 11 November 1998

ASSEMBLY

23 JULY 2008

REPORT OF THE CORPORATE DIRECTOR OF ADULT AND COMMUNITY SERVICES

Title: Petition regarding the closure of Thameside Park City Farm	For Information
<p>Summary:</p> <p>The Council has received a petition from residents of Thames View estate and other areas asking the Council to save the City Farm on the periphery of the estate.</p> <p>The trustees of the farm took the decision to close in May 2007 after a long period of financial difficulty during which they had received support from the Council including additional funding. It is not in the Council's best interests to re-open the Farm due to its lack of financial sustainability.</p> <p>Wards Affected: Thames</p>	
<p>Recommendation(s)</p> <p>The Assembly is asked to note the outcome of the review in the light of the petition which identified that it is not in the Council's best interests to re-open the Farm due to its lack of financial sustainability.</p>	
<p>Reason(s)</p> <p>Not applicable</p>	
<p>Implications:</p> <p>Financial: A decision to financially support the re-opening of the City Farm would be likely to have significant financial implications which cannot be met from existing budgets.</p> <p>Legal: No specific implications</p> <p>Risk Management: There are no specific risks associated with this.</p> <p>Social Inclusion and Diversity: Thames View is an area of high need and social exclusion. The loss of any resources within the area is regrettable but there is an agreement with Barking Riverside Ltd. to develop a new ecology centre in the area as part of the open space delivery plan for the new development. This will provide opportunities that residents from all parts of the area will be able to enjoy and hence bring communities together and provide a setting for projects to promote wider social inclusion.</p>	

Crime and Disorder:

There are no specific implications insofar as this report is concerned but the existence of a City Farm or other environmental scheme would provide a context for diversionary activity which can help to reduce crime and anti-social behaviour.

Options Appraisal:

The following options were considered:

- To provide financial support to enable the former trustees of the Farm to re-open it. This option has not been pursued for two reasons. Firstly the organisation that originally ran the farm has now been wound up so no longer exists. Secondly the Council currently has no funds available for this purpose.
- To provide financial support to enable an alternative voluntary organisation to open the Farm. This option has not been pursued for two reasons. Firstly the task of establishing an alternative organisation is both uncertain and likely to be lengthy. Secondly the Council currently has no funds available for this purpose.
- To run the Farm itself. This option has not been pursued because the provision of successful urban farms requires access to a range of resources and funding opportunities that are not readily accessible to local authorities but much more suited to voluntary bodies
- To provide no support. This option has been pursued because the decision to close the original farm was made by the Trustees and to try to re-establish a farm as originally configured would be to recreate the original problems. This would not be helpful when the option to create a new and better environmental project within Barking Riverside is assured.

Contact Officer: Philip Baldwin	Title: Group Manager, Community Development	Contact Details: Tel: 020 8227 2530 Fax: 020 8227 2412 E-mail: philip.baldwin@lbbd.gov.uk
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1. Introduction and Background

- 1.1 In May 2007 the Thameside Park City Farm finally closed after a long financial struggle. The farm had been established in 1982 as an independent voluntary organisation and was previously in robust financial health, receiving a range of grants from various bodies including the Council. However as these grants time expired the then management team were unsuccessful in replacing them and their income consisted largely of the £34,000 that they received regularly from the Council.
- 1.2 The real cost of running the operation was unclear but it was certainly more than twice what they received from the Council. The farm was frequently appealing for extra funds from the Council and though additional resources were made available on at least two occasions the situation did not improve. The farm's trustees had various plans to generate income from other and additional sources but these failed to come to fruition.
- 1.3 Eventually, early in 2007 the Trustees of the farm approached the Council to ask for help in winding it up before it became insolvent. With advice from Council officers the Trustees took the necessary steps to formally close the farm on 12 May 2007.

- 1.4 When the farm closed, the land reverted to Barking Riverside Ltd and is now to be the site of a multi use games area. In addition Barking Riverside Ltd had previously confirmed that an environmental scheme would be central to the open space delivery plan already in place for Riverside. This will include an ecology centre with a range of facilities intended to benefit the whole community and providing a wider range of opportunities than were available on the farm.

2. The Petition

- 2.1 The drafting of the residents' petition is unclear but it centres on ensuring that there is a City Farm on the Thames View estate.

3. The Council's Response

- 3.1 The City Farm was a voluntary organisation and has now formally dissolved. Therefore any move to re-open a farm in the area would either require a new voluntary body to be created or would require the direct involvement of the Council. Neither of these is an easy option.
- 3.2 The City Farm was an independent voluntary sector organisation and therefore not in the control of the Council. The same would apply to any new voluntary body. If the former trustees did not wish to revisit their decision then an entirely new body would need to be brought into existence which would take some time.
- 3.3 The original farm was not financially sustainable and therefore a considerable annual subsidy would be required in order to ensure it remained open. This would be likely to be of the order of £70,000 per annum. This sum is not available within the voluntary sector grants programme, and, in the context of limited financial resources, there is no other source of Council funding which has been identified which could meet these costs.
- 3.4 The former site of the farm has now reverted to Barking Riverside Ltd. and currently no other suitable site is available.
- 3.5 The Council therefore does not propose to re-open the City Farm. It will however continue to work with members of the local community and with Barking Riverside Ltd and a range of other partners through Neighbourhood Management to develop open spaces and opportunities for leisure activities for all ages in the area.

Consultees

The following were consulted in the preparation of this report:

Portfolio Holder for the Voluntary Sector - Councillor Rush
Portfolio Holder for Regeneration – Councillor McCarthy
Ward Councillors - Cllr Fred Barns; Cllr Barry Poulton; Cllr Mrs Joan Rawlinson
Corporate Director of Regeneration – Jennifer Dearing.
Head of Spatial Regeneration Division - Jeremy Grint.

Background Papers Used in the Preparation of the Report

None

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Annual Audit and Inspection Letter

London Borough of Barking and Dagenham

External audit is an essential element in the process of accountability for public money and makes an important contribution to the stewardship of public resources and the corporate governance of public services.

Audit in the public sector is underpinned by three fundamental principles.

- Auditors are appointed independently from the bodies being audited.
- The scope of auditors' work is extended to cover not only the audit of financial statements but also value for money and the conduct of public business.
- Auditors may report aspects of their work widely to the public and other key stakeholders.

The duties and powers of auditors appointed by the Audit Commission are set out in the Audit Commission Act 1998, the Local Government Act 1999 and the Commission's statutory Code of Audit Practice. Under the Code of Audit Practice, appointed auditors are also required to comply with the current professional standards issued by the independent Auditing Practices Board.

Appointed auditors act quite separately from the Commission and in meeting their statutory responsibilities are required to exercise their professional judgement independently of both the Commission and the audited body.

Status of our reports

This report provides an overall summary of the Audit Commission's assessment of the Council, drawing on audit, inspection and performance assessment work and is prepared by your Relationship Manager.

In this report, the Commission summarises findings and conclusions from the statutory audit, which have previously been reported to you by your appointed auditor. Appointed auditors act separately from the Commission and, in meeting their statutory responsibilities, are required to exercise their professional judgement independently of the Commission (and the audited body). The findings and conclusions therefore remain those of the appointed auditor and should be considered within the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission.

Reports prepared by appointed auditors are:

- prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission; and
- addressed to members or officers and prepared for the sole use of the audited body; no responsibility is taken by auditors to any member or officer in their individual capacity, or to any third party.

Copies of this report

If you require further copies of this report, or a copy in large print, in Braille, on tape, or in a language other than English, please call 0844 798 7070.

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Key messages

- 1 The main messages for the Council included in this report are:
 - the Council is a three star authority and continues to improve well;
 - your auditor issued an unqualified opinion on the Council's 2006/07 accounts and an unqualified value for money conclusion;
 - your corporate assessment concluded that the Council was performing well; and
 - improvements in the quality of services for children and young people and for housing are happening at a slower rate than in other services.

Action needed by the Council

- 2 The Council should:
 - ensure appropriate investment is made in services for children and young people and in housing to secure the improvements needed;
 - implement the recommendations included in the corporate assessment report; and
 - continue to strengthen its arrangements for the effective use of resources.

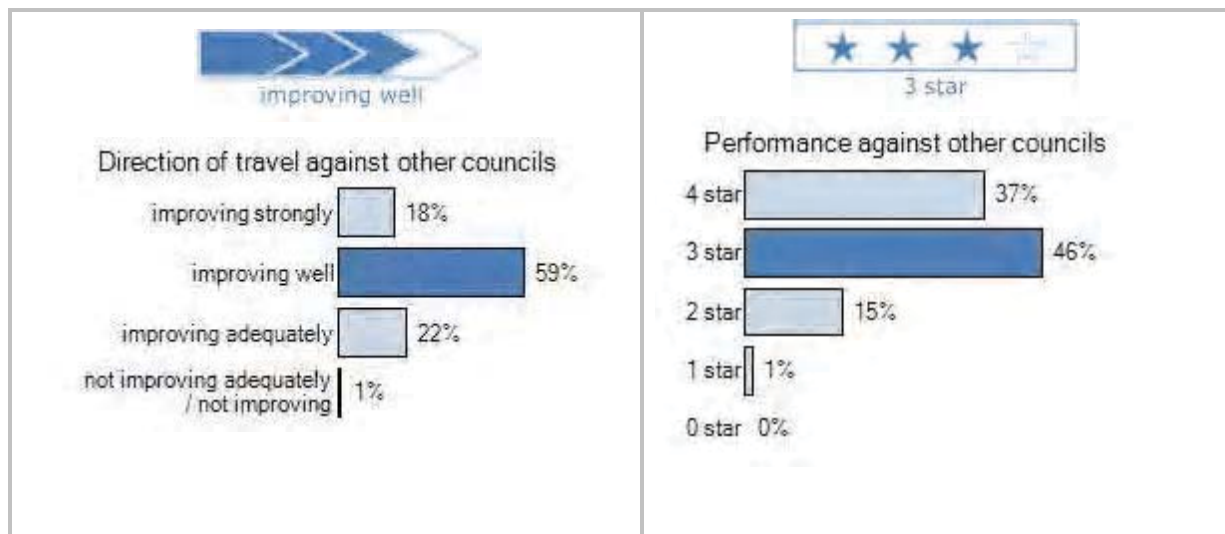
Purpose, responsibilities and scope

- 3 This letter provides an overall summary of the Audit Commission's assessment of the Council. It draws on the most recent Comprehensive Performance Assessment (CPA), the findings and conclusions from the audit of the Council for 2006/07 and from any inspections undertaken since the last Annual Audit and Inspection Letter. It also includes the results of the most recent corporate assessment.
- 4 We have addressed this letter to members as it is the responsibility of the Council to ensure that proper arrangements are in place for the conduct of its business and that it safeguards and properly accounts for public money. We have made recommendations to assist the Council in meeting its responsibilities.
- 5 This letter also communicates the significant issues to key external stakeholders, including members of the public. We will publish this letter on the Audit Commission website at www.audit-commission.gov.uk. In addition the Council is planning to publish it on its website.
- 6 Your appointed auditor is responsible for planning and carrying out an audit that meets the requirements of the Audit Commission's Code of Audit Practice (the Code). Under the Code, the auditor reviews and reports on:
 - the Council's accounts;
 - whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources (value for money conclusion); and
 - whether the Council's best value performance plan has been prepared and published in line with legislation and statutory guidance.
- 7 This letter includes the latest assessment on the Council's performance under the CPA framework, including our Direction of Travel report and the results of any inspections carried out by the Audit Commission under section 10 of the Local Government Act 1999. It summarises the key issues arising from the CPA and any such inspections. Inspection reports are issued in accordance with the Audit Commission's duty under section 13 of the 1999 Act.
- 8 We have listed the reports issued to the Council relating to 2006/07 audit and inspection work at the end of this letter.

How is Barking and Dagenham Council performing?

- 9 The Audit Commission's overall judgement is that Barking and Dagenham Council is improving well and we have classified Barking and Dagenham Council as three-star in its current level of performance under the Comprehensive Performance Assessment. These assessments have been completed in all single tier and county councils with the following results.

Figure 1



Source: Audit Commission

- 10 The detailed assessment for Barking and Dagenham Council is as follows.

Our overall assessment - the CPA scorecard

Table 1 CPA scorecard

Element	Assessment
Direction of Travel judgement	Improving well
Overall	3 star
Corporate assessment/capacity to improve	3 out of 4
Current performance	
Children and young people*	2 out of 4
Social care (adults)*	3 out of 4
Use of resources*	3 out of 4
Housing	2 out of 4
Environment	3 out of 4
Culture	2 out of 4
Benefits	3 out of 4

(Note: * these aspects have a greater influence on the overall CPA score)
(1 = lowest, 4 = highest)

The improvement since last year - our Direction of Travel report

- 11 Barking and Dagenham Council is improving well. Progress over the last year is good with the improvement of performance indicators in the top third in London. Residents recognise this improvement, as evidenced by substantial increases in satisfaction with priority services such as waste and recycling, public open spaces, libraries and transport. Adult social care services continue to progress well. However, assessments of housing services and those for children and young people show improvement happening at a slower rate.
- 12 Delivery against the council's aim of building communities and transforming lives is becoming evident. The first phase of the Dagenham Dock scheme, which has generated over 1000 jobs, has been completed. Improvements have been made to customer access, which have been well received by local people. The Barking Learning Centre, incorporating the first one stop shop, opened in the summer and services available through Barking and Dagenham Direct have been extended.
- 13 The Council has robust plans for improving further and service planning has been strengthened to embed the focus on value for money. Effective work with partner organisations has enhanced the capacity of the council to deliver its plans.

8 Annual Audit and Inspection Letter | How is Barking and Dagenham Council performing?

- 14 Our corporate assessment work found the Council to be performing well. The Council's seven community priorities are clear and give a focus to the ambition which is that: 'together we will build communities and transform lives'. They reflect national priorities and address the most pressing concerns for local people, namely crime, housing, improving skills and job prospects. The Council's approach to equality and diversity supports its ambitions for community cohesion.
- 15 Access to services is good overall and significant improvements have been made in this area over the past three years through initiatives such as the 'Tell Us' campaign and 'Done in One'.
- 16 The Council demonstrates effective community leadership through the Chief Executive, officers and in its partnership working, for example in the development of a community development trust in Barking Riverside. Scrutiny generally works well and the Council is now extending its focus to enable involvement of the wider community.
- 17 There is a well established approach to performance management and the Council has been successful in instilling the right culture and values so that it is at the heart of decision making. The Council now needs to focus on delivering wider community outcomes in respect of local priorities such as skills, access to employment and housing. The Council needs to sharpen its approach to prioritisation as it seeks to deliver its ambitious agenda for revitalisation of the borough.
- 18 We made a number of recommendations and in particular that:
 - the role of councillors, in particular in relation to community leadership, requires further development;
 - the Council needs to take a more strategic and co-ordinated approach to the development of its policy framework; and
 - the Council needs to strengthen its approach to communication. In particular, improving the way in which it communicates its successes and plans for the future.

Service inspections

- 19 An important aspect of the role of the Relationship Manager is to work with other inspectorates and regulators who also review and report on the Council's performance. Relationship Managers share information and seek to provide 'joined up' regulation to the Council. During the last year the Council has received the following assessments from other inspectorates.

Benefit Fraud Inspectorate (BFI)

- 20 BFI assessed the Council as providing a good service. Although aspects of performance on claims administration deteriorated during 2006/07, this was due to the introduction of a new benefits system, which meant that the council was unable to process claims for four weeks. The Council took steps to minimise the impact of this change. These included taking on temporary staff and manually pre-assessing cases whilst the system was closed down. The implementation of the new system went smoothly and data for the final quarter of 2006/07 showed that performance was improving again.

Ofsted

- 21 Ofsted assessed the Council's services for Children and Young people as level 2 (out of 4). The Council and its partners provide adequate outcomes for the children and young people of Barking and Dagenham. Achievements at GSCE and A levels are improving but are still below the national average. The number of children and young people not in employment, education or training in Barking and Dagenham is too high though this number is declining. Retention rates on post 16 courses are poor, which suggests that young people may not be getting correct advice.
- 22 Outcomes for looked after children are good but the needs of children and young people with learning difficulties and or disabilities are not yet effectively addressed. In particular, there are few opportunities for them to be involved in decision making and too many of them become without employment, education or training when they leave school. The looked after children health education service team provides a good service to support the health and education of looked after children and outcomes in both these areas have significantly improved.
- 23 Most children are healthy and many health outcomes are in line with comparator groups. However, rates of teenage pregnancy, though reducing, remain high and there is a high incidence of oral decay amongst the child population.
- 24 Early years provision is good and there has been an increase in the amount of childcare places available. Provision for children out of school is improving but there is not yet an effective arrangement for the reintegration of excluded pupils.

Commission for Social Care Inspection (CSCI)

- 25 The Council's services for adult social care have been assessed by CSCI as having good outcomes and excellent prospects for improvement. The Council was awarded the maximum 3 star rating overall. Strengths existed in the following areas:
- active promotion of health and well being, including a range of leisure activities and exercise classes on prescription;
 - for older people a variety of health promotion initiatives, including leisure and exercise classes and an award winning 'garden shed' project;

10 Annual Audit and Inspection Letter | How is Barking and Dagenham Council performing?

- for people with learning disabilities an effective partnership board, co-chaired by users; and
- for mental health service users an innovative range of services to promote well being, such as self help books on prescription.

26 There are still some further improvements needed in the following areas:

- continue to reduce delayed transfers of care;
- increase extra care sheltered housing for older people; and
- reduce waiting times for major adaptations.

The audit of the accounts and value for money

- 27 Your appointed auditor has reported separately to the Audit Committee on the issues arising from the 2006/07 audit and has issued:
- an audit report, providing an unqualified opinion on your accounts and a conclusion on your vfm arrangements to say that these arrangements are adequate on 25 September 2007; and
 - a report on the Best Value Performance Plan confirming that the Plan has been audited.

Use of Resources

- 28 The findings of the auditor are an important component of the CPA framework described above. In particular the Use of Resources score is derived from the assessments made by the auditor in the following areas:
- financial reporting (including the preparation of the accounts of the Council and the way these are presented to the public);
 - financial management (including how the financial management is integrated with strategy to support council priorities);
 - financial standing (including the strength of the Council's financial position);
 - internal control (including how effectively the Council maintains proper stewardship and control of its finances); and
 - value for money (including an assessment of how well the Council balances the costs and quality of its services).
- 29 For the purposes of the CPA your auditor has assessed the Council's arrangements for use of resources in these five areas as follows.

Table 2

Element	Assessment
Financial reporting	3 out of 4
Financial management	3 out of 4
Financial standing	4 out of 4
Internal control	3 out of 4
Value for money	3 out of 4
Overall assessment of the Audit Commission	3 out of 4

(Note: 1 = lowest, 4 = highest)

The key issues arising from the audit

Accounts

- 30 Audit working papers were of a good standard, audit queries were generally addressed promptly and the draft financial statements submitted for audit were of a good standard. There were some errors in the accounts, but the majority were trivial. Your auditors made a number of recommendations to improve accounting systems further and these were largely concerned with improving reconciliations between systems.

Use of resources

- 31 The 2007 key lines of enquiry raised the standard required for level 2 and level 3 assessments. Your auditor found that the Council had responded well to these new requirements. At the same time, the Council has consolidated and continued to embed the arrangements put in place in 2006 and is now in a stronger position than last year. Further improvements have been implemented during 2006/07, although the impact and outcome of all of these actions will not be fully realised until 2007/08 onwards. Moving forward, key areas for the Council to focus on include:

- ensuring the evidence that the MTFS has been agreed with partners is robust;
- using the CIPFA financial management model to develop a training programme;
- ensuring that the processes that will support the annual governance statement are sufficiently embedded; and
- continuing work to embed arrangements for delivering VFM, including closer links between reports on costing and performance.

Data Quality

- 32 Your auditors performed a spot check on 15 performance indicators produced by the Council. The results of this exercise were positive as none of the indicators required any amendment. These findings echoed the auditors overall assessment of the data quality arrangements which concluded that the Council had reached level 4 'Performing strongly' and that 'a review of the arrangements highlighted that policies and procedures are very strong and the arrangements in place for performance management are proactive and robust'.
- 33 This is a significant improvement from the previous year and results from the Council implementing a number of changes in its approach to collating and validating performance data.

National Fraud Initiative (NFI)

- 34** The NFI is a computerised data matching exercise designed to identify overpayments to suppliers and to detect fraud perpetrated on public bodies. The referrals from the current exercise were released to participating bodies in January 2007. The Council has been proactive in reviewing the output from NFI. Internal Audit co-ordinates the follow-up of matches, which is undertaken by the responsible department, for example, council tax and payroll. As at the end of December 2007, the Council had identified over £36,000 of potential savings arising from the exercise.

Grants

- 35** Due to an increase in the financial thresholds above which grant claims and returns require an audit certificate, the number of grants audited reduced to 18 this year. The audit fee for this work was £83,000, a reduction of £73,000 from the previous year's fee.

Looking ahead

- 36 The public service inspectorates are currently developing a new performance assessment framework, the Comprehensive Area Assessment (CAA). CAA will provide the first holistic independent assessment of the prospects for local areas and the quality of life for people living there. It will put the experience of citizens, people who use services and local tax payers at the centre of the new local assessment framework, with a particular focus on the needs of those whose circumstances make them vulnerable. It will recognise the importance of effective local partnership working, the enhanced role of sustainable communities strategies and local area agreements and the importance of councils in leading and shaping the communities they serve.
- 37 CAA will result in reduced levels of inspection and better coordination of inspection activity. The key components of CAA will be a joint inspectorate annual area risk assessment and reporting performance on the new national indicator set, together with a joint inspectorate annual direction of travel assessment and an annual use of resources assessment. The auditors' use of resources judgements will therefore continue, but their scope will be widened to cover issues such as commissioning and the sustainable use of resources.
- 38 The first results of our work on CAA will be published in the autumn of 2009. This will include the performance data from 2008/09, the first year of the new Local Area Agreements.

Closing remarks

- 39 This letter has been discussed and agreed with the Chief Executive and Director of Resources. A copy of the letter will be presented at the Audit Committee on 16 April and the Executive on 22 April 2008. Copies need to be provided to all Council members.
- 40 Further detailed findings, conclusions and recommendations on the areas covered by audit and inspection work are included in the reports issued to the Council during the year.

Table 3 **Reports issued**

Report	Date of issue
Audit and inspection plan	April 2006
Corporate assessment	July 2007
Annual governance report	September 2007
Opinion on financial statements	September 2007
Value for money conclusion	September 2007
Best value performance plan	December 2007
Annual audit and inspection letter	February 2008

- 41 The Council has taken a positive and constructive approach to audit and inspection work, and I wish to thank the Council's staff for their support and cooperation during the audit.

Availability of this letter

- 42 This letter will be published on the Audit Commission's website at www.audit-commission.gov.uk, and also on the Council's website.

Jon Hayes
Relationship Manager

March 2008

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THE ASSEMBLY

23 JULY 2008

REPORT OF THE CORPORATE DIRECTOR OF RESOURCES

Title: Annual Review of Council Constitution	For Decision
<p>Summary</p> <p>In accordance with Part B, Article 2 (The Assembly) paragraph 9, the Assembly has authority to agree changes to the Council Constitution and associated rules, codes, protocols and schemes relating to the way in which the Council operates. It is standard practice that the Constitution is annually reviewed by the Assembly to ensure that the document is appropriate to support the Council in its normal functions and business operations.</p> <p>A schedule of all the necessary changes including any administrative amendments (the latter of which are approved by the Chief Executive) will be circulated to all Members under separate cover prior to the meeting. In summary the changes requiring the Assembly's approval are:</p> <ul style="list-style-type: none"> ➤ Procedural amendments at various meetings for greater clarity and effectiveness; ➤ Amendments to the Council's scheme of delegation to regulate member meeting/officer delegations in accordance with legislation; ➤ Revisions to land acquisition and disposal rules to take account of reorganisations within the Regeneration Department; and ➤ Revisions to parts of Sections D (Rules) and E (Codes and Protocols) to accord with legislative requirements and to provide greater clarity. <p>All approved changes will be incorporated into a revised version of the Constitution which will be circulated to all Members of the Council, Independent Members of the Standards Committee, statutory co opted Members, Chief Officers and Heads of Service in replacement for the existing document. The new Constitution in its entirety will also be made available on the Council's website.</p> <p>Wards Affected: None</p>	
<p>Recommendation:</p> <p>The Assembly is asked to agree the changes to the Council's Constitution as detailed in the schedule (which is to be circulated in advance of the meeting), to be effective from Monday 28 July 2008.</p>	
<p>Reason:</p> <p>The responsibility for amending the Constitution falls within the remit of the Assembly.</p>	

<p>Implications:</p> <p>Financial: None</p> <p>Legal: The Local Government Act 2000 requires Council's to produce, maintain and regularly review the Constitution document which sets out the rules, codes, protocols and schemes by which the Council operates. The changes proposed have been checked by Legal Services to ensure their legality</p> <p>Risk Management: Any delays in updating the Constitution puts at risk the normal functions and business of the Council being conducted in an effective, efficient and lawful manner.</p> <p>Social Inclusion and Diversity: None.</p> <p>Crime and Disorder: None</p> <p>Options Appraisal: Not applicable</p>		
<p>Contact Officer: Nina Clark</p>	<p>Title: Divisional Director of Legal and Democratic Services</p>	<p>Contact Details: Tel: 020 8227 2114 Fax: 020 8227 2171 Minicom: 020 8227 2685 E-mail: nina.clark@lbbd.gov.uk</p>

Consultees

The following were consulted in the preparation of this report:

- Councillor C Fairbrass, Leader of the Council
- Rob Whiteman, Chief Executive
- Bill Murphy Corporate Director of Resources
- Robin Hanton, Legal Services
- Joe Chesterton, Divisional Director of Corporate Finance
- Corporate Directors

Background Papers Used in the Preparation of the Report:

- Council Constitution