

THE EXECUTIVE

Tuesday, 9 September 2008
(7:00 - 8:20 pm)

Present: Councillor L A Smith (Deputy Chair in the Chair), Councillor J L Alexander, Councillor G J Bramley, Councillor S Carroll, Councillor H J Collins, Councillor M A McCarthy and Councillor Mrs V Rush

Also Present: Councillor Ms. E Carpenter

Apologies: Councillor C J Fairbrass MBE, Councillor R C Little and Councillor M E McKenzie

34. Declaration of Members' Interests

There were no declarations of interest.

35. Minutes - To confirm as correct the minutes of the meeting held on 12 August 2008

36. Budget Monitoring Report 2008/09

Received a report from the Corporate Director of Resources providing an update on the Council's revenue and capital position for the period April to July of the 2008/09 financial year.

The position for revenue expenditure indicates that current budget pressures exist across four departments amounting to £6.7million. Overall this reflects a £700k reduction from the position reported in June.

However the largest pressure continues to remain within the Children's Services department where significant budget pressures continue to arise from Looked after Children Placements and in meeting the Councils' Leaving Care responsibilities.

Agreed, in order to assist the Council to achieve all of its Community Priorities and as a matter of good financial practise, to

- (i) note the current position of the Council's revenue and capital budget as at 31st July 2008 (Appendix A and C, Sections 3 and 5 of the report)
- (ii) note the position and projected out-turn for the Housing Revenue Account (Appendix B and Section 4 of the report)
- (iii) note that where pressures exist Directors are required to identify and implement the necessary action plans to alleviate these budget pressures to ensure that the necessary balanced budget for the Council is achieved by year end (section 3 of the report)

37. Children's Trust Scrutiny Panel - Final Report

Received a report from the Children's Trust Scrutiny Panel following a thorough analysis of the current work and operations of the Trust and advice from the Head

of Commissioning Children's Services in Tower Hamlets.

The Panel recognised the notable achievements of the Trust since its inception in April 2006 and has made a total of 20 recommendations that are intended to help build on this platform.

These recommendations cover issues such as

- The need for the Trust to have a greater focus on performance management and monitoring,
- Improved forward planning based on the key priorities within the Children and Young People's Plan (CYPP) and the Local Area Agreement (LAA),
- Strengthening of the role of the voluntary sector and proposals to help develop the new integrated joint planning and commissioning culture across the Partnership.
- It also proposed that the scrutiny of the Trust is formalised through regular reporting to the Scrutiny Management Board on performance and progress issues and the creation of ad hoc Panels to examine, in detail, specific problems of underachieving areas.

Agreed, in order to assist the Council achieve its Community Priority in 'Developing Rights and Responsibilities with the local community' and improve the performance management and accountability of the Children's Trust

To note the report and corresponding action plan and recommend to the Assembly for adoption.

Thanked Councillor Mrs Carpenter Chair of the Panel for her personal efforts in bringing the work of the Panel to fruition.

38. Community Facilities Review

Received a report from the Corporate Director of Adult and Community Services setting out a review of community facilities in the borough which has been conducted in light of emerging good practice in the field.

As a result of that review a policy is proposed that develops the existing policy and has the following key objectives:

1. To create a network of well managed community facilities
2. To support asset transfer where it is appropriate
3. To increase the use of community facilities
4. To increase provision in those areas where it is needed
5. To increase investment in all facilities

Agreed, in order to assist the Council in achieving its Community Priorities of 'Raising General Pride in the Borough' and 'Developing Rights and Responsibilities with the Local Community' and in order to create a network of good quality community facilities across the borough.

- (i) The policy for community facilities in Barking and Dagenham as set out in section 3.2 of this report; and in light of this officers are to review the Councils Licensing Policy
- (ii) The outline criteria for asset transfer as set out in section 3.3 of this report in line with the Council's Land acquisitions and disposal rules and any further reports to the Executive as appropriate.
- (iii) To authorise the Corporate Director for Adult and Community Services, in consultation with the Portfolio Holder for Community Halls, to agree the detailed criteria for asset transfer.

39. Domestic Violence Strategy

Received a report from the Corporate Director of Adult and Community Services setting out the Barking and Dagenham Domestic Violence Strategy for the period 2008-11. The strategy provides essential strategic direction for the Barking & Dagenham Partnership and the work is focussed under six key themes which are

- To increase safe choices for victims and their children experiencing domestic violence.
- To hold perpetrators accountable for their abusive behaviour.
- To raise awareness of domestic violence in the borough through public education – to ensure domestic violence is not tolerated, and assist in increasing reporting.
- To educate children and young people as to the impact and effects of domestic violence.
- To ensure domestic violence is a high priority among practitioners, through effective leadership and an effective allocation of resources and improved efficiency.
- To provide survivors with the necessary after care so that they can successfully rebuild their lives.

The Strategy also sets out a vision for effectively addressing the issue of domestic violence and details the specific steps that will be taken to achieve this.

Agreed, in order to assist the Council to achieve its Community Priorities of developing rights and responsibilities with the local community, promoting equal opportunities and celebrating diversity and improving health, housing and social care, to

Endorse the Barking and Dagenham Domestic Violence Strategy

40. Rainham Road South - Proposed Designated Public Places Order

Received a report from the Corporate Director of Adult & Community Services proposing the designation of an area around Rainham Road South within which there will be an additional restriction on public drinking of alcohol from bottles or cans, as a further measure to tackle instances of anti-social behaviour, in response to the concerns of residents and members.

The Council has powers under Section 13(2) of the Criminal Justice and Police Act 2001 which enables the Council to make an area within Rainham Road South a 'Designated Public Place', sometimes referred to as an 'alcohol control zone'. Following the designation, if a Constable or a Police Community Support Officer has reason to believe a person is consuming alcohol within the zone, s/he can require the person to stop consuming and surrender the alcohol. Failure to comply without reasonable excuse is an offence for which a person can be arrested and carries a £500 maximum fine.

Agreed, in order to assist the Council in achieving its Community Priorities of making Barking and Dagenham Cleaner, Greener and safer and developing rights and responsibilities with the local Community to

Refer the proposed Designated Public Places Order to the Assembly for decision.

41. Proposed Establishment of an Additional Resource Provision at Eastbrook Comprehensive School

Received a report from the Corporate Director of Children's Services setting out a proposal for Eastbrook School to establish an additional resource provision (ARP) for pupils with statements of Special Educational Needs primarily relating to speech, language and communication from the Autumn Term 2008.

The objectives of the ARP are:

1. To provide specialist support to pupils with speech and language needs.
2. To support these pupils to develop strategies to enable them to access a mainstream classroom.
3. To provide an on-site specialist provision linking speech, language and the curriculum.
4. To improve access to specialist staff.

The school is to become a centre of excellence in the field of speech, language and communication from which other establishments and provisions can benefit.

Agreed, in order to assist the Council in achieving its Community Priorities of "Better Education and Learning for All, promoting equal opportunities and celebrating diversity to

Establish an additional resource provision at Eastbrook Comprehensive School for pupils with statements of Special Educational Needs primarily relating to speech, language and communication from the Autumn Term 2008.

42. 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.

Agreed to exclude the public and press for the remainder of the meeting by reason of the nature of the business to be discussed which included information exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

43. Proposed New Arrangements For The Delivery of the Connexions Service

Received a report from the Corporate Director of Children's Services outlining proposals to tender the Connexions Universal service and transfer the Connexions targeted team into the local authority under Transfer of Undertakings (TUPE) regulations.

Agreed, in order to assist the Council to achieve all of its Community Priorities and as a matter of good financial practise, to

1. Agree the incorporation of the Connexions Targeted Service into the Youth Service which will form part of the IYSS. This will bring the existing team of personal advisers into the local authority under TUPE regulations.
2. Agree the tendering of the Connexions Universal Service for a period of three years, with an option to extend for a further two years dependent upon satisfactory performance, as detailed in the report; and
3. In accordance with the Council's Constitution Contract Rules paragraph 3.6, advise if Members wish to be involved with the packaging and specification of the above mentioned contracts and decide the nature of their involvement in the subsequent evaluation and award of the contract.

44. Contract for Renewal of Heating and Hot Water Boilers at Thaxted House, Dagenham

Received a report from the Corporate Director of Regeneration detailing the Council's proposals for setting out proposals for replacing the boilers and hot water system in Thaxted House and recommending appointing the lowest priced tender to carry out the required work.

Member's approval is required to award the contract of the Mechanical part of the work to the boiler system in Thaxted Houses as set out in the report and in accordance with the Council's constitution.

The current boiler system is inefficient and unreliable, it is becoming more difficult to maintain and does not supply adequate hot water at peak periods or supply adequate heating to flats. The boiler replacement and installation of radiator heating will increase the quality of life for residents, reduce the risk of loss of service, and provide the Council with savings through efficiencies gained from a new boiler and cheaper type of fuel. These works will provide a much better service to residents.

Agreed, in order to assist the Council to achieve its Community Priorities of improving health, housing and social care and making the borough cleaner, greener and safer to:

1. Approve the proposed Mechanical work to Thaxted House as set out in the report including a negotiation to the tender submitted by CBS maintenance for increase costs since the submission of the tender in August 2007.
2. Delegate authority to the Corporate Director of Regeneration to make a

decision at a later date regarding the appointment of the contractor for this scheme. (The delegated authority can only be exercised after successful negotiation on increased costs).

3. Accept use of solar pre-heating on this scheme.
4. That the Corporate Director of Regeneration negotiate with the appointed contractor a small contingency in special circumstances for redecorating as a result of replacing the pipe work.
5. That an assurance is provided from the contractors that no heating will be removed from the flats over the winter period.

45. Framework Agreement for Supply of Dried, Chilled and Frozen Groceries

Received a report from the Corporate Director of Children's Services seeking approval to continue with the tender arrangements for a framework agreement for the supply of i) dried, chilled goods and groceries, and ii) frozen goods, for a period for four years with no option to extend, with the London Borough of Havering as the lead authority. This is the continuation of the current purchasing arrangement previously led by the London Borough of Barking and Dagenham. This approach has the benefits of continued partnership with neighbouring authorities and continues to build on the success of other authorities joining the group and further strengthens the buying potential of a larger group. The contracts are for the use primarily in school kitchens, social services establishments and leisure centres.

This report sets out the tender process undertaken jointly with the following London Boroughs: Tower Hamlets, Waltham Forest, Hammersmith & Fulham, Thurrock and Havering and advertised for use as an East London Contract.

Requesting approval to continue to work in partnership, tenders will be assessed on the basis of the most economically advantageous and the evaluation will include an assessment of their ability to provide contract management and supervision, contract implementation to the standards required and, in particular, their commitment to working jointly on product and menu development.

Agreed in order to assist the Council to achieve all of its Community Priorities and as a matter of good financial practise to

1. The continuation of the current consortium purchasing agreement to be lead by the London Borough of Havering;
2. The award of a framework agreement for the supply of:
 - i) dried, chilled goods and groceries
 - ii) frozen goodsfor a period of four years, commencing 1 January 2009 and expiring on the 31 December 2013, on the terms set out in the report.