

Notice of Meeting

ASSEMBLY

**Wednesday, 18 May 2011 - 7:00 pm
Council Chamber, Town Hall, Barking**

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

**Chair:
Deputy Chair:**

Date of publication: 10 May 2011

Stella Manzie
Chief Executive

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AGENDA

- 1. Appointment of Chair and Deputy Chair**
- 2. Apologies for Absence**
- 3. 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.

- 4. Minutes - To confirm as correct the minutes of the meeting held on 30 March 2011 (Pages 1 - 14)**
- 5. Appointments to the Political Structure and Other Bodies 2011/2012 (Pages 15 - 36)**
- 6. King William Street Quarter and Eastern End Thames View Disposal and Delivery Options (Pages 37 - 64)**
- 7. Council Constitution (Pages 65 - 74)**
- 8. Annual Report of the Cabinet (Pages 75 - 78)**
- 9. Annual Report of the Development Control Board (Pages 79 - 81)**

10. **Annual Report of the Licensing and Regulatory Board (Pages 83 - 85)**
11. **Annual Report of the Personnel Board (Page 87)**
12. **Annual Report of the Public Accounts and Audit Select Committee (Pages 89 - 108)**
13. **Annual Scrutiny Report (Pages 109 - 128)**
14. **Annual Report of the Standards Committee (Pages 129 - 136)**
15. **Motions**

No motions have been received.
16. **Leader's Question Time**
17. **General Question Time**
18. **Any other public items which the Chair decides are urgent**
19. **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.***

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

MINUTES OF THE ASSEMBLY

Wednesday, 30 March 2011
(7:00 - 9:15 pm)

PRESENT

Councillor J Davis
(Deputy Chair in the Chair)

Councillor J Davis	Councillor J L Alexander
Councillor S Ashraf	Councillor A Gafoor Aziz
Councillor G Barratt	Councillor P Burgon
Councillor L Butt	Councillor E Carpenter
Councillor J Channer	Councillor J Clee
Councillor H J Collins	Councillor R Douglas
Councillor N S S Gill	Councillor R Gill
Councillor A S Jamu	Councillor I S Jamu
Councillor E Kangethe	Councillor E Keller
Councillor G Letchford	Councillor M A McCarthy
Councillor J E McDermott	Councillor M McKenzie MBE
Councillor D S Miles	Councillor M Mullane
Councillor E O Obasohan	Councillor T Perry
Councillor B Poulton	Councillor A K Ramsay
Councillor L A Reason	Councillor C Rice
Councillor L Rice	Councillor D Rodwell
Councillor T Saeed	Councillor A Salam
Councillor S Tarry	Councillor D Twomey
Councillor G M Vincent	Councillor L R Waker
Councillor P T Waker	Councillor J R White
Councillor M M Worby	

APOLOGIES FOR ABSENCE

Councillor S Alasia	Councillor R Baldwin
Councillor L Couling	Councillor C Geddes
Councillor D Hunt	Councillor M Hussain
Councillor J Ogungbose	Councillor H S Rai
Councillor L A Smith	Councillor J Wade

65. Chief Executive

On behalf of the Assembly, the Deputy Chair welcomed the new Chief Executive, Stella Manzie.

66. Declaration of Members' Interests

There were no declarations of interest.

67. Minutes (23 February 2011)

Agreed

68. Appointments

Received and noted this report presented by the Corporate Director of Adult and Community Services (CDACS) in the absence of Councillor Smith, the Leader of the Council.

It was noted that the CREATE annual arts festival is funded by the Olympiad but that beyond the 2012 Olympic Games it will be for the Council to consider what resources it will provide.

Agreed to the appointment of the Cabinet Member for Culture and Sport to the Board of Directors of the CREATE festival company as from the date of its incorporation.

69. 2011/12 Treasury Management Strategy

Received and noted this report introduced by the Corporate Director of Finance and Resources (CDFR).

It was further noted that:

- (i) the authorised borrowing limit of £257m was not the amount of money that would be borrowed in 2011/12 but that determining a borrowing limit is a legal requirement pursuant to Section 3(1) of the Local Government Act 2003;
- (ii) the indicators did not include the Housing Revenue Account nor funding for decent homes;
- (iii) the Public Works Loan Board (PWLB) is a statutory body that provides loans to local authorities. As part of the Government's Spending Review, the lending rate was increased by 1%, creating a situation where the private sector is offering similar rates.

Agreed to approve the Treasury Management Strategy for 2011/12 (this document) and within this document the following:

1. The current treasury position for 2010/11 and prospects for interest rates:
2. The Authorised borrowing limit of £257m for 2011/12, which will be the statutory limit determined by the Council, pursuant to section 3(1) of the Local Government Act 2003;
3. The Borrowing Strategy, Borrowing Requirement Strategy, Borrowing Requirement Debt Rescheduling Strategy and Policy on borrowing in advance of need for 2011/12;
4. The Minimum Revenue Policy Statement for 2011/12 which sets out the

Council's policy on repayment of debt;

5. The Annual Investment Strategy and creditworthiness policy for 2011/12 (Appendix B to the report), which outlines the investments that the Council may use for the prudent management of its investment balances. It also includes details of benchmarks set for external managers. The power is delegated to the Chief Financial Officer to change these benchmarks as required;
6. The Treasury Management Indicators and Prudential Indicators for 2011/12 (Appendix A to the report);
7. Treasury Management Principles, areas of responsibility and frequency as required by the Revised Code of Practice for Treasury Management 2011/12 (Appendix C to the report) as well as the key reporting requirements as required by the Code (Appendix D to the report); and
8. The Housing Reform and effects on treasury management Housing Revenue Account Reform and Impact on Treasury Management.

70. Child Protection Practice and Policy in Schools Scrutiny Review

The Lead Member of the Children's Services Select Committee, Councillor L Rice, presented the Select Committee's in-depth review of child protection practices and policies in the borough's schools, which had been presented to the Cabinet on 15 March 2011.

She offered her thanks to Members and officers for their contribution to the review.

It was noted that the Select Committee recognised recent improvements that had been made in children's services across the borough and the 30 recommendations put forward were intended to build on those improvements.

The Lead Member added that the underlying theme of the recommendations was to encourage better understanding and working between the agencies involved, such as the school staff, Governing Bodies, the Police and the Council.

The Cabinet Member for Children and Education introduced the Cabinet's comments on the report. He thanked the Lead Member, the Select Committee Members and officers and made particular reference to the report highlighting the importance of the Common Assessment Framework (CAF).

The Corporate Director of Children's Services (CDCS) introduced her response to the report.

She welcomed the report's challenges and reported that an action plan would be formulated, the first draft of which will be presented to the Select Committee in June 2011 and monitored six monthly thereafter.

The CDCS further advised that a five day peer review of services had just been completed by the Local Government Information Unit. An independent survey of 100 people in the borough was undertaken as part of this process with "91% of

survey respondents very confident or mostly confident that multi-agency safeguarding procedures are working well”.

Whilst this is a high percentage, it did mean that 9% were concerned about child protection, and it is these such concerns that would be acted on.

Following questions, the CDCS stated that:

1. Some of the recommendations would be implemented immediately;
2. In its use of the CAF, the borough was seen as an example of best practice;
3. The borough's intervention work in Multi Agency Locality Teams (MALTs) had been recognised nationally;
4. Progress on unauthorised absence was an agenda item at the termly meetings with the schools; school attendance has improved, so that it now matches national levels;
5. Whilst any knife crime is a problem, it was lower in this borough than other London boroughs. There was a level of safety in school, and officers worked closely with the Police regarding safety outside of school.

Agreed to adopt the Children's Services Select Committee's recommendations as set out in the report and to note the comments of the Cabinet (as set out in Appendix B to the report) and the response of the Corporate Director of Children's Services (as set out in Appendix C to the report).

71. Community Cohesion Scrutiny Review

The Lead Member of the Safer and Stronger Community Select Committee, Councillor Rodwell, presented the Select Committee's in-depth review of community cohesion, which had been presented to the Cabinet on 15 March 2011.

He recorded his thanks to officers and to the local community and voluntary groups for the outstanding support they had given to the Select Committee throughout the review. He noted the wide range of work already undertaken by the Council and partners in promoting a cohesive Barking and Dagenham and stated that he saw this report and the 21 recommendations as the initial step in a continuing review process.

The Cabinet Member for Crime, Justice and Communities introduced the Cabinet's comments on the report, stating that the Lead Member had provided the clarification sought in relation to Recommendations 2 and 9, as set out in Appendix B.

The Cabinet Member for Children and Education referred to the examples in the report of the work undertaken by a number of schools in the borough in building community cohesion. He further acknowledged the role of school governors in terms of opening up school facilities to the community and stated that Members, in their capacity as school governors, should give particular consideration to recommendations 18 and 19.

In response to a question as to the available resources to continue resident surveys as set out in recommendation 1, the Chief Executive advised that some surveys were carried out nationally, but that this was something that we as a Council should continue to look at to identify where progress is being made, and that she would consider the resource implications.

Agreed to adopt the Safer and Stronger Community Select Committee's recommendations as set out in the report and to note the comments of the Cabinet (as set out in Appendix B to the report).

72. Fly Tipping Scrutiny Review

In the absence of the Lead Member, the Deputy Lead Member of the Living and Working Select Committee, Councillor Perry, presented the Select Committee's in-depth review of Fly-Tipping Services, which had been presented to the Cabinet on 15 February 2011.

The Deputy Lead Member stated that the underlying theme of the 11 recommendations was the need to work together with partners, other local authorities and especially the borough's residents.

He recorded his thanks to Members and officers for the support that they had given to the Select Committee throughout the review.

In responding to Member questions, the Corporate Director of Customer Services advised that:

1. Rubbish left by fly-tippers costs in excess of £100 per tonne to dispose of;
2. The Council worked with VOSA (Vehicle and Operator Services Agency) in stopping commercial vehicles that drive along River Road to ensure that the vehicles were securely sheeted, carrying the correct load, and going to the correct destination;
3. The Council operated:
 - (a) a free bulk waste service, for which residents may have to wait 3-5 weeks; and
 - (b) a priority service (3-5 days) costing between £12.50/£17.50
4. During this current year:
 - (a) 38 fly-tippers have been prosecuted;
 - (b) 61 fixed penalty notices have been issued
5. Due to the high cost of waste disposal, which was paid for via Council Tax, it was important that waste volume is kept in check. This borough's residents were disposing of more waste than any other London borough, and it was for this reason that wheelie bins were introduced; to give residents the opportunity to compost and recycle.

The Corporate Director of Customer Services invited Members to meet with him outside this meeting to discuss specific concerns about discarded litter in their Ward areas.

Agreed to adopt the Living and Working Select Committee's recommendations as set out in the report.

73. Smoking Cessation Scrutiny Review

The Lead Member of the Health and Adult Services Select Committee, Councillor Twomey, presented the Select Committee's in-depth review of smoking cessation, which had been presented to the Cabinet on 15 March 2011.

He recorded his thanks to everyone who had participated in this review, giving particular thanks to Glen Oldfield, the Overview and Scrutiny Officer.

It was noted that many of the Select Committee's 16 recommendations related to discouraging young people from smoking. The Lead Member stressed the importance of denying young people access to adult proxy purchasing of tobacco products.

Referring to the sale of illicit tobacco, he asked that Members, in their capacity as school governors, publicise recommendations 11 and 12 in the borough's schools.

The Cabinet Member for Health and Adult Services, Councillor Reason, presented the Cabinet's comments on the report. She emphasised the Lead Member's foreword to the report which stated that in our community one person died every day from a smoking related disease.

Members commended the report, having particular regard to the following recommendations:

6. peer-led interventions in schools
7. Members on school governing bodies ensuring that good quality tobacco education is given high priority
8. a Youth Stop Smoking Service
9. the removal of tobacco vending machines
10. discouraging adult proxy purchasing
11. publicising high profile prosecutions to deter sellers of illicit tobacco products
12. encouraging local businesses to address the sale of illicit tobacco in the workplace.

Agreed to adopt the Health and Adult Services Select Committee's recommendations as set out in the report and to note the comments of the Cabinet (as set out in Appendix B to the report).

74. Withdrawal of Permitted Development Rights for Homes in Multiple Occupation

Received and noted this report presented by the Cabinet Member for Regeneration.

Following debate, it was **agreed** that the Cabinet Member would provide a written reply to Members regarding questions raised in connection with:

1. possible compensation claims, and
2. the level of housing benefits paid to families living in properties that have been converted to multiple occupation dwellings.

Agreed to make a non-immediate Article 4 Direction, covering the whole borough, withdrawing permitted development rights for changes of use from use class C3 (dwelling house) to use class C4 (house in multiple occupation).

75. Adoption of Borough-wide Development Policies Development Plan Document

Received and noted this report presented by the Cabinet Member for Regeneration.

Responding to questions the Cabinet Member advised that:

1. Regarding bullet points 4 and 6 of paragraph 1.2 of the Cabinet Report:

Policy BR1 - "exceptional circumstances"(where the Environmental Building Standards in Policy BR1 may not be appropriate) would be reported to and challenged by the Development Control Board;

Policy BR6 – this paragraph should be taken as read. Should any planning applications be received from the operator at Marks Warren Farm, in depth discussion would take place between officers and the operator prior to it being reported to the Development Control Board. Ward members would be notified accordingly.
2. Chadwell Heath Station was within the London Borough of Redbridge. TfL review bus routes regularly and officers in the Regeneration department would be asked to write to TfL on this. Crossrail would not be operational until 2017/2018.

76. Members' Allowances 2011/12

Received and noted this report introduced by the Divisional Director of Legal and Democratic Services.

Referring to paragraph 2.3(iii) of the report in respect of the proposal to replace the set allowance of the Deputy Chairs/Deputy Lead Members to an ad hoc meeting based payment, Councillor Twomey pointed out that members had reflected on the role and had concluded that if carried out correctly it amounted to more than simply deputising for the Chair at meetings. He further noted that this special responsibility allowance along with all other allowances had been frozen for the past two years.

Councillor Twomey moved that the special responsibility allowance payable to

Deputy Chairs and Deputy Lead Members of £1571 should continue to apply.

Agreed:

1. that no increase be applied to Members' basic and special responsibility allowances for the 2011/2012 municipal year, representing a freeze in allowance levels for the third year in succession;
2. to incorporate the position of Independent Adviser to the PAASC in the overall Scheme and, in view of the current economic situation, to set the allowance payable for 2011/12 at £300 per meeting; and
3. that the draft Members' Allowances Scheme for the 2011/12 municipal year attached to the report at Appendix A take effect from 19 May 2011 (the day after Annual Assembly), with the exception of the proposed change to the Mayor's Purse, which will take effect from 21 May 2011 (the day after the 2011/12 Ceremonial Council meeting), and subject to the continued payment of the Deputy Chairs' and Deputy Lead Members' special responsibility allowance of £1571.

77. Motions

None

78. Leader's Question Time

None

79. General Question Time

General Question 1 from Councillor Carpenter:

“Education Maintenance Allowances (EMAs) are being withdrawn by the Conservative-led Government from September 2011. In Barking and Dagenham College of Further Education, 41% (1,234) of 16-18 year olds currently in learning are in receipt of an EMA. I am very worried about the negative impact this will have on our younger learners being able to remain in learning and training from September 2011 when EMAs are withdrawn. The College has successfully used the payment of EMAs to motivate youngsters to stay in learning and to improve their attendance. This helps our young people to develop positive attitudes to learning and to achieve good results. Many of their families also depend upon this money in order to keep these youngsters in learning. We also know that unemployment amongst young people is growing. What work is the Barking and Dagenham Partnership doing to assess the implications of this change on the number of potential NEETS in Barking and Dagenham (those young people not in education, employment or training)? Will our NEETS numbers spike even higher? What can the Partnership do to help our young people in these difficult circumstances? What plans are the Partnership putting in place from September 2011 to mitigate the impacts of this?”

Response from Councillor R Gill, Cabinet Member for Children and Education:

The Cabinet Member thanked Councillor Carpenter for a very detailed question on a very important issue.

He stated that in the last financial year £580m had been allocated to EMAs but that the revised scheme, announced by the Secretary of State for Education, had an allocation of £180m, of which £156m would be made available to schools and colleges to support low income families.

Students who received EMAs in 2009/10 would continue to receive the same payments until the end of the 2011/12 academic year.

Students who started courses in September 2010 and qualified for the £30 per week payments would continue to receive support of at least £20 per week until the end of the academic year.

Referring to the impact of the loss of EMAs, the Cabinet Member stated that through the 14-19 Partnership, the borough's secondary schools and the Barking and Dagenham College were currently undertaking a detailed review of all courses and qualifications to ensure that they are appropriate, robust and provided good opportunities for progression.

There also continued to be a good supply of local part-time work, which provided young people with valuable work experience.

Referring to NEETs and youth unemployment, at February 2011 data showed a further reduction in unemployment of young people from 7.9% to 6.9%, which was in line with other east London boroughs.

There was concern about unemployment rates for 18-24 year olds, which stands at 17.3% against the national average of 20.1%. A specialist 18-24 Job Broker was currently being recruited in partnership with Elevate.

The Skills Centre, which was due to be completed on 23 July 2012, would provide authentic workplace learning in key local employment sectors such as construction, ICT, business, hospitality and catering, hair and beauty.

The focus on apprenticeships continued to be maintained:

- recruiting 12 with Elevate
- 30 within the Council's workforce
- 16 through procurement of major construction contracts
- a further 50-60 in the pipeline

Officers continued to work closely with other private sector partners and the Council would be pursuing the new funding for apprenticeships that was announced in the Budget.

High quality work experience placements were important and the Council's own work experience placement team had been recognised by the recent Award for Education Business Excellence.

The Council were working to ensure a comprehensive fit for purpose 14-19 curriculum and also to further improve the quality of information available to young people to enable them to make the right choices at the right time. The Council also had an LBB Prospectus website which could be accessed by young people who own smart phones.

It must still be remembered that £400m has been cut by the Government.

General Question 2 from Councillor Twomey:

“The powers given to teachers in the new education bill around the confiscation of mobile phones in schools, has recently been condemned as disproportionate and reckless by the NASWUT teaching union. This is evidence once again of this Government's inability to engage in proper, meaningful consultation.

I recognise the fact that mobile phone usage can be, and often is, a problem within our schools, in terms of distraction and inappropriate behaviour. I acknowledge that as a council we do not have the power to directly address these issues within our schools, however I would like to ask what steps are we, the Council, taking to guide our local head teachers in terms of developing a consistent and uniform approach to these issues across the borough?”

Response from Councillor R Gill, Cabinet Member for Children and Education:

The Cabinet Member thanked Councillor Twomey for this question, saying that it was something about which there has been much discussion.

He stated that there had been consultation with the secondary school head teachers, and that all of the secondary schools had policies, the general principle of which is the same, that mobile telephones should not be visible during lessons.

Referring to the Council's strong partnership with the police and head teachers, the Cabinet Member said that he was confident that the head teachers would take a fair approach.

He also gave his personal undertaking to raise this issue with the secondary head teachers.

General Question 3 from Councillor Channer:

“Could the Cabinet Member for Children and Education please outline the capital investment programme earmarked for our schools over 2011/2012? And what plans are in place to continue investing in our schools over the coming years in light of the drastic and unnecessary cuts being forced upon us by the Tory led coalition government?”

Response from Councillor R Gill, Cabinet Member for Children and Education:

The Cabinet Member thanked Councillor Channer for raising such an important question.

Whilst noting that the £270m programme for Building Schools for the Future had been scrapped by the Government, it was important to remember that thanks to this Council lobbying the Secretary of State for Education, we have received funding for works on Sydney Russell and Dagenham Park Schools, which will be completed in 2012.

Through the Department for Education, the Council had been allocated £14m for 2011/12 to invest in providing new school places and to respond to basic need. This is the highest allocation of all London boroughs and recognises the particular demands we have in this borough. A programme is currently being drawn up to ensure the delivery of sufficient school places by September 2012 and this is due to be considered by Cabinet next month.

A further allocation of £3.8m has been received to invest in existing Children's Services properties. Priorities for this investment are to ensure that the £51m backlog of condition items that are mainly in schools are addressed.

Lobbying will continue for additional funding to support the building work that is needed at secondary school level.

Representation had been made to Government to seek a review of the allocation made to this borough and we had had a visit from Department for Education officials to enable them to make an assessment of our needs and impacts. Only five other councils nationwide received such a visit.

The Cabinet Member advised that head teachers were predicting a continued rise in outcomes for our young people and that he will provide an update on this in future meetings.

General Question 4 from Councillor Tarry:

A child's life chances are significantly bound to education and the socio-economic position of their parents. The Evening Standard this year printed its child poverty findings, which highlighted that Barking and Dagenham is at 39%, the 9th worst in the UK. We obviously have a desperate need for greater funding to ensure our young people have the life chances they deserve, especially in the first five years which ultimately shape their future.

Despite this we have seen the London Mayor under-fund us in job creation and transport, and the Government cut much of the means to provide top class education for young people at every stage right through to University.

In light of this could the Cabinet Member for Education please outline the steps being taken to lobby both the London Mayor and the Government for extra direct funding to help our young people fulfil their aspirations?

And what we are doing as a borough to ensure no child is left behind?"

Response from Councillor R Gill, Cabinet Member for Children and Education:

The Cabinet Member thanked Councillor Tarry for raising this question.

He said that Children's Services were acutely aware of the impact on children and young people of living in poverty and that the central theme of the Children and Young People's Plan is to tackle this issue.

With regard to funding, the Cabinet Member advised that:

- The Young People's Learning Agency and the Skills Funding Agency had been actively lobbied for increased funding; and
- three bids had been lodged to secure European Social Funds to work with our NEET young people.

Over the last seven years, many of our young people, having been supported by the AimHigher programme, have progressed to university or moved into high education through vocational routes.

The Olympics and its legacy would provide many residents with a route into work.

The Cabinet Member noted that the scale of need in the borough was great but stated that we should be proud of the initiatives that we had launched such as the cash cards for students, the breakfast and after school clubs, and emphasised the importance of the Multi-Agency Locality Teams.

General Question 5 from Councillor Butt:

"The NHS is undergoing the most radical shake-up since its inception in 1947. Despite the pre-election promise that it was in a safe pair of hands, and that all funding would be ring-fenced, the Conservatives have slashed £20billion from its budget. This has gone cap-in-hand with plans to privatise many of the services that individuals have received on the NHS for free for the last sixty years.

We are seeing the effects of this first hand with the uncertain future surrounding the Accident and Emergency Unit at King George's Hospital, which in February of this year London Mayor, Boris Johnson, refused to oppose the planned closure.

Can the Cabinet Member for Health and Adult Services please outline:

- (a) the impact that the changes to the NHS will have on the people of Barking and Dagenham; and
- (b) the likely effect of the closure at King George's Hospital?"

Response from Councillor Reason, Cabinet Member for Health and Adult Services:

The Cabinet Member thanked Councillor Butt for raising such an important question at this time.

Referring to the Coalition Government having promised that the NHS was safe in their hands, the Cabinet Member then spoke of the Secretary of State for Health's vision for a better health service in that we could expect:

- local communities to get the power to stop forced and unwanted closures of A&E and maternity services;
- Some real democratic legitimacy into the NHS, through Health and Wellbeing Boards; and
- 'nothing about me without me' – a chance for us all to be involved in the decisions made about our care.

The Cabinet Member went on to say that in this borough the management and Board of our local Primary Care Trust (PCT) were both changing and that the Board would then meet jointly with Waltham Forest, Redbridge and Havering Councils and be supported by the same single cluster management team (the Outer North East London team)

She said that we were close to agreeing borough-focused jointly commissioned services with the PCT. However, to find savings for the 2011/12 budget, the agreements were being unpicked, though no further information has been provided to the Council.

Referring to the Office for Budget Responsibility, the Cabinet Member said that for the first time since records began, NHS England spending would fall in real terms for the next two consecutive years and that the Outer North East London team was looking for budget savings of £12m, which was more than in other areas of the country.

She said it had been expected that people would be cared for and treated closer to their homes and there would be focus on their health and wellbeing in order to prevent them from becoming ill. However, the cluster management team was now proposing that:

- the Broad Street Walk-in Centre will be closed
- GP surgery hours will be reduced
- integrated care funding will be reduced
- funding will be withdrawn for the development of a new community hospital in east Dagenham

She said that these proposals would increase the pressure on the already overstretched A&E services at Queen's and King George's Hospitals, and referred to data from Dr Foster Health that showed both hospitals as being two of the ten worst hospitals for death rates. This had been confirmed by the regulator, the Care Quality Commission, who had further raised serious issues regarding the maternity services at Queen's Hospital.

The District Auditor had issued a Public Interest Report to draw attention to his concerns as to the financial problems at our local hospitals.

The Cabinet Member stated that the Council had made it clear that there should be no closure of any services at King George's Hospital until Queen's Hospital was able to provide good quality service.

She also referred to the campaign for babies to be born in Barking again and to the state of the art birthing unit at Barking Hospital that was not being used due to lack of staff.

Concerns had been raised with the Secretary of State for Health and an independent review was expected in the next few months into the Health4NEL proposals.

The Cabinet Member concluded by saying that the two issues raised in this question were some of the most critical issues facing the borough at the moment, and that the Council would do all that it could to ensure that the NHS changes will be good for the people of Barking and Dagenham.

Councillor Worby, at the Chair's discretion, endorsed the Cabinet Member's response. She confirmed that she would cease to be Chair of the NHS Trust with effect from 31 March and stated that it had been a privilege to have been able to provide local health services for local people. She was concerned that the new Board would not be working in the interests of local people and concluded by saying that she was pleased to be in this Council Chamber to work with the Cabinet Member for Health and Adult Services to ensure that local people had local health care.

80. Nina Clark - Divisional Director of Legal and Democratic Services and Monitoring Officer

The Deputy Chair announced that Nina Clark, the Divisional Director of Legal and Democratic Services and Monitoring Officer would be leaving the Council at the end of this month after 24 years' service.

The Assembly placed on record their appreciation of the service Ms Clark has given to this Council and wished her well for the future.

81. Children's Services - LGC Award

The Cabinet Member for Children and Education recorded the Assembly's congratulations to Children's Services in winning the prestigious LGC award.

The Corporate Director for Children's Services acknowledged the award as testament to the young people in the borough and to the officers in youth services who work with them. She explained that the award was for the work done to shape services in partnership with children and young people.

She further recorded her thanks to the Councillors for their continued support of the young people.

THE ANNUAL ASSEMBLY

18 MAY 2011

REPORT OF THE CHIEF EXECUTIVE

Title: Appointments to the Political Structure and Other Bodies 2011/12	For Decision
<p>Summary:</p> <p>The Assembly is responsible for appointments to the political structure and various other internal and external bodies. The various positions to which appointments are required are set out in the attached Appendices A to E. Confirmation of the appointments will be presented at the meeting.</p> <p>The appointment of the Mayor and the Mayor's Chaplain will be dealt with at the Ceremonial Council on 20 May 2011.</p> <p>Wards Affected: None.</p>	
<p>Recommendations:</p> <p>The Assembly is asked to:</p> <ol style="list-style-type: none"> 1. Agree the membership of the various Council meetings (Appendix A); 2. Appoint the Chairs and Deputy Chairs and Lead and Deputy Lead Members (Appendix B); 3. Appoint the statutory Co-opted Members (Appendix C); 4. Appoint the representatives on various internal and external bodies (Appendix D); and 5. Appoint the Trustees of Local Charities (Appendix E) 	
<p>Reason:</p> <ol style="list-style-type: none"> 1. To meet statutory and constitutional requirements and to ensure relevant positions are appointed to enable the Council to proceed with business reserved to committees. 2. To ensure appropriate representation on internal and external meetings and other bodies. 	

<p>Implications:</p> <p>Financial: None</p> <p>Legal: Appointments to the Council's political structure are made under the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000.</p>		
<p>Risk Management: Any delay in reappointing Members to the various meetings and other bodies puts at risk the normal decision making process and business of the Council.</p> <p>Social Inclusion and Diversity: None</p> <p>Crime and Disorder: None</p>		
<p>Contact Officer: Margaret Freeman</p>	<p>Title: Senior Democratic Services Officer</p>	<p>Contact Details: Tel: 020 8227 2638 E-mail: Margaret.freeman@lbbd.gov.uk</p>

Background papers used in the preparation of this report:

- Council Constitution

COUNCILLOR MEMBERSHIP OF COUNCIL MEETINGS 2011/2012

THE ASSEMBLY All 51 Councillors

THE CEREMONIAL COUNCIL All 51 Councillors

DEVELOPMENT CONTROL BOARD – 17 Seats (1 per ward)

LICENSING AND REGULATORY BOARD – 10 Seats

PERSONNEL BOARD – 9 Seats (3 Members per board)

Each board meeting to comprise the Chair and Deputy Chair plus a third member from the overall panel. In the event that the Chair or Deputy Chair cannot attend a meeting, another Member will be drawn from the panel. As far as possible, however, the Chair and Deputy Chair will attend all meetings for consistency.

STANDARDS COMMITTEE – 4 seats

CHILDREN'S SERVICES SELECT COMMITTEE – 9 Seats

HEALTH AND ADULT SERVICES SELECT COMMITTEE – 9 Seats

LIVING AND WORKING SELECT COMMITTEE – 9 Seats

SAFER AND STRONGER COMMUNITY SELECT COMMITTEE – 9 Seats

PUBLIC ACCOUNTS AND AUDIT SELECT COMMITTEE – 6 Seats made up of each of the Lead Members of the four other Select Committees plus two additional Councillors

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CHAIRS AND DEPUTY CHAIRS 2011/2012

	Chair	Deputy Chair
Assembly	Councillor	Councillor
Ceremonial Council	The Mayor is automatically appointed as the Chair of the Ceremonial Council	The Chair of the Assembly is the Deputy Chair of the Ceremonial Council
Cabinet	The Leader of the Council, is automatically appointed as the Chair of the Cabinet	The Deputy Leader of the Council is automatically appointed as the Deputy Chair of the Cabinet
Development Control Board	Councillor	Councillor
Licensing and Regulatory Board	Councillor	Councillor
Personnel Board	Councillor	Councillor
Standards Committee	Mr Kevin Madden	Councillor
	Lead Member	Deputy Lead Member
Children's Services Select Committee	Councillor	Councillor
Health and Adult Services Select Committee	Councillor	Councillor
Living and Working Select Committee	Councillor	Councillor
Safer and Stronger Community Select Committee	Councillor	Councillor
Public Accounts and Audit Select Committee	Councillor	Councillor

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STATUTORY CO-OPTED MEMBERS

2011/2012

Education co-opted members

Education co-opted members have a statutory right to be involved in the Council's decision making processes. However, under the legislation this only applies to an Overview and Scrutiny committee where their functions relate wholly or partly to educational matters which are the responsibility of the Authority's Cabinet.

The Regulations state that a Local Education Authority shall appoint at least two but not more than five Parent Governor representatives to Overview and Scrutiny and, on the assumption that the Council still maintains Roman Catholic schools, the total number of Church representatives to be appointed shall be one Church of England and one Roman Catholic.

Both Parent Governor and Church representatives have the right to vote on education matters and the right to Call-In Cabinet decisions as any other non-Cabinet Member.

The current Church representatives are:-

Church of England	Reverend R Gayler
Roman Catholic Church	Mrs G Spencer

The Parent Governor representatives are elected for a four year period - one representing primary schools, the other representing secondary schools. The current holders of these positions are:-

Primary Schools	Mrs Ghadeer Al-salem Youssef (from 15/9/2010)
Secondary Schools	Mr Ishmael Ncube (from 8/12/2010)

Independent Standards Committee Members

Under The Standards Committee (England) Regulations 2008 authorities must ensure that at least 25% of the members of its Standards Committee are independent members. Independent members are elected for a four year period, and the current membership is as follows:

Mr B Beasley (11 October 2010 – 10 October 2014)
 Mr F Dignan (1 January 2008 – 31 December 2011)
 Mr K Madden – Chair since 11 October 2010 (14 May 2008 – 13 May 2012)
 Mr D Sandiford (14 May 2008 – 13 May 2012)

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COUNCIL REPRESENTATION ON VARIOUS INTERNAL AND EXTERNAL BODIES 2011/12

Key:

- ACS - Adult and Community Services Department
- CEU - Chief Executive's Unit
- ChS - Children Services Department
- CuS - Customer Services Department
- FRS - Finance and Resources Department

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
Admissions Forum	5 Councillors (4 year appointments)	Cllr R Gill (May 2009-2013) Cllr Poulton (May 2010-2014) Cllr Rai (May 2010-2014) Cllr Saeed (May 2010-2014) Cllr Salam (May 2010-2014)	ChS Jane Hargreaves 020 8270 4818
Barking and Dagenham Council for Voluntary Services	Relevant Cabinet Member (Crime, Justice & Communities)	Cllr Alexander	ACS Karen Ahmed Ext 2331
Barking and Dagenham Partnership:			
<ul style="list-style-type: none"> • Local Strategic Partnership Board 	Leader of the Council Deputy Leader of the Council	Cllr Smith Cllr R Gill Cllr	CEU Heather Wills Ext 2786

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
	plus 4 Councillors Note: Council membership excludes Chairs of the LSP Themed Groups	Cllr Cllr Cllr	
• Public Service Board	Leader of the Council	Cllr Smith	CEU Heather Wills Ext 2786
• Full Partnership (twice yearly conference style event)	Leader of the Council	Cllr Smith	CEU Heather Wills Ext 2786
• Skills, Jobs and Enterprise Board	Relevant Cabinet Member	Cllr McCarthy	FRS Jeremy Grint Ext 2443
• Children's Trust	Relevant Cabinet Member	Cllr R Gill	ChS Meena Kishinani Ext 3507
• Clean, Green and Sustainable Borough Board	Relevant Cabinet Member	Cllr Vincent	CuS Trevor Prowse Ext 5660
• Community Safety Partnership	Relevant Cabinet Member	Cllr Alexander	ACS Glynis Rogers Ext 2827
• Health and Wellbeing Board	Relevant Cabinet Member	Cllr Reason	ACS Karen Ahmed Ext 2331

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
Barking and Dagenham Safeguarding Children Board	Relevant Cabinet Member – Children and Education	Cllr R Gill	ChS Meena Kishinani Ext 3507
Barking Riverside Limited Board	Relevant Cabinet Member – Regeneration (observer status only)	Cllr McCarthy	FRS Jeremy Grint – Ext 2443
Broadway Theatre Company Ltd	Relevant Cabinet Member – Culture and Sport	Cllr Collins	ACS Paul Hogan - Ext 3576
Community Legal Advice Centre	2 Councillors	Cllr Keller Cllr Ogungbose	ACS Karen Ahmed Ext 2331
Corporation of Barking & Dagenham College	2 Councillors (4 year appointments)	Cllr Carpenter (Nov 2007 – 2011) Cllr Saeed (May 2010-2014)	ChS Alan Lazell 020 8724 8038
CREATE London	Relevant Cabinet Member – Culture and Sport	Cllr Collins	ACS Paul Hogan - Ext 3576
East London Housing Partnership	Relevant Cabinet Member - Housing	Cllr P Waker	CuS Ken Jones Ext 5703
East London Waste Authority	Relevant Cabinet Member - Environment plus 1 Councillor	Cllr Vincent Cllr Letchford	CuS Trevor Prowse - Ext 5660

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
ELEVATE (Joint Venture with Agilisys) Elevate Board Strategic Partner Board	Relevant Cabinet Member – Customer Services & Human Resources plus 1 Councillor as deputy Relevant Cabinet Member – Finance, Revenues & Benefits as Chair plus Relevant Cabinet Member – Customer Services & Human Resources and 1 non-cabinet Councillor	Cllr White Cllr Carpenter (<i>appointed 8 Dec 2010</i>) Cllr Geddes Cllr White Cllr Butt (<i>appointed 8 Dec 2010</i>)	FRS Sue Lees – Ext 3300
Employee Joint Consultative Committee	Relevant Cabinet Member – Customer Services & Human Resources plus 4 Councillors	Cllr White Cllr Cllr Cllr Cllr	FRS Martin Rayson – Ext 3113
Employee Joint Health, Safety and Wellbeing Committee	Relevant Cabinet Member – Environment plus 3 Councillors	Cllr Vincent Cllr Cllr Cllr	FRS Martin Rayson – Ext 3113

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
Greater London Enterprise	Relevant Cabinet Member - Regeneration	Cllr McCarthy	FRS Jeremy Grint – Ext 2443
Local Development Framework Steering Group	The Leader of the Council, Relevant Cabinet Member(s) - Regeneration and Health & Adult Services (voting Members) The Chair and Deputy-Chair of the Development Control Board (non-voting)	Cllr Smith Cllr McCarthy Cllr Reason Cllr Cllr	FRS Jeremy Grint – Ext 2443
Local Government Association			
<ul style="list-style-type: none"> General Assembly 	Leader Deputy Leader plus 2 Councillors	Cllr Smith Cllr R Gill Cllr Cllr	CEU Heather Wills Ext 2786
<ul style="list-style-type: none"> Urban Commission 	2 Councillors	Cllr Cllr	FRS Jeremy Grint - Ext 2443

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
London Borough of Barking and Dagenham Adoption and Permanence Panel	1 Councillor (3 year appointment)	Cllr Burgon (May 2010-2013)	ChS Christopher Martin Ext 2233
London Councils			
<ul style="list-style-type: none"> Association of London Government Limited 	Deputy Leader (usually the Leader's Committee representative)	Cllr R Gill	CEU Heather Wills Ext 2786
<ul style="list-style-type: none"> Children and Young People Forum 	Relevant Cabinet Member – Children and Education and 1 named deputy to be appointed by the Cabinet Member	Cllr R Gill Cllr	ChS Meena Kishinani – Ext 3507
<ul style="list-style-type: none"> Crime and Public Protection Forum 	Relevant Cabinet Member – Crime, Justice and Communities and 1 named deputy to be appointed by the Cabinet Member	Cllr Alexander Cllr	ACS Glynis Rogers - Ext 2827

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
<ul style="list-style-type: none"> Culture, Tourism and 2012 Forum 	Relevant Cabinet Member – Culture and Sport and 1 named deputy to be appointed by the Cabinet Member	Cllr Collins Cllr	ACS Paul Hogan- Ext 3576
<ul style="list-style-type: none"> Economic Development Forum 	Relevant Cabinet Member - Regeneration and 1 named deputy to be appointed by the Cabinet Member	Cllr McCarthy Cllr	FRS Jeremy Grint - Ext 2443
<ul style="list-style-type: none"> Grants Committee 	Relevant Cabinet Member – Crime Justice and Communities Up to 4 named deputies (who must be Cabinet Members) to be appointed by the Cabinet Member	Cllr Alexander Cllr Cllr Cllr Cllr	ACS Karen Ahmed – Ext 2331
<ul style="list-style-type: none"> Greater London Employment Forum 	Relevant Cabinet Member – Customer Services and Human Resources	Cllr White	FRS Martin Rayson – Ext 3113

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
<ul style="list-style-type: none"> Health and Adult Services 	Relevant Cabinet Member – Health & Adult Services plus 1 named deputy to be appointed by the Cabinet Member	Cllr Reason Cllr	ACS Karen Ahmed – Ext 2331
<ul style="list-style-type: none"> Housing Forum 	Relevant Cabinet Member - Housing plus 1 named deputy to be appointed by the Cabinet Member	Cllr P Waker Cllr	CuS Ken Jones Ext 5703
<ul style="list-style-type: none"> Leaders' Committee 	Leader of the Council plus 2 named deputies to be appointed by the Cabinet Member	Cllr Smith Cllr Cllr	CEU Heather Wills Ext 2786
<ul style="list-style-type: none"> Transport and Environment Committee 	Relevant Cabinet Member - Environment plus 4 named deputies to be appointed by the Cabinet Member	Cllr Vincent Cllr Cllr Cllr Cllr	CuS Trevor Prowse - Ext 5660 FRS Jeremy Grint – Ext 2443

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
London Road Safety Council	2 Councillors (2 year appointment)	Cllr I S Jamu (May 2010-2012) Cllr Rai (May 2010-2012)	CuS Trevor Prowse Ext 5660
London Thames Gateway Development Corporation	Relevant Cabinet Member - Regeneration (3 year appointment commencing May 2011)	Cllr McCarthy (May 2011-May 2014)	FRS Jeremy Grint - Ext 2443
London Thames Gateway Development Corporation – Education and Skills Sub Committee	Relevant Cabinet Member - Regeneration (3 year appointment commencing May 2011)	Cllr McCarthy (May 2011-May 2014)	FRS Jeremy Grint - Ext 2443
London Thames Gateway Development Corporation – Planning Sub Committee	Relevant Cabinet Member (3 year appointment commencing May 2011)	Cllr McCarthy (May 2011-May 2014)	FRS Jeremy Grint - Ext 2443
Members' Board (Enterprise)	Relevant Cabinet Member - Housing	Cllr P Waker	CuS Maureen McEleney Ext 3738

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
Olympic Host Borough Committee	Leader of the Council Relevant Cabinet Member – Regeneration plus 2 deputy Councillors	Cllr Smith Cllr McCarthy Cllr Channer Cllr Butt	ACS Paul Hogan – Ext 3576
Pension Fund Panel	Relevant Cabinet Member- Finance, Revenues & Benefits plus 3 Councillors	Cllr Geddes Cllr Cllr Cllr	FRS Jonathan Bunt 020 8724 8427
Public Transport Liaison Group	Relevant Cabinet Member – Regeneration plus 1 Councillor to be appointed by Cabinet Member	Cllr McCarthy Cllr	FRS Jeremy Grint – Ext 2443
Registered Provider Forum (formerly Registered Social Landlord Forum)	Relevant Cabinet Member - Housing plus 2 Councillors to be appointed by the Cabinet Member	Cllr P Waker Cllr Cllr	CuS Ken Jones Ext 5703
Reserve Forces and Cadets Association for Greater London	The Leader or Deputy Leader of the Council	Cllr Smith or Cllr R Gill	ChS Meena Kishinani Ext 3507

Organisation	Representation required	Representation 2011/12 (1 year unless specified)	Lead Department & Corporate Director or Divisional Director
Safeguarding and Rights: Fostering Panel	2 Councillors (three year appointments)	Cllr Hunt (May 2010 – May 2013) Cllr L Rice (Dec 2010 – May 2013)	ChS Christopher Martin Ext 2233
The Schools Investment Board	Relevant Cabinet Members – Children & Education and Regeneration	Cllr R Gill Cllr McCarthy	ChS Helen Jenner– Ext 5800 FRS: Sue Lees – Ext 3300
Thames Gateway London Partnership			
• Executive	Relevant Cabinet Member – Regeneration	Cllr McCarthy	FRS Jeremy Grint - Ext 2443
• Gateway to London Board	Relevant Cabinet Member – Regeneration	Cllr McCarthy	FRS Jeremy Grint – Ext 2443
• London Thames Gateway Board	Relevant Cabinet Member – Regeneration	Cllr McCarthy	FRS Jeremy Grint - Ext 2443

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TRUSTEES OF LOCAL CHARITIES

Barking General Charities

The Barking General Charities consists of a number of ancient charities which are now administered, as far as Barking is concerned, under a scheme made by the Charity Commissioners on 27 May 1898. Keith Glenny of Hatten, Asplin and Glenny Solicitors acts as the Clerk. The area of benefit is Barking.

There are 7 trustees, 2 of whom are appointed by the Council annually.

Councillors and (May 2011- May 2012)

Barking and Ilford United Charities

An amalgamation of the Barking General Charities and Ilford General Charities and its function is to administer the almshouses in Barking. It is administered by Keith Glenny.

There are 7 trustees, 2 of whom are appointed by the Council annually.

Councillors and (May 2011 – May 2012)

Colin Pond Bursaries for Higher Education

The Colin Pond Bursaries for Higher Education provides students with bursaries to continue into higher education.

The trustees are the Cabinet Member for Children and Education, the Corporate Director of Finance and Resources, the Corporate Director of Children's Services and the Deputy Head of Law, Safeguarding & Partnerships.

Dagenham United Charity

The Dagenham United Charity gives financial assistance to those in need at Christmas time and the area of benefit is the former Borough of Dagenham as at 1921 to 1924.

There are five trustees, four of whom are appointed by the Council and may be, but do not need to be, elected Members of the Council. They are elected for a four year term of office:

Councillors Mullane, Reason, Smith and L Waker (May 2010-May 2014)

King George V Silver Jubilee Trust Fund

This applies the net income from investments for the purpose of relieving cases of need, hardship or distress of children resident in the area.

The trustees are the Mayor and the former Director of Social Services. (There is no specific term of office.

The Eva Tyne Trust Fund

The purpose of the fund is to support, through grants, young persons aged between 12 and 25 who are resident in the Borough in order to assist them to develop themselves and contribute to the local community as a whole. The Constitution allows the waiver of the upper age limit if an applicant has a disability.

There are eight trustees two of whom are appointed by the Council for a three year term as follows:

Councillor	(May 2011 - May 2014)
Councillor Letchford	(May 2010 - May 2013)

The Kallar Lodge Trust Fund (formerly The Brocklebank Lodge Trust Fund)

This was established some years ago following a bequest to Brocklebank Lodge. Following approval by the Charity Commission in 2008 the Trust Fund was transferred to Lake Rise Residential Home, which is now known as Kallar Lodge, and the Trust Fund was renamed as The Kallar Lodge Trust Fund. The Trust Fund provides extra amenity for Kallar Lodge, over and above that which is provided by the Council.

The Trust usually meets once a year to approve the minutes, accounts and expenditure for the following year. The trustees are the former Directors of Finance and Social Services (both to be replaced at the Trust's Annual General Meeting) and two Member representatives who are nominated annually as follows:

Councillors	and	(May 2011- May 2012)
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THE ASSEMBLY

18 MAY 2011

REPORT OF THE CABINET

Title: King William Street Quarter and Eastern End Thames View Disposal and Delivery Options		For Decision
<p>Summary</p> <p>At its meeting on 10 May 2011, the Cabinet is to consider the attached report (Appendix A) on proposals for the disposal of, and delivery of residential accommodation on the remainder of the King William Street Quarter (former Lintons site) and the Eastern End of Thames View.</p> <p>The Council's new Financial Rules, adopted on 23 February 2011 (Minute 29 refers), require that all land disposals must now be approved by the Assembly. As Recommendation 3 within the attached report relates to the disposal of the land the matter is referred for the Assembly's consideration. A verbal update on the Cabinet's consideration of the proposals and its recommendations will be given at the meeting.</p> <p>Recommendation</p> <p>The Assembly is recommended to approve the arrangements recommended by the Cabinet at its meeting on 10 May for the disposal and delivery of the remainder of the King William Street Quarter (former Lintons site) and for the Eastern End of Thames View</p>		
<p>Cabinet Member: Councillor McCarthy</p>	<p>Portfolio: Cabinet Member for Regeneration</p>	<p>Contact Details: Tel: 020 8724 8013 E-mail: mick.mccarthy@lbbd.gov.uk</p>
<p>Head of Service: Jeremy Grint</p>	<p>Title: Divisional Director of Regeneration and Economic Development</p>	<p>Contact Details: Tel: 020 8227 2443 E-mail: jeremy.grint@lbbd.gov.uk</p>

Background papers used in the preparation of this report:

None

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CABINET

10 MAY 2011

REPORT OF THE CABINET MEMBERS FOR REGENERATION AND HOUSING

Title: King William Street Quarter and Eastern End Thames View Disposal and Delivery Options	For Decision
<p>Summary:</p> <p>This report sets out the recommended options for the disposal and delivery of the remainder of the King William Street Quarter (former Lintons site) and for the Eastern End of Thames View.</p> <p>The detailed design briefs for both sites provide a range of information including recommended mix and density. By working to these design briefs, any new development will be as close to the agreed masterplans as feasibly possible, while also conforming to Council policy.</p> <p>The tenure mix recommended would maximise the number of social rent and other non market rented property for local people.</p> <p>The recommendation to transfer the sites to the BSF LEP has many advantages for the Council, as the BSF LEP has been set up, and therefore there are benefits in saving time and money procuring an alternative partner. The BSF LEP structure will also allow the Council to manage the affordable housing units within the sites and take ownership at the end of the lease period.</p> <p>Should this recommendation not be accepted the other option, to go through the HCA Development Partner Panel, will be a cost effective and efficient process for the Council, and will allow us to choose our preferred development partner. However, it is not certain what the tenure mix for this option will be and it may result in less sub market rent housing for the Boroughs residents than could be provided through the BSF LEP proposal.</p> <p>Wards Affected: Abbey and Thames</p>	
<p>Recommendation(s)</p> <p>The Cabinet is asked to:</p> <ul style="list-style-type: none"> (i) Approve the design briefs for KWSQ and EETV as appended to this report. (ii) Agree that a minimum of 20% "social" rent (50% of Local Housing Allowance) units are provided together with a mixture of other sub market tenures on both sites. (iii) Recommend to the Assembly: <ul style="list-style-type: none"> a). that Delivery Option 6, as detailed in the report, be pursued as the preferred option, which would involve the lease of the sites to the Building Schools for the 	

Future Local Education Partnership (BSF LEP) to provide a range of sub market rented properties to be managed by the Council and to authorise the Corporate Director of Finance and Resources, in consultation with the Solicitor to the Council, to seek to agree satisfactory terms with the BSF LEP within three months of the Assembly decision for the implementation of the preferred option;

- b). that in the event that officers are unable to agree satisfactory terms within three months of the date of the Assembly decision with the BSF LEP for the preferred option, that the Corporate Director of Finance and Resources be authorised, in consultation with the Solicitor to the Council, to pursue Delivery Option 5 which would involve the marketing of the sites via the Homes and Communities Agency Development Partner Panel and seeking a proportion of new council homes and also consider leasing a proportion of properties at sub-market rents.

Reason(s)

To assist the Council in achieving the Community Priority “Prosperous” through increasing the supply and range of family sized social rented housing by utilising existing Council land and development sites.

Comments of the Chief Financial Officer

This report asks Members to approve five recommendations, (after consideration of the alternative options presented), in respect of the re-development of the ‘King William Street Quarter’ and ‘Eastern End of Thames View’ sites.

Cabinet is firstly asked to agree the detailed design briefs for each site appended to this report, which contain various detailed information on the sites, including the suggested mix and tenure. These are consistent with the approved Masterplans, which aim to maximise the use of land. Cabinet is also asked to agree in principle to a minimum of 20% social rent units (paying 50% of the local housing allowance) on both sites and a mixture of other sub-market rents (although achieving this will also depend on the selected delivery option and agreement of satisfactory terms with the delivery partner).

The Council’s preferred delivery option is the BSF LEP model (option 6). Under this option the Council would lease both sites on a nominal basis in return for the provision of social rent and sub-market tenures. The cost to the Council of this model is the loss of potential Section 106 funding and the opportunity cost of selling the sites on the open market (approx £3 million in total). However this will be made up for by the New Homes Bonus from the Government, which is anticipated to be £4.7 million over a six year period. The model of only receiving sub-market rents is also favourable for the contractor as they are essentially receiving the land for free, will not face S106 contributions, and have willing occupants.

However this delivery option is still dependent on the negotiation of satisfactory terms with the BSF LEP partnership (which is yet to take place), particularly on the issue of guaranteeing levels of rent, which could expose the Council to a financial risk. These negotiations are time limited to three months, after which it is recommended we default to the second preferred option, the HCA model (option 5), which would potentially reduce the Councils exposure to risks and rewards.

The Council's new Financial Rules, adopted by the Assembly on 23 February 2011 (Minute 29 refers), stipulate that all land sales must now be approved by the Assembly.

Comments of the Solicitor to the Council

The proposals will require disposal of property owned by the Council. The Local Government Act 1972 Section 123 obliges local authorities to dispose of property at the best consideration unless there is ministerial consent. There is a General Disposal Consent which permits disposal at less than best consideration if specified conditions are met.

If the property was disposed to the Building Schools for Future Local Educational Partnership for equity (a form of company) there would need to be a valuation to ensure that the security that was issued was a fair value. Safeguards would need to be sought ensuring that the Council was able to protect its interests and this may be by form of charges, covenants, options or a form of golden share or a combination.

The carrying out of works would need to be compliant with European Tendering Regime and checks would need to be carried out that procurement requirements were compliant.

Cabinet Member: Councillor M McCarthy	Portfolio: Regeneration	Contact Details: Tel: 020 8724 8013 E-mail: mick.mccarthy@lbbd.gov.uk
Councillor P Waker	Housing	Tel: 020 8724 8013 Email: philip.waker@lbbd.gov.uk
Head of Service: Jeremy Grint	Title: Divisional Director of Regeneration	Contact Details: Tel: 020 8227 2443 E-mail: jeremy.grint@lbbd.gov.uk

1. Background

- 1.1 There is very little grant funding from Homes & Communities Agency (HCA) for the next four years to help build affordable housing. Therefore the Council needs to consider ways to ensure a supply of new social rented and other forms of affordable homes can be provided for local people over this period.
- 1.2 The Government /HCA intend that funding for new affordable housing will come via either much higher borrowing to replace grant and/or free land from public authorities and recycled grant. This will be financed from higher "affordable" rents which are to be set at up to 80% of local market rents, with an expectation that housing associations and other providers will convert a proportion of their re-let (void) properties from social rent to higher "affordable" rents.
- 1.3 It is suggested that in relation to the Council owned sites which will come forward for development in the next 5 years there is a clear set of objectives for Members and officers to assess delivery methods :-

Proposed Objectives for new housing supply:

- maximise as a priority social rent homes and affordable homes
- ensure speed and certainty of delivery
- maintain design, sustainability (code level 4) quality and space standards
- ensure local accountability and developing capacity within the community
- aim to create long term returns to the Council and community

1.4 This report sets out ways of dealing with two cleared sites which have been subject to detailed masterplanning and can therefore be brought forward quickly.

2. King William Street Quarter

2.1 The King William Street Quarter masterplan was finalised in June 2009. It was included as part of a report on the Local Housing Company on 7 May 2008 and it is featured in the agreed Barking Town Centre Area Action Plan (ref BTCSSA4). The masterplan sought to redevelop the old Lintons Estate, which was demolished in 2008.

2.2 The original development site was 2.57ha. This includes 0.37ha for the Barking Business Centre. The site was anticipated to, reflecting market conditions at that time, deliver 460 residential units, 97 of these being above the Barking Business Centre and the rest as a mix of 1 and 2 bed flats and 3 and 4 bed houses with 40% social rent and 20% intermediate rent.

2.3 31 houses in the Mews along the eastern boundary have been delivered on a piece of the site that is 0.56ha. These are a mix of 3 (17) and 4 (14) bed family homes and will be 100% social rent units, Council owned and managed.

2.4 The Barking Business Centre (0.37ha) occupies a portion of the southern part of the site. This is under construction. The plans have been altered so that there is no residential included with this development. The Barking Business Centre will be operational by November 2011.

2.5 The Gurdwara (in North St adjacent to the site) Executive Committee has expressed an interest in purchasing a parcel of land on the north western part of the site, adjacent to their existing premises (0.12ha in size). A further report on this matter will be presented to Cabinet in due course.

2.6 Once the Barking Business Centre, the 31 Council houses, and the land requested by the Gurdwara are removed from the site, the remaining site size is 1.52ha. The density originally outlined in the masterplan is 183 units/ha. This would result in 278 residential units. Current modelling suggests a figure closer to 250 units.

2.7 For ease of reference the following table clarifies which parts of the site have been removed from the masterplan and the number of units not included in the current unit mix.

Table 1:

Location	Site size	Tenure	Number of units
Barking Business Centre	0.37ha	N/a	0
Mews Development	0.56ha	3 / 4 bed homes	31 (completed)

Land possibly to be sold to Gurdwara	0.12ha	2 and 3 bed flats	50 (approximately)
Remaining land	1.52ha	1 and 2 bed flats, 3bed houses	250 (approximately)
Total	2.57ha		281 (331)

3. Eastern End Thames View:

- 3.1 A masterplan for the Thames View regeneration was agreed by Cabinet on 16 June 2009. The masterplan consists of two parts, the first is 6 garage sites that were demolished and 31 Council houses are currently being built on these sites. The second part was the Eastern End of Thames View, where four tower blocks and houses were demolished (280 units). The masterplan provided an outline design for four new blocks of maisonettes and apartments along the eastern end, a slightly new road layout, and also housing around a courtyard on the corner of Crouch Avenue/Wivenhoe Road. It should be noted that the Eastern End does not include the two blocks of housing on the park edge, along the southern side of Thames View.
- 3.2 The Eastern End is 4.25ha and runs alongside Renwick Road, with an additional block on Crouch Avenue / Wivenhoe Road. A number of density models were investigated, and the most financially viable and deliverable at the time was the medium density scheme, which provides 289 units at the Eastern End. Viability is of course a function of market conditions and achievement of the medium density model may be challenging in today's market conditions and the number of units may need to be reduced to produce a financially viable scheme.
- 3.3 The Homes and Communities Agency contributed £1.5m towards clearance of this site in 2008. As a result they requested that if as part of any redevelopment there was an element of shared ownership that that the retained equity be returned to them. In recent informal discussions with the HCA, they have suggested that they would waive this condition provided the proposal set out below went forward.
- 3.4 The site is vacant and is boarded up, which is creating ongoing problems with travellers and fly-tipping.
- 3.5 The Eastern End of Thames View should be taken forward for development, as the site is a visual blight on the community and with Barking Riverside coming forward, will become an increasingly desirable development site.

4. Proposal for disposal

4.1 Detailed Design

- 4.1.1 A detailed design brief for each site is attached as an appendix to this report. This outlines the requirements for any development including mix, density, layout, open space and road design.

4.2 Tenure

- 4.2.1 The original tenure mix for the KWSQ suggested that 40% of the units should be social rent. At that time there was a National Affordable Housing Programme

Funding available. That has now been severely reduced and is only being offered on the basis of a new model, the 'affordable rent model' based on average rents of 80% of the local market rent. This is significantly higher than a social rent. It is suggested that we aim for a minimum of 20% social (50% of local housing allowance) across the remaining development site of KWSQ. We should also aim to maximise the number of other sub market rent homes.

4.2.2 In relation to the EETV site the masterplan suggested that 30% of the new properties should be social rent. Again this was predicated on National Affordable Housing Programme Funding being available, which it no longer is. It is therefore suggested that we aim for a minimum of 20% social rent across the development. We should also aim to maximise the number of other sub market rented homes

4.3 Delivery Options

4.3.1 There are a number of delivery options as set out in the table below:

Option	Proposal	Advantages	Disadvantages
DO1:	Sell the sites on the open market with a guarantee of 20% social housing to be delivered, otherwise an unencumbered disposal	<ul style="list-style-type: none"> - Council may get a receipt immediately that could contribute to the Estate Renewal programme or further Council housing. 	<ul style="list-style-type: none"> - Housing market and land values currently low, so receipt would not be as much as when masterplans were created. Also receipt may be minimal with requirement for 20% socially rented property. - No control over the development of the land other than through the planning process, developer may not follow masterplan. - Less control over amount of social housing that is delivered. Although, minimum level set at time of sale. - Sites may sit empty and undeveloped for unknown amount of time or may develop very slowly because of the condition of the market - With regards to the KWSQ, there may be loss of a chance for Council to be involved in an exemplar new residential district at the heart of Barking Town Centre - Registered Providers (RP) would take the affordable housing; they lack local accountability and there are variable standards of estate and tenancy management from RPs in the borough - No long term return to the Council
DO2:	Sell sites on open market but developer 'gives' a small number of social houses to the Council in return for no land receipt	<ul style="list-style-type: none"> - Completed social homes transferred to the Council at nil cost to LBBB – some level of accountability - Homes transferred to LBBB would strengthen the HRA balance sheet and cash flow position as no 	<ul style="list-style-type: none"> - No capital receipt - No guarantee of 20% of units being social rent - Less control over design - Less control over development timescales - With regards to the KWSQ, there may be loss of a chance for

Option	Proposal	Advantages	Disadvantages
		borrowing would be involved - Some long term return	Council to be involved in an exemplar new residential district at the heart of Barking Town Centre
DO3:	Sell sites on a deferred purchase basis in return for a number of “free” homes for social rent	- More control over development and standard of delivery - Number of social rent units likely to be higher than previous option - Completed social homes transferred to the Council at nil cost to LBBD- some level of accountability - Homes transferred to LBBD would strengthen the HRA balance sheet and cash flow position as no borrowing would be involved - Some long term return	- No capital receipt - Less control over development timescales - With regards to the KWSQ, there may be loss of a chance for Council to be involved in an exemplar new residential district at the heart of Barking Town Centre
DO4:	Transfer sites to a housing association with housing association owning the affordable homes on basis there is a guaranteed number of social rented homes, guaranteed in perpetuity with the Council given the option to manage	- Council are given right to manage the properties - local accountability - Social rented properties are held in perpetuity - Some local control over the design and deliverability of these units	- No long term return on the asset - Less control over design than if the Council was a partner in the development - Unlikely that a housing association would agree to these terms
DO5:	Sell sites on a deferred purchase basis through a Developer Framework on the basis of a proportion of new homes being delivered given “free” to the Council. Also the Council offered the ability to long lease other sub market rented properties at suitable terms	- More control over development and standard of delivery - More control over number of affordable housing units provided - Completed social homes transferred to the Council at nil cost to LBBD- some level of accountability - Homes transferred to LBBD would strengthen the HRA balance sheet and cash flow position as no borrowing would be involved- some long term return - Ability to lease further sub – market rented homes will increase ability to rehouse local people and give a limited return through managing. Also over time provision might become available to acquire stock through HRA	- No immediate receipt - With regards to the KWSQ, there may be loss of a chance for Council to be involved in an exemplar new residential district at the heart of Barking Town Centre - Relies on long term private equity or bank funding being available to the developer to fund other sub market rented properties. Likely to also need an element of private sales - Risk around guaranteeing the rental stream on the sub market rent properties

Option	Proposal	Advantages	Disadvantages
DO6:	Long lease sites to BSF LEP development vehicle (this is a variation on the Barking and Dagenham Local Housing Company model). Potentially all tenures would be sub market rent.	<ul style="list-style-type: none"> - Faster procurement as LEP is already procured and in existence - Return properties at nominal cost to the HRA at end of lease and finance period (60 years) - Greater control over design and development parameters subject to scheme commercial viability - Lower upfront costs as LEP is already fully funded and able to take on new project feasibility work subject to LEP board approval - Potential for share in development returns through LEP structure through land being invested into a LEP SPV - Council returns could be recycled - The LEP SPV could hold and be responsible for managing the affordable tenures. - Could register with the HCA to obtain grant in future - The residents as well as Members could be represented on the Management Board. - Set up costs met by the LEP - Access to borrowing and terms/borrowing costs could be reduced because of the presence of Laing O'Rourke - Would contract the Council to carry out tenancy management. - Local accountability - Wholly rented scheme will result in quick delivery 	<ul style="list-style-type: none"> - No receipt - No testing of VFM through tender process; would need to rely on LEP new business protocol and management of existing arrangements - Will need new SPV to be established which could result in some time delays and additional costs and governance arrangements - Would need LEP board approval - Specialist expertise may be needed to complement the LEP's competencies and capabilities - Rental guarantee on non social rent sub market tenures will pose a significant risk to the Council which cannot be offset by a limited amount of private sale - No additional funding to the HRA - Council share in the LEP only 10% so return limited - All rent guarantee risk appears to be with the Council

4.3.2 The last two options would appear to most closely align with the objectives set out in section 1.4. Both of these maximise the number of social and other non market rented properties, both give some direct return to the Council, both would result in a speedy delivery and both result in local accountability. At the moment the BSF LEP model offers the ability to utilise private equity funding to bring about a large sub market rented scheme. It is not known at this stage whether such an approach would be possible via the Homes and Communities Agency Development Partner Panel. It is therefore suggested that in the first instance and in order to try and get some new housing development to happen quickly, the Council agree to negotiate with the BSF LEP for a limited period of time (3 months from the date of this Cabinet report) to see whether a proposal which meets the housing objectives, is value for money and minimises the direct risk to the Council can be achieved. Once

satisfactory terms have been agreed, these will be presented to Cabinet for information and an update report will be produced for information every three months on the progress of the project.

- 4.3.3 Should the above not be possible within the three month deadline officers be authorised to go through the HCA Development Partner Panel to seek a similar arrangement as set out in DO6 above.

4.4 Affordable Housing Provider

- 4.4.1 A separate report will come forward to Cabinet in due course looking at ways of establishing an independent local affordable housing provider such as a Community Gateway Association (CGA), which may be capable of being used in relation to some of the future estate renewal sites. It is considered that this would not be appropriate for the King William Street Quarter and eastern end of Thames View because it will take up to 9 months to obtain the necessary Registered Partner status for the CGA from the Tenant Services Authority. It should also be noted that the associated costs to the Council to establish a CGA will be approximately £400,000.

4.5 Section 106/New Homes Bonus

- 4.5.1 As these two sites are owned by the Council and the Council is stipulating for both that a minimum of 20% of the units are “social” (50% of local housing allowance) and that the other properties on the sites are sub market tenure, it is suggested that no S106 contribution is sought (although the TfL via the GLA may request a contribution towards transport improvements). If a S106 contribution was sought it would result in a contribution of £3m (£6000 contribution per home, the currently used tariff). This would result in the number of social rented properties being reduced (c20 units). This development will result in the need for new school places amongst other things and if a S106 had been sought, the contribution received would likely to have been spent on meeting the demand for school places. Children’s Services have estimated potential school numbers as:

	Primary Age	Secondary Age	Sixth Form	Total
EETV	81	58	17	156
KWSQ	78	56	21	155

Presently there is no capacity in the town centre to accommodate these potential students. If there is no extra capacity added in time for the occupation of the KWSQ properties in particular, there will not be enough school places available locally for these residents. Based on the current schools in the town centre catchment area, the opportunities to expand are very limited and would be costly solutions. The preferred option would be to identify a new site for a school development.

It is suggested that the New Homes Bonus generated from these properties could be used to contribute for this purpose. This would be approximately £4,700,000 (average council tax is £1239 and New Homes Bonus equates to 6 years Council tax per new home plus a bonus of £2100 per affordable unit).

4.6 Future Regeneration on Estate Renewal Sites

4.6.1 Officers will report at a later date to Cabinet on delivery options for the Estate Renewal sites; Eastern side of Gascoigne Estate, Goresbrook Village and The Leys.

5. Legal Issues

5.1 The proposals will require disposal of property owned by the Council. The Local Government Act 1972 Section 123 obliges local authorities to dispose of property at the best consideration unless there is ministerial consent. There is a General Disposal Consent which permits disposal at less than best consideration if specified conditions are met.

If the property was disposed to the Building Schools for Future Local Educational Partnership for equity (a form of company) there would need to be a valuation to ensure that the security that was issued was a fair value. Safeguards would need to be sought ensuring that the Council was able to protect its interests and this may be by form of charges, covenants, options or a form of golden share or a combination.

The carrying out works would need to be compliant with European Tendering Regime and checks would need to be carried out that procurement requirements were compliant.

6. Other Implications

6.1 Risk Management

Risk	Probability (1 = low, 4 = high)	Impact (1 = low, 4 = high)	Impact
Tenure and Mix			
Unable to get minimum 20% "social" units	2	3	For any of the delivery options, it is imperative that the Council can guarantee a minimum 20% "social" units, however, with housing grants harder to access in the current market, this may prove to be difficult.
Sell on open market:			
Delays in selling	4	2	Not selling quickly will delay the completion of new homes for both social rent and other sub-market tenures impacting on meeting local people's housing needs
Loss on sale as value of land is less than previous years	4	2	Less money upon receipt
Sites sit empty for long period of time post sale	4	2	Ongoing security required. Unattractive to residents , investors and visitors
Any new development does not comply with masterplan	2	3	May result in higher density of private sale, or lower numbers of affordable housing. Will have to be assessed by Development Management so can be mitigated.
Developer 'gives' some affordable housing to Council			
Less affordable housing than is acceptable to Council	3	2	Will still result in a sale and development of the land. Money from sale to go into Estate Renewal programme

Risk	Probability (1 = low, 4 = high)	Impact (1 = low, 4 = high)	Impact
Design deviates from masterplan	3	3	Likely, as density will change on the site. Can be mitigated through application with Development Management
Sell site on deferred purchase basis			
Long time between sale and receipt	4	1	Contractual arrangement will assure receipt
Registered Provider (RP) takes over the affordable housing, with variable states of management and maintenance	2	2	Through open communication channels, the Council could ensure that any RP that takes on affordable housing can manage the affordable housing units to a sufficient standard
Lease sites to BSF LEP			
Delay and cost with setting up BSF LEP SPV	3	2	This risk has been highlighted and is inevitable that this would take time. However, would coincide with the design and delivery of these sites, which would be minimum 12 months. This should provide adequate time for this SPV to be established.
Rental guarantee model- LEP requests Council to give a guarantee on all the sub-market properties	4	4	Negotiations taking place with the LEP partner to reduce the Council's exposure. Secondly any ground rents accumulated from development on site can be used to supplement any shortfall in the rental income. Thirdly the Council's Housing Management service in pricing for managing the units can allow for a contingency which again could be ring fenced towards supplementing any shortfall in income. The Council has extensive experience of rental income collection at social rent levels and of likely void levels.
HCA do not agree to the waiving of the repayment/equity arrangement as currently stated in the grant agreement dated 31/03/2009	2	4	The grant agreement currently states that the value of the original grant will be converted into an equity investment in shared ownership units. The current proposal for an affordable rent model development will not provide any shared ownership units. So this requirement would render the proposal undeliverable. The delivery of shared ownership units is unviable across the country and therefore it is unlikely that the HCA would insist on the conditions of the grant agreement being adhered to.

This will not adversely impact Corporate Risk number 14. This project significantly assists in reducing the risk level, by bringing forward the potential development and agreeing the way forward for delivery on these 2 sites producing 500 affordable homes

6.2 Contractual Issues

The BSF LEP has already been procured and within the BSF LEP there is provision for the LEP to, amongst other things, build housing. The HCA DPP has been set up, the Council has signed up and there is no cost to the Council, nor is there the requirement to go through an OJEU process, saving money and time. The HCA

DPP provides a one-stop shop for development and construction works and the rates are benchmarked, assuring value for money.

6.3 Staffing Issues

A cross-departmental project team will need to be established, involving;

- Housing allocations/lettings
- Housing management
- Community and neighbourhood services
- Legal services
- Property services
- Finance
- Regeneration and economic development.
- Corporate Programme and Strategic Asset Management

This will enable an integrated approach to the delivery of the developments ensuring that the needs of the residents and wider stakeholders are fully met and all legal finance and property issues are considered through the lifespan of the development.

6.4 Customer Impact

Consultation will be undertaken as part of the planning process for both of these sites. Consultation was widely undertaken on the Lintons Estate before its demolition and these results could be used to shape future consultation for the new KWSQ. Consultation events were also held at Thames View for the Thames View masterplan process with many local residents attending.

There has not been an Equalities Impact Assessment carried out for KWSQ. At the point of an architectural design being presented to the Cabinet, an Equalities Impact Assessment report could be carried out at that time. One group that will have specific regard paid to them are those with socio-economic difficulties. To ensure that the properties are tenanted equitably, suitable policies will need to be in place before the development commences. This will make sure that tenants who pay differing amounts of rent will be placed fairly based on income related needs. The BME group will also have differing needs for housing and these needs must be included in the policies for allocating housing.

In April 2009 an Equalities Impact Assessment was undertaken for Thames View. The main aim of this was to understand the impact of regeneration and renewal in the Thames View estate. New housing will be at the core of providing regeneration stimulus but the masterplan also identified the need for the repair and enhancement of the estate with a view to returning a lost sense of community in this once thriving estate. Equally, the masterplan consultation also raised future aspirations by the local community for more modern community facilities, youth activities, and place of worship for the Muslim community, possible leisure facilities and better shops, cafes etc for Farr Avenue.

Community facilities have been identified as being important for both sites. As both sites have been vacant for some time, new residents moving in will put extra

pressure on existing resources and both sites lack access to community facilities. In the original masterplan for both sites, floorspace has been identified for community use. This report supports the inclusion of community space on both sites and that the community facilities are accessible for those groups identified as requiring the facilities as part of the EIA process.

6.5 Safeguarding Children

Design undertaken as part of any development will take into consideration needs of local communities with a focus on creation of accessible spaces that allow for freedom of movement and will benefit local community at large including children. In particular, the design and development process will explore opportunities to introduce new or improve existing play facilities in the two areas.

6.6 Health Issues

The development of these two sites will have a positive impact on residents by providing a high quality residential accommodation at both social and sub-market rents. In particular, it would have a positive impact on ill health attributed to poor housing conditions and overcrowding due to a lack of housing in the Borough. The redevelopment of the sites will provide a safer and more secure environment where opportunities for crime are reduced and a host of public realm improvements make the area safer and more legible. General health and well being will be improved as a result of improved visual appearance of the site thereby increasing civic pride. Overall, the proposal would be expected to result in a benefit upon local well being and an improvement of quality of life.

6.7 Crime and Disorder Issues

Section 17 of the Crime and Disorder Act 1998 places a responsibility on local authorities to consider the crime and disorder implications of any proposals.

Levels of crime and disorder vary between the sites and will be taken into consideration. This can be partly addressed in the design of the built environment and a change in the fabric will be a catalyst to a better, more balanced community. Improved facilities for young people will also provide new opportunities for education, recreation and employment directing them away from crime. Specific types of violence such as domestic violence can be helped by social aspects of the development such as better access to services based in local community centres, as well as better quality housing.

6.8 Property / Asset Issues

Property Services advise that there has to be a basic caveat here that the market is currently untested and under the government's new "affordable rent model" neither scheme will be able to afford a significant amount of affordable housing. Our consultants have indicated that 20% would be an upper limit of affordable housing to be deliverable. It is accepted that EETV values are generally lower than KWSQ and that delivery of the affordable housing option is likely to be even more challenging.

However, both the LEP and HCA models offer the chance that by using private equity funding and also in the HCA model cross funding some of the affordable housing with private units it may be possible to achieve the 20% target figure. For this reason both should be explored further.

7. Options appraisal

- 7.1 The options have all been outlined and discussed in section of this report.
- 7.2 The recommendations for each option are provided in sections 4.1 – 4.6

8. Background Papers Used in the Preparation of the Report:

The Proposed Disposal of King William Street Quarter (formerly known as the Lintons): Living and Working Board, November 2010
Barking and Dagenham Local Housing Company: Executive Report, 7 May 2008.
King William Street Quarter Masterplan
Thames View Estate Masterplan

9. List of appendices:

Appendix 1: King William Street Quarter Detailed Design Brief
Appendix 2: Eastern End of Thames View Detailed Design Brief

**King William Street Quarter
Detailed Design
April 2011**

Context

This is a detailed design document for the King William Street Quarter, a vacant piece of land in Barking Town Centre, suitable for residential development. This document provides a background of the site and the recent masterplanning exercise. It details the relevant policies for any future development on the site and the minimum design requirements.

Location

King William Street is a 1.52ha site located in Barking Town Centre, to the north of the shopping precinct and adjacent to Barking station. It is a flat site with the Hapag-Lloyd building against the south-east corner. To the north of the site is the Northern Relief Road (A124).

Size

The original size of the site was 2.57ha. Throughout the masterplanning process and subsequent viability reviews, a small portion (0.56ha) on the eastern side has been developed as the Mews development. This is 31 Council houses, which will be finished in Spring 2011.

What was originally conceived as Phase 1 of the KWSQ masterplan, the Barking Business Centre, is being built on the southern edge of the site. This is a 0.37ha piece of the site. This will not incorporate the 93 apartments in a tower block as originally planned. On the plan that accompanies this detailed design, the Barking Business Centre is shown in two phases. The first phase includes the business centre and landscaping area. The second phase is not being developed currently and could be used for an extension of the business centre, or for housing.

The final piece that is not included is a 0.12ha piece in the north-western corner that may be sold to the Gurdwara Association for an expansion to their premises.

The developable area is 1.52ha.

Transport links

The site is well situated, it is adjacent to Barking Station, which has three London Underground lines and the C2C. Ten bus routes go through Barking Town Centre to different parts of London.

Surrounding uses

The surrounding land uses are transport (the Northern Relief Road and Barking Station), offices on Cambridge Road and Linton Road and the Gurdwara site also on Linton Road and Northbury Primary School to the north.

History of Site

The site was the home of The Lintons estate, a 1960s estate, comprised three blocks of 256 flats. This was demolished in 2008 after years of deterioration. To the south of the estate was an old workshop complex that manufactured waste bins, this was also demolished.

Masterplan process

A masterplan was commissioned by the Council in 2007, this was revised in 2008 and submitted for planning considering in November 2008. KWSQ was also going to be the first development for the Local Housing Company which was approved in May 2008 by the Executive. Unfortunately, the Local

Housing Company was not established and the Council with Mansell Construction have separately taken forward the development of the 31 houses at the Mews in KWSQ.

Current Activity

The 31 Council houses in the Mews development on the Eastern side of the site are currently under construction and will be ready for occupation by the summer. The Barking Business Centre started construction in January 2011.

Site Appraisal

The location of the site, adjacent to Barking Station and within close walking distance of the facilities in Barking is ideally suited to residential, or a mixed use development with residential and community facilities. As discussed further in this report, there is a need for residential development within Barking Town Centre and the size of this site will allow for a mix of houses and flatted development. The proximity to a wide range of transport options will make the development desirable for professionals who may work in other parts of London and can commute easily. Families may also take advantage of the location due to proximity to schools and shops.

The Lintons Estate has left a legacy that is common to many estates from the 1960s in England, it was viewed as an area that had been neglected, was run-down and not an attractive place to live. As a result, after the demolition, the name of the site has been changed to King William Street Quarter to create a fresh start for the place. The design and nature of the development will reflect the new start for the site as well as improve this part of Barking Town Centre.

However, there are still some hurdles to exceptional design. The location of the Northern Relief Road, immediately adjacent to the northern side of the site creates a physical barrier as well as reducing the aesthetics for dwellings located in this area. Clever design will eliminate these problems and by improving the pedestrian subway beneath the Northern Relief Road, residents can move around through the site a lot easier.

Development Issues

Since the masterplan was released, the size of the site has reduced from 2.57 to 1.52 hectares. The Barking Business Centre has not used more land than originally planned, but does not have the 93 residential units in a tower on the top as previously designed.

The viability of tall buildings has significantly diminished in recent times, as it is difficult for developers to sell flatted developments. However, a strong case will be needed to be presented as to why no tall buildings are provided for on this site, as the development of a tall building may be viable in the future, and through phased development, may suit a development plan as the final stage of build.

The location of the site, the proximity to the Town Centre and the size make it very attractive to a high density development and this should be kept in consideration with any development design.

The development directly to the west of the site was uncertain for the duration of the masterplanning process. This development has since commenced and it will have daylight and sunlight issues for the planned houses in the area marked C2 on the plan. Future design will have to take this into account and flats may be more suitable for this location.

Relevant Policies

London Plan:

The London Plan is a strategic plan that provides goals for London in different areas such as housing, accessibility, economic growth, health and sustainability. It requires that the Borough provide 1,190 new homes each year between 2008 – 2017.

Barking Town Centre Area Action Plan:

- Objective 3 – Housing. 6,000 new homes in BTC by 2025
- Policy BTC14 – Estate Regeneration. Council will avoid a net loss and seek a net gain of social housing in the KWSQ regeneration site.
- Policy BTC16 – Urban Design. All new developments to be of high standard that reflect the principles of good architecture and urban design to improve physical environment
- Policy BTC17 – Tall Buildings. KWSQ site identified as suitable for tall buildings
- Policy BTC20 – Parks, Open Spaces, Play Areas and Tree Planting. Provide a communal open space and children’s play area within the KWSQ
- BTCSSA4: The King William Street Quarter:
 - A scheme providing these uses will be encouraged and permitted provided that it:
 - Ensures no overall loss of affordable housing.
 - Incorporates a community facility, a corner shop and some communal open space and children’s play areas.
 - Recreates the traditional street pattern and better connects the site to the surrounding area.
 - Improves the pedestrian subway under the Northern Relief Road
 - Provides some tall buildings.
 - Incorporates a Home Zone.
 - Provides reduced levels of car parking for housing and no parking for the Business Centre.
 - Ensures a high quality public realm through high quality amenity space and use of the Barking Code for landscaped areas.
 - Incorporates sustainable urban drainage techniques to minimise surface water run off and improve water quality.

Barking Town Centre Urban Design Guidance:

- Identified as Character Area F4
- Identified as an area where particularly tall buildings of 15+ storeys would be appropriate
- Any tall building to be considered within the ‘Barking Group’ of tall buildings, not to be iconic, but to reflect the general design principles of other tall buildings.
- Design requirements are the same as the Barking Town Centre AAP and also provides further points:
 - Designed to link into Barking Station and High Street Network
 - Make sure development presents an attractive frontage to the Northern Relief Road
 - Carefully design service entrances and make active frontages at the back and between buildings as well as the front where possible
 - New buildings should relate to and enhance the architectural character of new and existing buildings close to the station by way of simple façade treatments and unfussy detailing

Detailed Design Parameters

Density Range and Number of Units

The desired density levels of the site are 183units/ha. The original masterplan envisaged approximately 470 residential units on this site. Due to a reduction in developable land and changes in the market that have rendered tall buildings currently undesirable, the predicted number of units is significantly less.

The following table details the units that have been removed from the original masterplan:

Location	Site size	Tenure	Number of units
Barking Business Centre	0.37ha	N/A	0
Mews Development	0.56ha	3 / 4 bed homes	31 (completed)
Land possibly to be sold to Gurdwara	0.12ha	2 and 3 bed flats	50 (approximately)
Remaining land	1.52ha	1 and 2 bed flats, 3 and 4 bed houses	250 (approximately)
Total	2.57ha		281 (331)

Tenure Mix

A recommended mix for the remainder of the development as proposed by the original masterplan is:

Size of unit	Percentage of total
1 bed flat	31%
2 bed flat	31%
3 bed house	24%
4 bed house	14%

Parking and car clubs

The number of car parking spaces will have to reflect current Council Policy and the London Plan.

Unit type	London Plan Maximum Car Parking Spaces	Indicative Maximum Number of Spaces
1 – 2 bed unit	Less than 1	100
3 bed unit	1	80
4 bed unit	1.5	70
Total		250

However, because the site is located within 300 metres of Barking Station, a car free development could be considered. This gives the developer a wide remit for car parking provision, please note the Council would support as few car parks as possible.

The masterplan identified 4 spaces for car club parking, this is a suitable number for the reduced size of the development, therefore this should be provided.

Disabled parking should be provided at 10% of the car parking provided. For example, if 100 car parking spaces are provided, 10 of these must be for disabled users.

Cycle parking provision should follow the rule of thumb of the more the better. The TfL guidance recommends 1 per flatted unit and 2 per 3+ unit. This would give a figure of 500 for this 331 unit development. As the development is located in the heart of Barking Town Centre, this is considered to be very suitable for high numbers of cycle parking.

The road layout cannot be altered from the masterplan as it allows for a Homezone layout while also providing for emergency service access and cycle links.

Public realm/design

The general principles for open space must be adhered to:

- Aim for the London SPG target provision of 10m² of playable space for every child within a reasonable walking distance of home
- Acceptable walking distances within individual homes: Age 0-5, 100m walk, Age 5-11, 400m walk and Age 11+, 800m walk.
- Partially rely on off-site provision for facilities suited to more boisterous types of play for the 5-11 and 11+ age groups (open kick-about areas, MUGAs, ball games, wheeled sports etc) within acceptable walking distance
- Communal playable space will be provided within courtyard blocks where possible
- Public playable space for 0-4 age and 5-11 age group will be provided within public realm where appropriate.

One of the key features for the development should be a 'play on the way' link for children to walk through the site between their house and off-site play provision with small pieces of play and educational equipment.

Roads

Roads are to be designed in the layout of the masterplan from 2009. This layout is to be kept as the roads are a homezone design and provide for safe ingress and egress while also providing room for pedestrians and areas of informal play.

Daylight/Sunlight

A daylight/sunlight assessment will be required for any new development scheme, double aspect flatted developments should be designed where possible. The masterplan showed 3 and 4 bedroom houses on the western side of the development, adjacent to a new apartment building that is currently being built on North Street. Due to this development at Kings Reach coming forward, there may be daylight and sunlight issues for new units along this boundary and the design will have to take this into accordance.

Noise

The proximity of the site, adjacent to the rail lines and the Northern Relief Road will provide some challenges to design out any noise issues. Clever design and residential units sympathetic to the surrounding area should provide for a reasonable level of residential amenity.

Sustainability

The homes will be built to Lifetime Homes Standards, with a minimum 10% of all units being wheelchair accessible.

Homes will be required to meet a minimum of Code for Sustainable Homes Level 4, with a focus on passive design, low energy and water use and natural light.

Accessibility

There has not been an Equalities Impact Assessment carried out on KWSQ since the demolition of the Lintons. To ensure that the site is accessible to all and the correct community facilities are provided for the BME population, an Equalities Impact Assessment will be carried out before the detailed design brief is complete.

Aim of development

To provide an exemplar residential quarter within Barking Town Centre, focusing on the benefits of the location and size of the site, while designing around neighbouring transport uses. An area that feels like a neighbourhood, with homezones and play areas for children, allowing interesting walking and cycling routes through the site and with the potential for a mix of density and tenure.

**Eastern End Thames View
Detailed Design
April 2011****Context**

This is a detailed design document for the Eastern End of Thames View, a vacant quarter at the end of Thames View Estate, Barking. This document provides a background of the site and the masterplan which was finished in 2009. It details the relevant policies for any future development on the site and the minimum design requirements.

Location

The Eastern End of Thames View is a vacant piece of land at one end of Thames View. It is bordered on the east by Abridge Way and Renwick Road. Bastable Avenue cuts through the lower portion of the site, running west to east. The A13 runs to the north of the site, and immediately adjacent to the northern boundary is the rail line that links London with the East and Kent. The site is flat and currently fenced off.

Size

The original size in the masterplan was 5ha. This included a strip of land along the southern edge that is proposed to be developed into two rows of houses (11 and 12 in each row). After consultation with the existing residents of Thames View, this part of the development is not deemed to be viable, so is removed from the Eastern End of Thames View.

The remaining, developable area of the Eastern End is 4.25ha. This includes the entire strip of land adjacent to Renwick Road and a small block in the northern corner on Wivenhoe/Crouch Avenue for housing.

Transport links

The site, while being close to the railway and A13 has the feeling that it is not very well linked with Barking or surrounding areas due to the physical barrier of the A13. However, there are two frequent buses that run through the site, EL1 and EL2, these take passengers to Barking Town Centre and Dagenham Dock. The closest station is Upney on the District Line, but, by using the EL1/EL2 bus, it is easier for passengers to get to Barking station. Bastable Avenue is the only road onto and off the Estate, creating a gateway to the site and a central point for transport.

Surrounding uses

The surrounding uses to the west, east and south are residential. To the north is the rail line and further north of that is industrial uses and the A13. To the south west of the Thames View Estate is the Creekmouth Industrial area which brings a high number of HGVs to the area. In the southern part of the region is Barking Riverside, this is a brownfield development that is planned to deliver 10,800 new homes along with community centres, education facilities, increased transport links and public open space. Stage 1 of Barking Riverside commenced in September 2010 and by September 2011 the first primary school will be open along with approximately 150 residential units ready for occupation.

History of Site

This part of Thames View was the site of four high-rise flatted blocks. Built in the 1960s, Thames View estate is predominately terraced housing with some instances of higher density. The blocks at the Eastern End had become dilapidated and were in need of considerable upgrading. A decision was made to undertake a regeneration project across the whole estate. A masterplan was drawn up

throughout 2008 and suggested that on 6 garage sites the garages were demolished and new houses built. This was taken up by the Council and currently 31 new Council homes are being built across the Estate. This is some of the first development on the Estate since it was built in the 1960s. The four tower blocks and some surrounding houses at the Eastern End were demolished in 2009 and the site has remained vacant since that time.

Masterplan process

A masterplan was commissioned by the Council in August 2008 and this was undertaken by Patel Taylor Architects. The masterplan process was completed in June 2009 and in August 2009 Patel Taylor worked up the detailed designs for the 6 garage sites and an outline design for the Eastern End for planning approval. The 6 garage sites were given planning approval in March 2010 and will be complete in Summer 2011. A Hybrid application was not submitted for the Eastern End. The outline design was put to the GLA in March 2010 and they gave their initial support. No further action has been taken since this time.

Current Activity

There is no activity at the Eastern End of Thames View presently. The site is boarded off, but there are ongoing problems with fly-tipping and travellers.

Site Appraisal

Location and accessibility

The location of the site has some accessibility issues, as it is located south of the A13 which provides a large physical barrier to the area. Currently Renwick Road rail bridge is in need of repair and is limited to one lane only and no HGV access. This bridge is due to be repaired by the end of 2011. Large vehicles have to access the site from River Road via Thames Road, or from Choats Road which also has vehicle restrictions.

For residents, the area is well serviced by the EL1 and EL2 buses, which take people straight to Barking Town Centre or Dagenham Dock Station, both of which provide good transport links to other parts of London. The site is approximately a ten minute walk from Farr Avenue shops, the local shopping centre in Thames View. Once the Barking Riverside development is progressing and the Rivergate Centre is complete, the residents will be within a ten – fifteen minute walk to the new local centre which will have a new primary school, community facilities and a café. In the future a small store will also be located in this centre.

The location of the site means that is best suited for residential development. The masterplan also recommended a small retail or community use on the Bastable Avenue frontage, this is encouraged, as it will help to provide a focal point for the development as well as improve the entrance into Thames View estate. If the use is a small shop, this will also help to serve the community at Great Fleete who currently do not have any shopping facilities of their own.

The size of the site is large for a vacant piece of land within the Borough and provides scope for a mix of terraced housing and higher density flats and maisonettes. At 4.25ha there is also the ability for areas of private and semi-private open space. The area will also allow for generous provisions of carparking, should this be deemed necessary.

The nearby Barking Riverside development will improve the access and the amenities for this site. The first stage of Barking Riverside includes the Rivergate Centre as mentioned above as well as housing and open space and leisure facilities for the public to use. As the development progresses, a District Centre with a secondary school, special school, library, leisure centre and superstore will be

built. This is on the opposite side of Renwick Road from the site and will be accessed by a five minute walk.

Development Issues

The site is flat and being at the end of Thames View Estate, it can be developed at a higher density than the rest of the estate to make the best use of the size of the site, the proximity to bus links and to act as a gateway into the site. The development will also be viewed by those travelling down Renwick Road towards Barking Riverside, so it is important that it showcases the best in design for the Borough.

The outline design for the masterplan showed four buildings of a maximum of 7 storeys, with the highest points being along the gateway of Bastable Avenue and at the northern corner. This is not considered to be out of scale with the surrounding estate and helps to reflect the history of the site.

Relevant Policies

London Plan:

The London Plan is a strategic plan that provides goals for London in different areas such as housing, accessibility, economic growth, health and sustainability. It requires that the Borough provide 1,190 new homes each year between 2008 – 2017.

Site Specific Allocations Document:

- Site SSA SM13: Thames View Regeneration Sites
- Identified the Eastern End of Thames View as a site for comprehensive redevelopment replacing existing uses including housing, community and open spaces.
- Retail uses to front Bastable Avenue
- Deliver maximum reasonable amount of affordable housing ensuring no net loss of existing affordable housing
- Proposals must be in line with the approved masterplan
- Pedestrian and cycle routes to be designed to facilitate ease of and safe movement throughout the site.
- Improve relationship of estate with surrounding area by improving access and visibility arrangements to Bastable Avenue from Renwick Road and from River Road.
- Proposed development scheme at the eastern end should complement the proposed junction improvements to the A13 and the upgrade of the rail crossing

Urban Design Framework:

- This document encourages design led regeneration and sets the context for things to happen
- Relevant Objectives:
 - Objective O1: Design and Maximising the Potential of the Site
 - Objective O2: Promoting Ease of Movement /Accessibility and Connectivity
 - Objective O6: Making Places Safe for Occupants and Passers-by
 - Objective O7: Respecting Local Context, Built Heritage, Urban and Landscape Character
 - Objective O9: Creating Attractive, Exciting and Inspiring Environments
 - Objective O11: Flood Risk Management and Water Quality, Minimising Water Consumption and Promoting Sustainable Urban Drainage (SUDS)
 - Section 5.8: The Character of the Southern Area of the Borough
 - Design Guidance CAS 1, CAS2, CAS5, CAS6, CAS9,

Detailed Design Parameters

Density Range

During the previous masterplanning exercise, a range of densities were considered. The highest density range of 103 units/ha is considered unviable. The desired density levels of the site is the medium level of 68 units/ha, which equates to approximately 300 units across the 4.25ha site.

Tenure Mix

20% at 50% Of Market Rent

30% at 65% of Market Rent

50% at 80% of Market Rent

Eastern End Blocks and Wivenhoe:

Unit type	Number	Percentage
1b 2p flat	75	26%
2b 3p flat	40	14%
2b 4p flat	58	20%
3b 5p houses/duplex	66 + 3 (Wivenhoe)	24%
4b 6p house	33 + 14 (Wivenhoe)	16%
Total	289	100%

The tenure split for the four blocks and Wivenhoe is suggested as below:

1 bed 2 person flat: 26%

2 bed 3 person flat: 14%

2 bed 3 person flat: 20%

3 bed 5 person house/duplex: 24%

4 bed 6 person house: 16%

Total number of units at EETV: 289

Parking and car clubs

The number of car parking spaces will have to reflect current Council Policy and the London Plan.

Unit type	Number of Unit	London Plan Maximum Car Parking Spaces	Maximum Number of Spaces
1 – 2 bed unit	173	Less than 1	86
3 bed unit	69	1	69
4 bed unit	47	1.5	70
Total			225

The site is located near to a frequent bus service, but it has a low PTAL level, and so some car parking will be acceptable. Underground, or under podium car parking will be desirable, as the area not used for development should be left for public open space where possible.

Disabled parking should be provided at 10% of the car parking provided. For example, if 100 car parking spaces are provided, 10 of these must be for disabled users.

Cycle parking provision should follow the rule of thumb of the more the better. The TfL guidance recommends 1 per flatted unit and 2 per 3+ unit. This would give a figure of 405 for this 289 unit development.

As the development site is within close proximity to Barking Riverside, a sharing scheme with the Barking Riverside car club could be established, with some spaces on the Eastern End of Thames View.

Home zone road layouts are preferable, to reduce the instances of rat-running from parts of the estate to Bastable Avenue. No new roads onto Renwick Road have been designed as part of the masterplan, this is due to safety issues with Renwick Road being a busy road.

Public realm/design

The general principles for open space must be adhered to:

- Aim for the London SPG target provision of 10m² of playable space for every child within a reasonable walking distance of home
- Acceptable walking distances within individual homes: Age 0-5, 100m walk, Age 5-11, 400m walk and Age 11+, 800m walk.
- Partially rely on off-site provision for facilities suited to more boisterous types of play for the 5-11 and 11+ age groups (open kick-about areas, MUGAs, ball games, wheeled sports etc) within acceptable walking distance
- Communal playable space will be provided within courtyard blocks where possible
- Public playable space for 0-4 age and 5-11 age group will be provided within public realm where appropriate.

There is a fair amount of open space on Thames View Estate, but most of this is under-utilised by residents. Sufficient open space is required for all new residents to the area.

Roads

Roads are to be constructed to adoptable standards for the Council. They must allow safe ingress and egress for emergency vehicles. No new road links to Renwick Road are proposed due to the safety constraints that a new intersection would create.

Daylight/Sunlight

A daylight/sunlight assessment will be required for any new development scheme, double aspect flatted developments should be designed where possible.

Flood Risk

The site is within Flood Zone 3a, so the development should be designed so that less vulnerable areas such as kitchens, living/dining rooms and garages are at the ground level. For a higher density development that will be proposed at the Eastern End of Thames View, the garage level should be on the ground level.

Noise

Due to the proximity to the rail line and the A13, parts of the Eastern End of Thames View may have higher than acceptable ambient noise levels. Any new design will have to be designed to ensure that the noise levels for the residential units are acceptable.

Ecology

Phase 1 Ecology surveys were undertaken as part of the masterplanning process. These must be referenced in any new design.

Accessibility

The location of the Eastern End of Thames View, while being within walking distance of a good bus link, is not highly accessible. There may be issues for those with disabilities and the BME population. The community facility requirements for the BME population must also be assessed in the design stages of this development. If a community facility is provided, it must meet the needs of the residents while being in a highly accessible location. An updated Equalities Impact Assessment will be carried before the detailed design brief is complete.

Aim of development

Design for the Eastern End of Thames View has to reflect the residential history of the site and the surrounding residential estate, while also embracing modern design techniques and styles to be compatible with the new development at Barking Riverside. The site does not have many constraints and is a large site that will allow for a high number of units at a medium density. This site presents an opportunity to revive an ageing estate while providing high quality residential units for the Boroughs residents.

THE ANNUAL ASSEMBLY

18 MAY 2011

REPORT OF THE CHIEF EXECUTIVE

Title: Council Constitution	For Decision
<p>Summary:</p> <p>Part B, Article 2 (The Assembly) paragraph 8, of the Council's Constitution authorises the Assembly to agree changes to the Constitution and associated rules, codes, protocols and schemes relating to the way in which the Council operates. Whilst it is standard practice that the Constitution is reviewed and any changes submitted for approval to the Annual Assembly, further changes which are required due to emerging legislation, best practice or to uphold good decision making principles are reported throughout the year as necessary.</p> <p>Attached as Appendix A is a schedule setting out the basis of the changes as they will appear in the Constitution. In summary these changes deal with:</p> <p>Part B – Articles – The Political Structure and Meetings</p> <ul style="list-style-type: none"> • Clarify the role and responsibilities of the Ceremonial Council as regards confirming the status of Honorary Alderman upon individuals • The Chair of the Assembly to act as Deputy Chair of the Ceremonial Council following the deletion of the post of Deputy Mayor • Defining the meaning of a partnership to reflect the findings of an independent audit of the Council's partnership arrangements • Updating the Council's Policy Framework (<i>also updated in Part C - Scheme of Delegation</i>) <p>Part E – Codes and Protocols</p> <ul style="list-style-type: none"> • Changes to the Code of Corporate Governance to reflect committee responsibilities <p>Subject to the Assembly's approval the relevant pages containing the changes will be updated on the Council's web site. Minor administrative changes which have been made under the authority of the Chief Executive in accordance with Part H, paragraph 2.1 of the Council Constitution will also be included.</p> <p>Members will recall that following a comprehensive review of the Council's Financial Regulations undertaken by the Public Accounts and Audit Committee, a number of changes were adopted by the Assembly at their meeting in February 2011 which have now been incorporated into the Council's Constitution, specifically in the Financial Regulatory Framework, set out in Part D (Rules). Members are asked to note that forming part of that overall Framework, the Contract Rules, Guidance and Code of Practice are presently being updated, and it is anticipated that a report will come forward to the Assembly in July 2011 seeking approval to relevant changes.</p>	

Wards Affected: None.		
Recommendations: The Assembly is asked to agree the proposed changes to the Council Constitution to take immediate effect.		
Reason: To ensure that the Council's decision making accords with the principles set out in Article 12 of the Council's Constitution.		
Implications: 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. Financial – None Risk Management – Any delays in updating the Constitution puts at risk the normal function and business of the Council being conducted in an effective, efficient and lawful manner. Social Inclusion and Diversity – None Crime and Disorder – None		
Contact Officer: Margaret Freeman	Title: Senior Democratic Services Officer	Contact Details: Tel: 020 8227 2638 Email: margaret.freeman@lbbd.gov.uk

Background papers used in the preparation of this report:

- Council Constitution

**THE COUNCIL'S CONSTITUTION
SCHEDULE OF AMENDMENTS
REQUIRING ASSEMBLY APPROVAL
18 May 2011**

EXISTING	AMENDMENT	REASON	MEMBER APPROVAL REQUIRED	CONTACT OFFICER
<p>Part B Article 2 – The Assembly</p> <p>Page B22</p> <p>20. Meanings</p> <p>20.1 Policy Framework</p> <p>20.1.1 The policy framework means the following plans and strategies:</p> <p>(1) Children and Young People's Plan (2) Community Strategy (3) Crime and Disorder Reduction Strategy (4) Local Development Frameworks (5) Youth Justice Plan (6) Local Implementation Plan (Transport) (7) Statement of Licensing Policy (8) Food Safety Business Plan</p>	<p>Delete entire paragraph 20</p>	<p>Duplication and not relevant to this Article</p>	<p>Yes</p>	<p>Alan Dawson Ext 2348</p>

EXISTING	AMENDMENT	REASON	MEMBER APPROVAL REQUIRED	CONTACT OFFICER
<p>(9) Housing Investment Programme Plan and Strategy (10) Lifelong Learning Development Plan (11) The Council Plan (12) Health and Safety Service Plan (13) Trading Standards Service Plan (14) Council's Community Priorities (15) Climate Change Strategy</p> <p>20.2 Budget</p> <p>20.2.1 The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax, and decisions relating to the control of the Council's borrowing requirement, the control of its Capital expenditure and the setting of virement limits.</p> <p>20.3 Housing Land Transfer</p> <p>20.3.1 Housing Land Transfer means the approval or adoption of applications (whether in draft form</p>				

EXISTING	AMENDMENT	REASON	MEMBER APPROVAL REQUIRED	CONTACT OFFICER
<p>Paragraph 5.1</p> <p>5.1 The Mayor and Deputy Mayor who are appointed by the Ceremonial Council</p> <p>Paragraph 6.2</p> <p>6.2 The Mayor and Deputy Mayor, in consultation with the Leader and Deputy Leader of the Council, will be consulted on meeting dates having regard to statutory requirements.</p>	<p>subject to there being no more than four serving Aldermen at any one time.</p> <p>5.1. The Ceremonial Council shall appoint the Mayor as Chair and the Chair of the Assembly as Deputy Chair.</p> <p>6.2 The Mayor and Chair of the Assembly, in consultation with the Leader and Deputy Leader of the Council, will be consulted on meeting dates having regard to statutory requirements.</p>	<p>Following the deletion of the Deputy Mayor post.</p> <p>Following the deletion of the Deputy Mayor position.</p>	<p>Yes</p> <p>Yes</p>	<p>John Dawe Ext 2135</p> <p>John Dawe Ext 2135</p>
<p>Part B – Article 11 – Joint Arrangements and Partnerships</p> <p>Page B65 – new paragraphs 1.2, 1.3 and 1.4</p>	<p>Change footer to May 2011</p> <p>New paragraphs:</p>	<p>Admin Change</p>	<p>No</p>	<p>Margaret Freeman Ext 2638</p>

EXISTING	AMENDMENT	REASON	MEMBER APPROVAL REQUIRED	CONTACT OFFICER
	<p>1.2 A partnership is two or more organisations or individuals working together towards a common goal.</p> <p>1.3 In the Barking and Dagenham context we distinguish between the statutory partnerships and the non-statutory partnerships. In the statutory partnerships the Local Government Act 2000 requires local authorities to work with a host of statutory partnerships to achieve a range of positive outcomes in the community. These bodies are listed in the governance framework of the Local Strategic Partnership which can be found on the Council's website.</p> <p>1.4 The non-statutory partnerships include all the partnering arrangements the Council has with various bodies designed to help it achieve its goal. The arrangements will be</p>	<p>As a consequence of an independent audit of our partnership governance arrangements and the need to clarify in the Constitution the definition of a partnership.</p>	<p>Yes</p>	<p>John Dawe Ext 2135</p>

EXISTING	AMENDMENT	REASON	MEMBER APPROVAL REQUIRED	CONTACT OFFICER
	regulated according to the degree of regulation required.			
<p>Part B – Article 12 – Decision Making</p> <p>Appendix A – page B71</p> <p>2. The Policy Framework</p> <p>2.1 The Policy Framework consists of the following plans and strategies:</p> <ul style="list-style-type: none"> (i) Children and Young People’s Plan (ii) Community Strategy (iii) Crime and Disorder Reduction Strategy (iv) Local Development Frameworks (v) Youth Justice Plan (vi) Local Implementation Plan (Transport) (vii) Statement of Licensing Policy (viii) Food Safety Business Plan (ix) Housing Investment Programme Plan and 	<p>Appendix A</p> <p>2. The Policy Framework</p> <p>2.1 The Policy Framework consists of the following plans and strategies:</p> <ul style="list-style-type: none"> (i) Children and Young People’s Plan (ii) Community Strategy (iii) Crime and Disorder Reduction Strategy (iv) Local Development Frameworks (v) Youth Justice Plan (vi) Local Implementation Plan (Transport) (vii) Statement of Licensing Policy (viii) Food Safety Business Plan 	No longer a statutory requirement	Yes	Alan Dawson Ext 2348

EXISTING	AMENDMENT	REASON	MEMBER APPROVAL REQUIRED	CONTACT OFFICER
Strategy (x) Lifelong Learning Development Plan (xi) The Council Plan (xii) Health and Safety Service Plan (xiii) Trading Standards Service Plan (xiv) Council's Community Priorities	(ix) Housing Investment Programme Plan and Strategy (x) Lifelong Learning Development Plan (xi) The Council Plan (xii) Health and Safety	Title change	No	
Part C Section A – The Assembly Page C10 2.13 Approving and adopting the following Plans and Strategies: <ul style="list-style-type: none"> – Children and Young People’s Plan – Community Strategy – Crime and Disorder Reduction Strategy – Local Development Frameworks – Local Implementation Plan (Transport) – Youth Justice Plan – Statement of Licensing Policy 	2.13 Approving and adopting the following Plans and Strategies: <ul style="list-style-type: none"> – Children and Young People’s Plan – Community Strategy – Crime and Disorder Reduction Strategy – Local Development Frameworks – Local Implementation Plan (Transport) – Youth Justice Plan – Statement of Licensing Policy 	No longer a statutory requirement for Assembly to approve the CYPP	Yes	Alan Dawson Ext 2348

EXISTING	AMENDMENT	REASON	MEMBER APPROVAL REQUIRED	CONTACT OFFICER
<p>Part E – Codes and Protocols Code of Corporate Governance</p> <p>Page E71</p> <p>4.2 The Standards Committee reviews the following documents annually:</p> <p>(1) Employees Code of Conduct (2) Member/Employee Relations Protocol (3) Members' Code of Conduct (4) Members' Guide to the Use of Resources, Facilities and Equipment (5) Rules for Conferences, Hospitality and Visits (6) Standards of Behaviour for Volunteers undertaking Council activities (7) Whistle-blowing Policy (8) Members Code of Conduct for Planning Matters (9) Code of Conduct for Members for Licensing and Regulatory Matters. (10) Anti-Fraud and Corruption Policy and Strategy (11) Benefits Fraud Policies</p>	<p>Change footer to May 2011</p> <p>4.2 The Standards Committee reviews the following documents annually:</p> <p>(1) Employees Code of Conduct (2) Member/Employee Relations Protocol (3) Members' Code of Conduct (4) Members' Guide to the Use of Resources, Facilities and Equipment (5) Rules for Conferences, Hospitality and Visits (6) Standards of Behaviour for Volunteers undertaking Council activities (7) Whistle-blowing Policy (7) Members Code of Conduct for Planning Matters (8) Code of Conduct for Members for Licensing and Regulatory Matters. (10) Anti-Fraud and Corruption Policy and Strategy (11) Benefits Fraud Policies</p>	<p>Admin Change</p> <p>To accord with recommendations in the Internal Governance Audit Report dated February 2011 that the deleted policies should be presented to the Cabinet</p>	<p>No</p> <p>Yes</p>	<p>Margaret Freeman Ext 2638</p> <p>John Dawe Ext 2135</p>

THE ASSEMBLY

18 MAY 2011

REPORT OF THE CABINET

Title: Annual Report of the Cabinet 2010 / 2011		For Information
<p>Summary</p> <p>The Cabinet is responsible for:</p> <ul style="list-style-type: none"> • Developing key policies and budget proposals for the Assembly's agreement; • Making decisions about Council strategies, services, finances and resources, based on the policies set by the Assembly; • Ensuring all Council departments work well together in delivering services to local people; and, • Ensuring the Council works well with external partners and other local organisations, such as the police, health services, education providers, business and the third sector, for the benefit of the community. <p>This report summarises the Cabinet's role and highlights the major issues it has dealt with over the last municipal year.</p>		
<p>Recommendation</p> <p>The Assembly is asked to note the Cabinet's annual report for 2010/11.</p>		
<p>Cabinet Member: Councillor Liam Smith</p>	<p>Portfolio: Leader of the Council</p>	<p>Contact Details: Tel: 020 8227 2101 E-mail: leader@lbbd.gov.uk</p>
<p>Contact Officer: Tina Robinson</p>	<p>Title: Senior Democratic Services Officer</p>	<p>Contact Details: Tel: 020 8227 3285 E-mail: tina.robinson@lbbd.gov.uk</p>

1. Introduction

- 1.1 The Cabinet is the main decision-making body of the Council and is made up of ten Councillors who each have areas of responsibility or 'portfolios'.
- 1.2 The Cabinet has considered a total of 102 reports this municipal year, over ten meetings. The issues have covered a wide range of subjects and listed below are some of the major areas:
- **Contracts Overview**
Twenty-two reports involved contracts with a value in excess of £400,000 and covered issues as diverse as the care provisions at Colin Pond Court and Darcy

Gardens and the Internal Audit and Anti Fraud Service. A number of the contracts also involved joint working or commissioning with other partner organisations, for example the PCT / NHS, police and other local authorities, for contracts such as the provision of a parks safer neighbourhood team by the Metropolitan Police, the mental health accommodation, employment and day services, and the joint procurement of the highways and street lighting service with the London Borough of Havering.

- **Joint Venture**

Approved the appointment of Agilisys as the Council's Joint Venture Strategic Partner and the subsequent new governance arrangements for the new Elevate Joint Venture and its Boards for subsequent consideration by the Assembly. This decision should result in savings of up to £10m per year over the course of the seven year agreement which will enable the Council to continue to deliver essential front-line services to the local community.

- **Schools**

Increased Provision - Approved increased provision of school pupil places, including additional resource provision at Beam, Ripple, St. Peter's and Roding Primary Schools and Thames View and Cambell Junior Schools with effect from 1 September 2011. Delegated authority was given to arrange for the permanent expansion at St George's Halbutt Street Site. The provision of a Church of England voluntary aided primary school (due to open September 2011) and a new secondary (due to open in 2012) both at Barking Riverside were also approved.

BSF - Approved the appointment of the Local Education Partnership (LEP) and necessary action to put the Information, Communication and Technology (ICT) element into place for the Building Schools for the Future (BSF) project.

- **Strategic Grants Programme**

Considered a review of the programme and agreed a revised policy to ensure that limited funds are targeted where they would be most effective whilst continuing development of the borough's thriving third sector as well as the subsequent allocation of the grants.

- **Green Energy**

Authorised the provision of solar panels for up to 1,000 council houses and up to 50% of available school roof space, thereby providing the recipients with the opportunity to benefit from reduced energy bills and the Council with a reduction of around 1,165 tonnes of carbon emissions.

- **Olympic Legacy**

Agreed to the borough becoming a member of a Joint Committee of the six Host Boroughs for the 2012 Olympic and Paralympic Games with effect from 1 April 2011. Also authorised the lease to the development partner of the Olympic Development Authority of part of Mayesbrook Park to provide a purpose built sports centre, which will become a training venue for the 2012 games and provide, at no cost to the borough, a national sports venue and some refurbishment / improvement works to the Park.

- **Health**

Health and Wellbeing Strategy - Adopted the Health and Wellbeing Strategy that had been produced by the Barking and Dagenham Partnership. This strategy sets out ten health and wellbeing priorities for the next three years and is aimed at addressing health inequalities of the borough residents.

Health North East London Proposals - Considered proposals for the reconfiguration of acute and secondary health services in the region and agreed the Council's response, which would include its concerns in regard to the removal of Accident and Emergency Services at King George's Hospital, capacity at Queen's Hospital and the need for progress on the East Dagenham Community Hospital Development, the importance of midwifery and the Birthing Centre at Barking Community Hospital.

Integration and Transfer of Powers and Responsibilities from the PCT / NHS - Considered the integration with the NHS Barking and Dagenham and the implications of the Government's White Paper "Equality & Excellence: Liberating the NHS" and the effect that the radical reforms will have on providers, commissioners and users of health services, including the health responsibilities that the Council will gain under the proposals. Also agreed a transition plan in order to ensure the best possible health care outcomes for the residents of the borough.

- **Adult and Social Care**

Care Quality Commission Inspection - Received the Care Quality Commission Inspection Report Findings, which gave the Council an 'Excellent' rating.

Older People's Strategy 2010-13: "Helping You to Live the Life You Want" - Approved the strategy which outlines the key priorities that older people in the borough have identified as most important to them and the action plans on how the Council intends to deliver further improvement. The strategy also recognises the leadership role the Council has in ensuring that older people can live independently, with a good quality of life for as long as possible.

Fairer Contributions Policy for Adult Social Care - In view of the new government guidance requiring substantial changes to existing charging and contribution policies and the other pressures, considered and endorsed for consultation new proposals which will offer fair and equitable services that take the income levels of the borough into consideration.

- **Sustainable Employment**

Authorised an agreement with Bexley Council in order to obtain London Development Agency funding of £595,155 towards projects to support long-term and economically inactive residents back into work via the Sustainable Employment Pilot Project.

- **Regeneration, Development and Construction of New Council Houses**

Approved a number of strategies and plans associated with the regeneration and development of the Borough, such as the London Road / North Street regeneration scheme and the borough-wide Estate Renewal Programme and its phasing and the construction of new Council housing at Roycraft Avenue, Alderman Avenue, Thornhill and Alfred Gardens in Barking and Goresbrook Compound and

Maplestead Road in Dagenham, as well recommending to the Assembly a number of Local Development Framework (LDF) documents and plans.

- **Management of Community Centres**

Approved the offer of long-leases and management agreements for a number of community centres in order that community associations can realise significant benefits for their communities.

- **Council Tax and Budgets**

Agreed the formulation of the Council's budget for 2011/12, which has enabled Council Tax to be frozen for the third year in succession. Also received monthly budget monitoring reports which have resulted in a range of measures being introduced to overcome extraordinary pressures on spending during the year.

- **Customer Access Strategy**

Approved the plan for the way the Council delivers services and interacts with customers and ensures that services are available through the right channel for the individual and the use of the strategy to inform service planning.

- **Single Equalities Scheme**

Adopted the scheme which will enable to the Council to continue to meet its legal duties and deliver real improvement in equality for people living and working in the borough.

Background papers used in the preparation of this report:

- Agendas and Minutes of Cabinet meetings 2010 - 11
- Council Constitution

THE ASSEMBLY

18 MAY 2011

REPORT OF THE DEVELOPMENT CONTROL BOARD

Title: Development Control Board Annual Report 2010/11		For Information
<p>Summary:</p> <p>The Development Control Board (DCB) has responsibility for exercising the Council's local planning functions, making decisions on larger planning applications or ones that may have a significant impact on the local community.</p> <p>From 1 April 2011 all planning applications within the London Riverside part of the Borough previously decided by the London Thames Gateway Development Corporation (LTGDC) are being dealt with by the Council resulting in an increase in very important and major applications being decided by DCB.</p> <p>Over the year while the majority of DCB's work has focused on new planning applications it has also considered and commented on LTGDC planning applications, officer's reports and scrutinised decisions delegated to officers.</p> <p>This report highlights the activities of DCB over the 2010/11 municipal year.</p>		
<p>Recommendation:</p> <p>The Assembly is asked to note the Development Control Board's annual report for 2010/11.</p>		
<p>Lead Member Councillor I S Jamu</p>	<p>Title: Chair of the Board</p>	<p>Contact Details: Tel: 020 8227 2116 E-mail: indersingh.jamu@lbbd.gov.uk</p>
<p>Contact Officer: Sola Odusina</p>	<p>Title: Senior Democratic Services Officer</p>	<p>Contact Details: Tel: 020 8227 3103 E-mail: sola.odusina@lbbd.gov.uk</p>

1. Introduction

- 1.1 The DCB is a committee established under Section 101(1) of the Local Government Act 1972 which permits a local authority to discharge of its functions by a Committee.
- 1.2 The work of DCB is somewhat similar to the Licensing and Regulatory Board in that the law relating to the planning process obliges members to act in a quasi-judicial and independent manner. They are required to consider planning applications, enforcement matters and site specific policy measures in line with published relevant policy (which for the Council was previously the Unitary Development Plan

(UDP) adopted in 1995 and more recently the Local Development Framework (LDF) and the Mayor of London's London Plan.

- 1.3 If a decision of DCB appears to be made other than on its merits under planning considerations it could be open to legal challenge and, if it is appealed and a decision made in favour of the appellant, could have serious cost implications for the Council.

2. Membership

- 2.1 The membership of DCB for 2010/11 was 22, although one member resigned from the committee during the year. There are current proposals to reduce the number of members on the Board. Three-quarters of the current membership were newly elected to the Council in May 2010.
- 2.2 The Divisional Director of Regeneration and Economic Development, Jeremy Grint, is the lead officer. The committee is also supported by the Group Manager for Planning, Daniel Pope, the Development Management Manager, Dave Mansfield, the Senior Lawyer for Property and Planning, Paul Field, who is responsible for providing legal advice and Sola Odusina, Senior Democratic Services Officer, who provides administrative support and advice to members on governance and constitutional issues.

3. Meetings

- 3.1 The Committee met 15 times between 26 May 2010 and 3 May 2011, devoting one full session to member training.
- 3.2 Over this period, ten Ward Councillors representing residents in their ward and 36 members of the public attended to speak at meetings. In respect of the latter group, 18 speakers were speaking against and 18 in support of planning applications.
- 3.3 The majority of DCB's time was spent considering new planning applications. The Board received 68 new planning applications, the outcome against each is summarised as follows.

Decisions in line with officers' recommendations	Decisions not in line with officers' recommendations	Deferred decisions	Applications withdrawn	Applications referred to Ombudsman
58	5	1	4	0

- 3.4 In respect of the five decisions made by the Board which did not follow officer's recommendations, three were recommendations for refusal by officers and approved by the Board and two were recommended for approval by officers and refused by the Board. To date, two appeals against refusal have been granted and costs awarded against the Council in one case.

- 3.5 The Board also noted that 37 town planning appeals were lodged with the Planning Inspectorate. Thirteen town planning appeals were allowed, 24 were dismissed and none were withdrawn.
- 3.6 In addition to planning applications, DCB received reports regarding:
- Local Development Framework (LDF) - The Board was provided with a progress update on the Council's LDF and the latest position regarding the Mayor of London's London Plan. The LDF is a key Council document which contains the plans and proposals for the future planning of the borough up to 2025 and, unless material considerations indicate otherwise, all planning applications must be determined in line with the development plan.
 - 'Review of Delegated Powers' - Members agreed to recommend to the Assembly new delegation criteria for DCB which would allow the Board more time to provide a steer on emerging issues, focus on the more complex and contentious applications, allow for quicker planning decisions and enable the Regeneration and Economic Development Service to make efficiency savings.
 - 'Planning Policy and Legislation Update' - Members were advised of the Coalition Government's proposed key changes to the planning system which include the New Home Bonus, changes to Permitted Development for Homes in Multiple Occupation and Schools.
- 3.7 DCB also made appropriate responses to planning applications which were to be determined by the LTGDC. In particular the Board highlighted health and safety issues relating to the proximity of the Thames Gateway Energy Facility to residents of Scrattons Farm and requested LTGDC to make this a priority to be looked into.

4. Key Outcomes and Conclusions

- 4.1 The transfer of powers from LTGDC will increase the frequency of very important and major applications being considered and decided by DCB. It will therefore be even more critical to the planning function of the Council that members continue to take into account relevant published Council policy in determining planning applications.
- 4.2 The new delegation criteria agreed by the Assembly will, in this climate of deficit reduction, allow the Council to make significant savings while at the same time ensuring that development which improves the borough is achieved and not delayed unnecessarily. Therefore delegating to officers the power to determine applications which attract less than five objections according to Council policy balances the workload in terms of the number of applications going to DCB which, in turn, will allow it to focus on the more complex and contentious applications.

Background Papers Used In the Preparation of the Report:

- Agendas and minutes of Development Control Board meetings 2010/11
- Council Constitution

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THE ASSEMBLY

18 MAY 2011

REPORT OF THE LICENSING AND REGULATORY BOARD

Title: Licensing and Regulatory Board Annual Report 2010 / 2011		For Information
<p>Summary</p> <p>The Licensing and Regulatory Board is responsible for exercising the Council's licensing and regulatory functions and considers applications where valid representations have been received from, for example, the Metropolitan Police or local residents. Applications where no valid representations are received are dealt with by the Corporate Director of Customer Services under delegated authority.</p> <p>This report summarises the work of the Board during the 2010/11 municipal year.</p>		
<p>Recommendation</p> <p>The Assembly is asked to note the Licensing and Regulatory Board's annual report for 2010/11.</p>		
<p>Lead Member Councillor Lee Waker</p>	<p>Title: Chair of the Board</p>	<p>Contact Details: Tel: 020 8227 2116 E-mail: lee.waker@lbbd.gov.uk</p>
<p>Contact Officer: Masuma Ahmed</p>	<p>Title: Democratic Services Officer</p>	<p>Contact Details: Tel: 020 8227 2756 E-mail: masuma.ahmed@lbbd.gov.uk</p>

1. Introduction

- 1.1 The Licensing and Regulatory Board is responsible for exercising the Council's licensing and regulatory functions and powers set out under various legislation including Section 101 of the Local Government Act 1972, the Local Government (Miscellaneous Provisions) Act 1982, the London Local Authorities Act 1990, the Licensing Act 2003 and the Gambling Act 2005.
- 1.2 The Board currently has a membership of ten and has a fortnightly meeting schedule in view of the need to meet timescales for the consideration of applications as laid down in the legislation. Where there are no applications to consider, Board meetings are cancelled. A total of 14 scheduled meetings were able to be cancelled during 2010/11.
- 1.3 The Board is supported by the Group Manager for Environmental and Trading Standards, Rob Williams, who also acts as the Council's Licensing Officer, Paul Feild, Senior Lawyer for Property and Planning, who is responsible for providing legal advice and Masuma Ahmed, Democratic Services Officer, who provides administrative support and advice to members on governance and constitutional issues.

2. Training

- 2.1 The Licensing and Regulatory Board is similar to the Development Control Board in that the law relating to the licensing process obliges Board Members to act in a quasi-judicial and independent manner.
- 2.2 All Board Members are therefore required to undertake formal training before being allowed to hear applications. The Council's Licensing Officer and Legal officers provided the training at the beginning of the municipal year, with a refresher session also held later in the year.

3. Summary of Applications

- 3.1 The Board sat on 11 occasions and considered a total of 14 applications, broken down as follows:

New Premises Licence Application	Application for Variation of Premises Licence	Application for Review of Premises Licence	Application for Variation to Sex Establishment Licence
10	2	1	1

- 3.2 As the table shows, the vast majority of the Board's work relates to applications made under the Licensing Act 2003 regarding premises licenses and the sale of alcohol. When considering these applications, the Board has regard to the Council's Licensing Policy and the four statutory licensing objectives:
- The prevention of crime and disorder
 - The prevention of public nuisance
 - The protection of children from harm
 - The protection of public safety
- 3.3 The ten new premises licence applications covered a range of different types of premises including a restaurant, a Tesco Express, off-licences / convenience stores and a snooker / pool club. In all cases the applications were approved with additional conditions imposed by the Board aimed at further reinforcing the licensing objectives, with the exception of the Tesco Express application which was approved without the need for additional conditions.
- 3.4 The two applications for a variation to the current premises licences sought extended opening hours. The first related to a pub within Barking Town Centre, which was approved with a number of conditions aimed at reinforcing the licensing objectives and minimising potential noise nuisance. The second related to a convenience store where the Board partly allowed the application but refused to extend the Friday and Saturday night opening hours.
- 3.5 The application for a review of a premises licence was made by the Metropolitan Police in respect of a pool club. The Board did not revoke the licence and instead issued a formal warning to the Premises Licence Holder and added an additional condition to the licence.

3.6 The application for a variation to a sex establishment licence was refused by the Board on the grounds that the variation would contravene standard condition 33 of the Council's Sex Establishment Regulations.

Background Papers Used in the Preparation of the Report:

- Minutes of Licensing and Regulatory Board meetings 2010/ 2011
- Council Constitution

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THE ASSEMBLY

18 MAY 2011

REPORT OF THE PERSONNEL BOARD

Title: Annual Report of the Personnel Board 2010/ 2011		For Information
<p>Summary</p> <p>The Personnel Board has responsibility for determining appeals from staff below JNC in respect of:</p> <ul style="list-style-type: none"> ➤ Dismissal on the grounds of redundancy, gross misconduct, capability and sickness absence, and ➤ Final written warnings on the grounds of misconduct <p>Boards are made up of a minimum of three Members involving normally the Chair and Deputy Chair plus one Member drawn from a pool of Members appointed by the Assembly.</p> <p>During this municipal year the Board has met to consider a total of eight appeals against dismissal. Of these, six appeals were dismissed, one upheld and one partially downgraded to a final written warning. The Board also heard an appeal against a final written warning which it downgraded to a first written warning.</p>		
<p>Recommendation</p> <p>The Assembly is asked to note the Personnel Board's annual report for 2010/11.</p>		
<p>Lead Member Councillor P Burgon</p>	<p>Title: Chair of the Personnel Board</p>	<p>Contact Details: Tel: 020 8227 2116 E-mail : pam.burgon2@lbbd.gov.uk</p>
<p>Contact Officer: Masuma Ahmed</p>	<p>Title: Democratic Services Officer</p>	<p>Contact Details: Tel: 020 8227 2756 E-mail: masuma.ahmed@lbbd.gov.uk</p>

Background Papers Used in preparation of the Report:

- Agendas and Minutes of Personnel Board meetings 2010 / 2011
- Council Constitution

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ASSEMBLY**18 MAY 2011****REPORT OF THE PUBLIC ACCOUNTS AND AUDIT SELECT COMMITTEE**

Title: Public Accounts and Audit Select Committee Annual Report 2010/11		For Information
<p>Summary:</p> <p>The Public Accounts and Audit Select Committee (PAASC) carries out the Council's audit function, as well as monitoring how funds are spent across the organisation.</p> <p>PAASC has dedicated the vast majority of its time this year on holding decision-makers to account through commissioning one-off reports and cross-examining Cabinet Members and officers. Members felt that, due to the rapid and wide-reaching changes taking place in local government since May 2010, they needed to scrutinise many different areas of the Council's work rather than focus on a singular issue through an in-depth review. It therefore decided against undertaking a single in-depth review.</p> <p>It has also scrutinised the Council's budget and undertaken its statutory audit monitoring requirements.</p> <p>PAASC has successfully increased its profile during the year, leading to the Audit Commission's Head of Governance and Counter Fraud stating it was: "trailblazing, and setting a great example of how to conduct an open and transparent committee."</p> <p>This report details the activities of PAASC in the 2010/11 municipal year and the outcomes thereof.</p>		
<p>Recommendation:</p> <p>The Assembly is asked to note the PAASC annual report for 2010/11.</p>		
Contact:	Title:	Contact Details:
Councillor T Saeed	Lead Member for PAASC	E-mail: tariq.saeed@lbbd.gov.uk
Christopher Owens	Democratic Services Officer	Tel : 020 8227 5848 E-Mail : chris.owens@lbbd.gov.uk

1. Introduction

- 1.1 In accordance with Section 151 of the Local Government Act 1972, the Council must “make arrangements for the proper administration of its financial affairs”. In addition, the Accounts and Audits Regulations 2003 (Amended 2011) require the delivery of a best practice service. The Council’s statutory auditors rely on Chartered Institute of Public Finance and Accountancy (CIPFA) guidance in determining best practice.
- 1.2 The work of the Public Accounts and Audit Select Committee (PAASC) is somewhat different from the other four (themed) Select Committees. PAASC is responsible for carrying out a number of statutory audit monitoring functions, as well as taking overall responsibility for finance, audit, performance, and governance scrutiny.

2. Membership

- 2.1 The membership of the committee for the 2010/11 municipal year was:

Councillor T Saeed	(Lead Member)
Councillor A Jamu	(Deputy Lead Member)
Councillor J Ogungbose	(Lead Member, Living and Working SC)
Councillor L Rice	(Lead Member, Children’s Services SC)
Councillor D Rodwell	(Lead Member, Safer and Stronger Community SC)
Councillor D Twomey	(Lead Member, Health and Adult Services SC)

The committee membership, aside from the Lead Member and Deputy Lead Member, is comprised of the Lead Members of the four themed select committees - as PAASC is the overarching committee in the scrutiny structure.

All were newly elected to the Council in May 2010.

- 2.2 PAASC has an Independent Adviser who provides valuable support to the committee. The Independent Adviser continues to be Mr Bill Roots who served as Chief Executive and Director of Finance at Westminster City Council between 1994 and 2000. He is also a member of CIPFA. PAASC is very grateful for his invaluable support and guidance.
- 2.3 Tracie Evans, Corporate Director of Finance and Resources, was the “champion” for this committee in the 2010/11 municipal year.

Jonathan Bunt, Divisional Director Finance, led on delivering many of the finance reports to PAASC throughout this municipal year.

Winston Brown, Legal Partner and Deputy Monitoring Officer, was responsible for leading on the delivery of many of the governance items and also offered legal and governance advice to PAASC.

Sandy Hamberger, Divisional Director Assurance and Risk, led all the audit and risk items which were presented to PAASC.

Christopher Owens, Democratic Services Officer, managed PAASC on behalf of the Members and led on delivering the scrutiny and training elements of the

Committee's work. He advised PAASC on process and constitutional and governance issues.

Other Councillors and officers were asked to present reports on specific items during the year, these included:

- Councillor C Geddes, Cabinet Member for Finance, Revenues & Benefits
- Councillor P Waker , Cabinet Member for Housing
- Councillor J White, Cabinet Member for Customer Services & Human Resources

- David Woods, [former] Acting Chief Executive
- Anne Bristow, Corporate Director of Adult and Community Services
- Darren Henaghan, Corporate Director of Customer Services
- Katherine Maddock-Lyon, Divisional Director for ICT and Transformation
- Cheryl King-McDowell, [former] Interim Divisional Director for Policy and Performance
- Sue Lees, Divisional Director of Assets and Commercial Services
- John Hooton, [former] Strategic Financial Controller
- Adrian Molloy, Group Manager HR Service Centre
- Annette Cardy, Group Manager Revenues and Benefits
- Garry Gerrish, Audit Commission
- Jon Hayes, District Auditor, Audit Commission

2.4 Members are extremely thankful to all officers, both internal and external, for their support, guidance and professionalism throughout the year.

3. Meetings & Time Allocation

3.1 The Committee met 11 times between 22 June 2010 and 27 April 2011 spending over 22 hours formally convened.

3.2 PAASC's work can be divided into the following broad themes:

- Training (See section 4 of this report for detail)
- Scrutiny (See section 5 of this report for detail)
- Audit and Risk (See section 6 of this report for detail)
- External Audit (See section 7 of this report for detail)
- Finance (See section 8 of this report for detail)
- Governance (See section 9 of this report for detail)

3.3 PAASC considered **68** substantive items. The following chart is a breakdown of how the committee divided its time.



Total = 68 items

More detail about specific items PAASC considered are found in the below paragraphs.

4. Training

- 4.1 Nine training items were delivered in the 2010/11 municipal year. This constitutes 13.2% of the Committee's time.
- 4.2 PAASC has broad Terms of Reference covering complex topics. Fittingly, a comprehensive training programme was put in place. The first formal meeting saw PAASC receive "introductory" training on governance, finance, audit, scrutiny, Councillor Call for Action, "call-ins", and legal services (including the role of the Monitoring Officer). The committee later received introductory training on external audit and the Council's Partnership arrangements. All this training was delivered by senior officers.
- 4.3 PAASC invited the Member Development Officer to a formal meeting to discuss PAASC training arrangements and the broader scrutiny training. Councillors asserted that, to feel more confident in their role, they would like to observe other scrutiny and/or audit functions at borough, pan-London, and the national levels of government – as detailed in sections 4.4 – 4.6 below.
- #### **4.4 Mayor's Question Time**
- 4.4.1 On 13 October 2010 PAASC hosted a training event to which all councillors were invited. The event consisted of officer led training on the Greater London Authority (GLA) and the role of the Mayor of London. Councillors then observed the Mayor's Question Time event to see how London Assembly members cross-examine the Mayor. A discussion then followed on how these techniques can be applied within Barking and Dagenham. To reduce costs this event was streamed live through the internet to Barking Town Hall – rather than travelling to City Hall. The event was described as an "excellent learning process" illustrating "different techniques and styles of questioning" by one of the councillors in attendance.

4.5 Islington's Audit Committee

4.5.1 On 27 January 2011 members of PAASC travelled to Islington Town Hall to observe a formal meeting of its Audit Committee. PAASC keenly observed the high level of public engagement in Islington and the alternative approach to committee structures.

4.6 House of Commons

4.6.1 Officers are arranging for the 2011/12 PAASC to visit the Public Accounts Committee at the House of Commons to observe scrutiny and cross-examination in action at a national level.

4.7 Other Training

4.7.1 PAASC received the following additional training:

- Protecting the Public Purse – a detailed presentation from the Divisional Director Assurance and Risk Management on reducing fraud in the public sector.
- CIPFA Guide to Local Government Finance – led by the Democratic Services Officer.
- Fraud Against Councils in England – PAASC invited the Audit Commission's Head of Governance and Counter Fraud to a meeting to deliver a pilot, tailored presentation. PAASC also invited councillors and officers from the London Borough of Waltham Forest (see section 7.6 for more information).

4.7.2 Additional training materials – in the form of briefing notes and various reports – were presented throughout the municipal year.

5. Scrutiny

5.1 Fourteen scrutiny items were considered in the 2010/11 municipal year. This constitutes 20.6% of the Committee's time.

5.2 PAASC is a combined committee. It undertakes the Council's Audit Committee activity and, also, its Public Accounts Select Committee function. The latter is considered part of the scrutiny structure. Some of the scrutiny work undertaken is detailed below:

5.3 Data Breach Incident

5.3.1 A report was presented which outlined the detailed investigation which resulted from a hacking attempt on one of the Council's computer servers in February 2010. The investigation was comprehensive and concluded that the likelihood that data was lost was very low. PAASC was satisfied with the Council's response to the incident.

5.4 Skills Centre Cabinet Referral

5.4.1 PAASC accepted a Cabinet referral related to the Skills Centre which is to be constructed in Barking Town Centre. Cabinet had raised concerns at the perceived lack of councillor involvement in the decision-making process. Officers were instructed to write a detailed report into the topic and for the relevant officers to

attend a meeting to be cross-examined. PAASC concluded that officers were compliant with the correct procedures and that councillors were correctly and adequately consulted. These conclusions were reported back to the Cabinet Member for Finance, Revenues and Benefits.

5.5 Housing Maintenance

- 5.5.1 PAASC raised concerns at the Enterprise housing maintenance contract and requested that the Corporate Director for Customer Services and the Cabinet Member for Housing attend a meeting to be cross-examined. The Committee was pleased that the cost of the contract was being managed down (saving £3million in the past few years) and were assured that good progress is being made in this area. PAASC recommended that, when the contract is renewed, break clauses are added and that any new contracts should be closely monitored by the Council.

5.6 Corporate Complaints

- 5.6.1 Members expressed concerns at the number of corporate complaints which reach "stage three". The Cabinet Member for Housing was invited to a meeting to discuss the issue as it transpired that he was already investigating the same issue. The Cabinet Member outlined his early conclusions and offered to return when he had finalised his report. The Committee urges the 2011/12 PAASC to continue to monitor this area in the next municipal year.

5.7 Debt Write-Offs in Housing Services

- 5.7.1 Members raised concerns that a large proportion of the debt write-offs the Council makes come from Housing Services. PAASC requested that the Corporate Director of Customer Services write a report and attend a meeting to be cross-examined on the issue. As a result of this scrutiny investigation, the Corporate Director of Customer Services and the Corporate Director of Finance and Resources are working together to ensure that the Council's debt processes are reviewed, debt budgets are realistic and achievable, and debt collection rates are improved.

5.8 Council Contracts

- 5.8.1 During the course of this municipal year the Committee has received several reports on the Council's contract management policies.

Council Contracts

PAASC received a general report, on 4 August 2010, which outlined the Council's contract management system. Members were concerned by the report and wrote to the Acting Chief Executive requesting that he, and the Corporate Management Team (CMT), attend a meeting to discuss the issue further.

Council Contracts – Update

The Acting Chief Executive and other members of CMT attended the 28 October 2010 meeting. PAASC was assured that contract management is now centralised (in the Commercial Services Unit) and further changes would be seen as Procurement moves to become a part of the Joint Venture. The Acting Chief Executive affirmed that robust practices are now in place

and compliance is improving. Members were pleased that the Council is on the right trajectory and that its concerns had, or were, being addressed.

Agency Staff Managed Vendor Service (Matrix Contract)

PAASC received two separate reports from Human Resources (HR) concerning this specific contract as the committee was keen to ensure that the use of temporary staff was kept to a minimum. The second report detailed that the overall number of temporary/interim staff employed has reduced significantly. PAASC affirmed that they would like the use of temporary/interim staff to be kept to a minimum and it urges the 2011/12 PAASC to continue to monitor this issue.

6. Audit and Risk

- 6.1 Fourteen audit and risk items were considered in the 2010/11 municipal year. This constitutes 20.6% of the Committee's time.
- 6.2 The Committee was pleased to note that the Internal Audit service has been rated with "full assurance" by an external peer review (which was undertaken in 2010/11). It noted that the Audit Commission triennial review (in August 2009) gave a "substantial assurance" rating.
- 6.3 PAASC's terms of reference and the Financial Rules (both outlined in the Council Constitution) stipulate that it should receive a broad range of information from the Council's own auditors, including:
- An annual audit report;
 - Summary of audit work (both actual and proposed);
 - Risk assurance; and,
 - Agreed recommendations updates.

PAASC has undertaken this work, highlights of which are detailed below:

6.4 Audit Plan 2010/2011 and Audit Plan 2011/12

- 6.4.1 The Audit Plan 2010/11 was presented to the 2009/10 PAASC for approval. It was presented, also, to the 2010/11 PAASC.
- 6.4.2 The Divisional Director Assurance and Risk Management outlined the proposed activity for 2011/12 to PAASC on 16 March 2011. Members were pleased to note the extensive consultation that has been undertaken and that the Audit Plan is risk based. It is satisfied that the department is functioning well. Items which are not audited within a five year period and the level of risk these items pose were previously highlighted as a concern and the report addressed this. PAASC was satisfied that the audit assessment was adequate.
- 6.4.3 A governance audit was a key audit in the Audit Plan 2010/11. The audit was finalised in February 2011 and recommended that the positive steps in risk management arrangements be reflected in the June 2011 Annual Governance Statement.

6.5 Internal Audit Composite Report – Outturn 2009/10

- 6.5.1 This report included the statutory Divisional Director Assurance and Risk Management's opinion on the internal control environment for 2009/10. It concluded that the Council's control framework is "sound" and that the core financial systems continue to operate "effectively". There were no significant cases of fraud in 2009/10.
- 6.5.2 The 2010/11 version of this report is scheduled to be presented to the 29 June 2011 meeting, which will be in the new municipal year.

6.6 Internal Audit Composite Reports

6.6.1 Quarterly Internal Audit Composite Reports were presented by the Divisional Director Assurance and Risk Management which assisted PAASC in undertaking its governance and risk scrutiny function. The reports covered a broad area of the Council's work including:

- Summaries of Internal Audit work undertaken;
- Summaries of Corporate Fraud Investigations and whistle-blowing work undertaken;
- Current and future key issues;
- [the] value for money of the Internal Audit service;
- Progress of audit recommendations;
- Reasons for agreed slippage of high risk recommendations;
- Outcomes from tenancy audit;
- Outcomes from housing benefit investigations;
- Refresh of key Anti-Fraud and Audit Policies and Strategies; and,
- Divisional Director Assurance opinions.

6.7 Corporate Risk Register

- 6.7.1 PAASC received quarterly Corporate Risk Register (CRR) reports from the Divisional Director Assurance and Risk Management enabling Members to monitor the corporate risks and to challenge officers accordingly. The Committee has robustly challenged the development and implementation of corporate risk information.
- 6.7.2 In response to concerns raised by PAASC in September 2009, CMT ensured that the Council's management of risk had been significantly strengthened. This included a full review and the implementation of a new risk management framework.

In January 2010, CMT, the Independent Adviser, and the Divisional Director Assurance and Risk Management held a workshop to review and categorise the big corporate risk areas. These were reported to, and agreed by, PAASC and informed the 2010/11 Audit Plan – indicating areas to focus resources.

A Corporate Risk Board comprising all of the Divisional Directors was established with a remit to embed the use of risk management into the organisation.

The Council now has a Corporate Risk Register that is received by PAASC quarterly from CMT. The first annual review was presented to PAASC in April 2011 and will inform the Annual Governance Statement.

- 6.7.3 PAASC directed Risk Management to undertake a comparison exercise to assess how LBBD compares to other London boroughs when assessing and managing corporate risks. The Committee noted how the comparison work cuts across all departments and helps give the committee a broad but insightful overview of risk. PAASC was extremely satisfied with the standard to which this comparison exercise was completed and with the Council's current approach.
- 6.7.4 PAASC has challenged individual corporate risk levels. For example, at the 29 September meeting the Committee noted that the corporate risk level for "National Presence / Lobbying" was green and requested more detail on the "Non-commercial partnerships" risk, as summarised below:

National Presence / Lobbying

PAASC expressed concerns about the level of the rating and requested a briefing about the reasons for that assessment. The Acting Head of Strategy and Performance attended the 2 February 2011 meeting to reassure Members that the risk had been reviewed and was now more accurately rated amber. Furthermore, the officer gave reassurances that detailed work is underway in this area, namely: the development of an external engagement strategy, officers would be "bidding" for extra finance at every opportunity, and more would be done to promote the London 2012 Olympiad. PAASC was satisfied that the Council had improved in this area.

Non-Commercial Partnerships

PAASC was concerned that Internal Audit had given this area a "limited assurance" – as the Council was not maintaining an up-to-date register of all partnerships. The Committee was satisfied that the situation had evolved (due to central government changes) and there was now no longer a requirement for a register to be maintained. However, to ensure good governance, the Council intends to maintain a register. PAASC was satisfied with officers' work in this area.

6.8 Improving the Schools Controls Environment

- 6.8.1 The 2009/10 PAASC received a report on the findings of investigations into the high number of "limited assurance" school reports issued in 2008/09. This year, the Committee followed-up on this area of concern and directed the Divisional Director Assurance and Risk Management to prepare a report on the topic. Members were confident that a proactive approach had been taken since the initial "limited assurances" and was assured that the procedures in place were good and that officers were working to improve compliance. For example, it was agreed that, from 2011/12, finance training would be included in the training which is undertaken by all Governors. The Committee is pleased to note that the 2010/11 schools internal controls assurance levels show an improvement on previous years. At the time of writing, 50% of schools audited have now received "substantial assurance" – compared to only 25% reported in 2009/10. Moving forward, PAASC would like to see the majority of schools audited receiving a "substantial assurance". PAASC has been advised that the Government is introducing a revised auditing standard for

schools – replacing the Financial Management Standard in Schools, which ceased in November 2010. PAASC urges the 2011/12 PAASC to review progress in this area.

6.9 Blue Badge Fraud

6.9.1 PAASC requested a detailed report on the fraudulent use of blue badges within the borough. Members were satisfied that figures for blue badge fraud within the borough were low, but it would like the outcomes from fraud cases to be better publicised and for the policy of non-prosecution to be reversed by Cabinet. PAASC is pleased to note that the Government has announced new measures to tackle blue badge abuse. PAASC urges the 2011/12 Committee to continue to monitor work in this area.

6.10 Whistle-blowing

6.10.1 On 4 August 2010 Members were informed that the Council's whistle-blowing policy is reviewed by the Standards Committee but information would be brought to PAASC for comment. Upon reviewing the latest available data, PAASC instructed the Divisional Director Assurance and Risk Management that they would like to know the number of employees who have whistle-blown in the past two years and how many of these officers were still in their posts. Furthermore, they wanted to know under what circumstances an employee – who had previously whistle-blown – had left the Council if they had done so. PAASC was subsequently briefed that there had been 29 whistle-blowing cases in the past two years and that, of these, 19 officers who had whistle-blown subsequently left the Council. Anti-fraud officers found no evidence that any of the 19 had been “forced” to leave because of their whistle-blowing actions. PAASC was satisfied with the information presented by officers.

PAASC is aware of the Parking Services whistle-blowing incident which happened early in the municipal year. Due to an ongoing internal investigation by officers PAASC has not scrutinised this issue. PAASC urges the 2011/12 PAASC to scrutinise this area to ensure lessons have been learnt.

6.11 Comments of the Divisional Director Assurance and Risk Management

6.11.1 “The profile and effectiveness of PAASC in 2010/11 has strengthened the governance risk management and internal control environment. A Key outcome is enhanced transparency for the public.”
- Sandy Hamberger, Divisional Director Assurance and Risk

7. External Audit

7.1 Nine external audit items were considered in the 2010/11 municipal year. This constitutes 13.2% of the Committee's time.

7.2 PAASC's terms of reference require it to consider the external auditor's Annual Letter and other relevant reports.

7.3 PAASC's external auditor is the Audit Commission. It has a duty to assess the quality of services. This is achieved through assessing the accounts, grants claims,

pension fund, data quality, local government electors, and legality. The highlights of this work are detailed below:

7.4 Annual Governance Report

7.4.1 On 28 October 2010 PAASC received the Annual Governance Statement from the Audit Commission. It summarised the findings from the 2009/10 audit of the Statement of Accounts. The Committee was satisfied with the “unqualified opinion” of the financial statements that was granted by the Audit Commission. Officers were requested to ensure that the next external audit is completed in a timely manner.

7.5 Certification of Claims and Returns – Annual Report

7.5.1 Funding from Government grant-paying departments is an important income stream for the Council. In 2009/10 the Audit Commission certified 13 claims with a total auditable value of £215million. Nine of the 13 were amended for errors and five had qualification letters sent to the grant-paying bodies.

7.6 Fraud against Councils in England

7.6.1 At the request of the Divisional Director of Assurance and Risk Management, PAASC received a report from the Audit Commission’s Head of Governance and Counter Fraud. This report was a pilot, tailored briefing note positioning the LBBB fraud survey results against those in the recent Protecting the Public Purse report. The Head of Governance and Counter Fraud was very complimentary of the Council calling it:

“Trailblazing, and setting a great example for how to conduct an open and transparent committee.”

He was also extremely complimentary of the Council’s work. Some of his findings are displayed below:

Issue:	Audit Commission’s Assessment of LBBB:
Tackling benefit fraud	“impressive” “officers should be rightly proud of their efforts”
Blue badge fraud	“[LBBB is doing] really well”

PAASC requested, and subsequently received, a self assessment against best practice checklists both from the national and locally tailored Protecting the Public Purse reports.

- 7.6.2 The report highlighted the risks associated with Personalisation Budgets (also known as Personal Budgets) – when money is allocated to those receiving care on the assumption that they will spend their care money allocation on what they themselves feel they need most.

PAASC shares in the nationally recognised concerns that fraud perpetrated by the public (using Personalisation Budgets money) would have an immediate impact on the vulnerable but detection will prove very difficult due to the nature of the system – where penny-by-penny accounting is discouraged. PAASC is further concerned that putting controls in place to minimise this risk will be difficult.

Overall, PAASC feels that the move to increase the Personalisation Budgets scheme will increase the risk of fraudulent use of public money. It asks officers, especially those in Finance and Adult and Community Services departments, to work closely together to “protect the public purse” and it also urges the 2011/12 PAASC to monitor the situation closely and recommends it receives the summary recommendations from the 2010/11 audit of Personalisation Budgets, when it becomes available.

The Audit Commission's Head of Governance and Counter Fraud agreed with the concerns raised by PAASC and agreed he would report them back to the national Audit Commission.

- 7.7 PAASC also received reports relating to the external auditors fees and opinion plans.

- 7.8 PAASC is thankful for the work of the external auditors and is pleased to see the fees for their work reducing.

8. Finance

- 8.1 Seventeen finance items were considered in the 2010/11 municipal year. This constitutes 25% of the Committee's time.

- 8.2 PAASC's main role in this area is to assess the Council's Statement of Accounts and its budget. Due to the national public sector financial landscape, PAASC has dedicated a lot of time to this important topic and has considered the reports it has received carefully. Some of the highlights are listed below:

8.3 Statement of Accounts 2009/10

- 8.3.1 On 7 July 2010 PAASC considered the draft Statement of Accounts 2009/10. The following areas were scrutinised:

- Accounting policies;
- Income and expenditure account;
- Capital expenditure and financing;
- Balance sheet;
- Remuneration of senior staff;
- Movement in reserves
- Housing Revenue Accounts (HRA); and,

- [the] Pension fund.

PAASC directed officers to provide more detail on certain areas of the accounts, including an up-to-date statement on the remuneration of senior staff. This was undertaken by officers and presented to the Committee on 28 October 2010. PAASC thoroughly reviewed this information and is satisfied with the Council's actions in this area. However, PAASC remains concerned that, due to ongoing budget constraints, senior staff are being asked to take on extra responsibility which could impact on their current workloads and remuneration. If appropriate, PAASC would like to see junior staff being given these extra responsibilities to enable them to gain wider experience and to develop their skills and career.

- 8.3.2 On 28 October 2010 members scrutinised the final Statement of Accounts 2009/10 and approved the revisions. These were subsequently approved by the Audit Commission with an "unqualified opinion".
- 8.3.3 While PAASC was pleased that the Council's Statement of Accounts 2009/10 was sound and approved by the Audit Commission, it was concerned that there were several delays which resulted in the 30 September deadline for completion being missed.

As a Consequence, officers were instructed to present a strategy to ensure that the 2010/11 Statement of Accounts is completed on time and to the required standard. A thorough and frank report on this topic was presented on 2 February 2011. PAASC was pleased to see that areas for improvement had been identified and that a robust, risk monitored project plan had been developed. The Committee requested more detail on the plans so officers presented the proposed timetable for the closure of the 2010/11 Statement of Accounts to its 16 March 2011 meeting.

PAASC remains concerned that, if the deadline is missed again, it puts the Council at risk and could cost the Council money through increased Audit Commission fees. It is also concerned that, if the deadline is missed, the Council could receive negative publicity by being named, publicly and nationally, of its failure to close the 2010/11 accounts on time. However, PAASC is satisfied that officers are working hard to ensure there will not be a delay on the 2010/11 accounts and that they are working in close harmony with Audit Commission colleagues. It requested a further update for the 27 April 2011 meeting and it urges the 2011/12 PAASC to keep a close eye on progress in this area.

- 8.3.4 The Annual Governance Statement, which forms a part of the Statement of Accounts, is discussed in section 9.2 of this report.

8.4 Council Budget

- 8.4.1 Council budgets are decreasing nationwide – in line with central government's desire to reduce the national budget deficit. On 28 October 2010 PAASC received a briefing from the Corporate Director of Finance and Resources on the present situation both nationally and locally in LBB. PAASC was concerned at the level of the proposed cuts (whilst noting that this is beyond the Council's control) and was pleased to see that officers had been preparing for the impending cuts for well over 12 months and that a comprehensive plan had been prepared to minimise disruption and preserve vital Council services.

8.4.2 On 10 November 2010 PAASC became actively involved in the 2011/12 budget setting process. The Cabinet Member for Finance, Revenues and Benefits and the Cabinet Member for Customer Services were invited to the meeting to discuss their spending proposals in the areas which pertain to PAASC's remit (i.e. mainly "back office" areas). PAASC commented on several areas of the budget proposals which were fed back to the whole Cabinet by the two Cabinet members present.

8.4.3 In advance of the budget scrutiny in February, the Committee, at its meeting on 15 December 2010, received a report from the Divisional Director for Finance on the 2011/12 Corporate Budget Update and Medium Term Financial Planning. PAASC directed officers to remain vigilant as regards the Council's reserve budgets – as it noted a £500,000 decrease since it had last reviewed the figures.

8.4.4 On 2 February 2011 PAASC reviewed the wider budget. Specifically:

- The Medium Term Financial Strategy and a two year summary level financial model for the Council;
- The impact of the Comprehensive Spending Review (CSR) and the Local Government Finance settlement;
- Proposed budget options;
- Detailed annual revenue estimates for revised 2010/11 and 2011/12; and,
- The proposed level of Council Tax for 2011/12.

PAASC was particularly concerned at the proposal to cut funding to, and require a relocation of, the Osborne Centre as it is the only centre in the borough which provides services for adults with learning difficulties. The Committee was pleased to note that, since this meeting, that specific savings proposal has been dropped.

PAASC was also concerned at the proposal, within Safeguarding and Rights, to introduce charges for placements which have not been court or police directed.

8.4.5 During previous budget related discussions Members had raised a number of issues with the Corporate Director of Finance and Resources, resulting in the Corporate Director being directed to prepare a report on the budget process for the next financial year and a discussion paper on budget principles. This report was presented to the meeting held on 27 April 2011.

8.5 **Medium Term Financial and Service Planning**

8.5.1 At PAASC's first formal meeting on 22 June 2010 it reviewed the Medium Term Financial and Service Planning. Officers advised of the impending cuts local government would be facing and the in-year savings which were unavoidable. PAASC sought and received assurances from officers that the financial issues of the past few years had been addressed and that, going forward, the Council would and could display strong financial management capabilities.

8.6 **Housing Revenue Account**

8.6.1 At a meeting on 7 July 2010 Members raised a number of concerns with the Housing Revenue Account (HRA) and directed officers to investigate the issue and report back. This was undertaken on 28 October 2011. PAASC was concerned

with the Decent Homes Standard and the level of reserves although it was reassured that the HRA is being reformed. PAASC felt that having 11,500 people on the council house waiting list was undesirable and asked officers to do everything possible to address this issue.

8.7 Fees and Charges Arrangements

8.7.1 The Corporate Director of Finance and Resources presented a report regarding LBBD's fees and charges arrangements. PAASC disagreed with the Council's (then) policy of freezing the fees and charges, which usually rise by 1%, and directed the Corporate Director to report back to Cabinet that it was of the opinion that the fees and charges should rise by 1% on 4 January 2011 when Value Added Tax (VAT) was due to increase by 2.5% (to 20%). As a result of this work, the Corporate Director of Finance and Resources has been asked to review all of the Council's fees and charges with a view to ensure they cover the whole cost of the service to which they apply. This complex piece of work will be fed into the 2012/13 Budget.

8.8 Bad Debt

8.8.1 PAASC decided to investigate LBBD's bad debts and directed that a report should be prepared for consideration. This was presented on 17 November 2010 by the Divisional Director of Finance.

PAASC was dissatisfied to learn that the amount owed by third parties had risen sharply from £1,000,000 (when it had reviewed the figures in June 2010) to £2,600,000 by November of the same year. Officers were instructed to try and improve this situation through working with Elevate to improve debt processes and collection rates. Debt budgets have also been reviewed to ensure this can be achieved. PAASC urges the 2011/12 PAASC to monitor the bad debt levels.

PAASC noted that much of the debt derives from Housing Services and, as such, requested that the Corporate Director of Customer Services attend a meeting and produce a report which specifically addresses this issue (see section 5.7 of this report).

The Committee directed officers to undertake an exercise which aims to answer: "If the Council had taken those committing benefits fraud to court in the last three years, would the Council have benefited financially?" It is anticipated that this will be reported to the 2011/12 PAASC.

8.9 Review of Financial Regulations

8.9.1 Part of the PAASC's terms of reference state that it should "[maintain] an overview of the Council's Constitution in respect of the financial regulatory framework". PAASC undertook this on 15 December 2010 when it received a report from the Divisional Director for Finance and Resources.

The financial regulations are wide-ranging and set out procedures and good practice in respect of all aspects of the finance and audit agenda, including: the budget setting and monitoring, the closure of accounts, treasury management,

fraud, insurance, and the control of resources. The regulations were being reviewed by officers who sought Members' input.

Officers agreed to redraft the proposals to incorporate procurement policies and contracts, as requested by PAASC.

PAASC was pleased to learn that the Corporate Director of Finance and Resources has a duty to provide a report to every member where it appears that the expenditure incurred, or likely to be incurred, in a financial year exceeds resources available. Officers were directed to add timescales for this into the framework.

PAASC also directed that it should be included in the formal budget setting arrangements (as detailed in paragraph 3 of Section B of the financial regulations).

Finally, PAASC directed officers to investigate the feasibility of providing action plans to Cabinet Members when there has been an overspend of £100,000 or more.

8.10 International Financial Reporting Standards (IFRS)

8.10.1 In the 2011/12 financial year the Council will be changing to a new financial reporting standard called the International Financial Reporting Standard (IFRS). This poses a certain level of risk to the Council and, consequently, PAASC asked for a report – which was presented on 16 March 2011.

PAASC was pleased to note that a clear action plan of the work required by officers has been prepared and that additional staff resources have been reallocated to the project to ensure full compliance will be achieved.

The Committee acknowledges that the closure of the Council's accounts is a complex area (see section 8.3 of this report) and that it now has to accommodate the added requirements of IFRS compliance. PAASC is pleased to see that steps have been taken to convert earlier accounts into IFRS as part of a transitory phase. The Committee is confident that officers are adequately prepared for this change and urge the 2011/12 PAASC to monitor the situation closely.

8.10.2 The Committee recommends that the 2011/12 PAASC asks for detailed training on IFRS early in the municipal year.

8.11 Comments of the Corporate Director of Finance and Resources

8.11.1 "PAASC has been an effective audit and scrutiny committee and enhances the Council's control environment. It is pleasing to note the external auditor's view of the Committee. It is vital that the Committee is able to continue with the help of an independent adviser who adds experience and robustness to the Committee's agenda."

- Tracie Evans, Corporate Director of Finance and Resources

9. Governance

9.1 Five governance items were considered in the 2010/11 municipal year. This constitutes 7.4% of the Committee's time.

9.2 Annual Governance Statement

- 9.2.1 In line with statutory requirements, all local authorities are required to publish an Annual Governance Statement. The purpose of the Statement is to produce an evidence based assurance that the organisation is operating in all its activities within a robust governance framework

PAASC's terms of reference state that it should "[oversee] the production of the [Council's] Annual Governance Statement which will form part of the annual Statement of Accounts". PAASC undertook this on 22 June 2010 when it received the statement from the Council's Legal Partner and Deputy Monitoring Officer.

PAASC assessed how robust the Council's governance framework was while considering the report. It was concerned with the "Significant Governance Issues" – areas which require further strengthening – which, at the time, included:

- Risk management;
- Project management;
- Data protection;
- Whistle blowing;
- Partnership working; and,
- Staff job descriptions.

If the 2011/12 PAASC decided to undertake an in-depth review, the above six bullet-points could potentially benefit from further scrutiny.

PAASC was satisfied with the draft and noted that it is incorporated into the wider Statement of Accounts (detailed in section 8.3).

9.3 Governance Composite Reports

- 9.3.1 PAASC received quarterly updates from the Legal Partner which assessed different areas of the Council's governance arrangements. The reports covered such areas as:

- Data protection;
- Freedom of information;
- Corporate complaints; and,
- Members' casework.

Data Protection

Concerns were raised that, during a corporate compliance audit, an initial assessment had identified that 54% of services felt that they were not compliant with the Data Protection Act (1998)(DPA). For various reasons this could not be re-addressed during the 2010/11 municipal year. Therefore, the 2011/12 PAASC is urged to investigate this issue.

Corporate Complaints

Members raised concerns that 46% of complaints which reach "stage 3" were upheld when investigated, while a further 40% were partly agreed.

PAASC felt that this was unacceptably high and felt this should be further investigated. The Cabinet Member for Housing, who was separately investigating this issue, was invited to the meeting on 10 November 2010 to discuss this. Members decided to await the outcomes of the Cabinet Member's investigation and, therefore, they urge the 2011/12 PAASC to investigate this issue further. This issue is also addressed in section 6.6 of this report.

Members' Casework

PAASC felt that Members' casework should be kept separate from the Corporate Complaints structure. PAASC also felt that a lot of their casework arises due to a lack of a response, or an inadequate response, from the Council when the constituent first tries to seek redress. PAASC urges all 51 councillors to ensure their casework is administered in the prescribed way and that all Council officers should respond promptly to Members' casework inquiries.

9.4 Local Strategic Partnership

- 9.4.1 The Committee noted that the governance of the Partnership is currently being reviewed and, as such, PAASC was included in the Governance Framework document consultation.

Concern was expressed that the Council appears to dominate the partnership and currently meets a sizable portion of the overall funding. PAASC feels that this is not within the spirit of true partnership working. PAASC would also like the idea of having an independent chair of the PSB to be considered. The new Chief Executive has been commissioned to look at the Local Strategic Partnership (LSP) with a view to recommending appropriate changes.

9.5 Joint Venture Governance

- 9.5.1 PAASC requested details on the governance arrangements of the Council's new strategic partner as it moved forward with the Joint Venture. This was presented to the 28 October 2010 meeting.

PAASC requested that the Council's scrutiny function be extended to include the Joint Venture's governance arrangements. The Committee advised that the current governance arrangements include a Company Board ("The Elevate Board") where Members sit as Directors. There is also a Strategic Partner Board which meets to influence the direction of Elevate. Performance data arising from the Elevate contract is subsumed into the Council's performance process. It is therefore felt that this is enough scrutiny over Elevate. There is, however, time put aside in the Internal Audit Plan to ensure that the governance system surrounding Elevate is robust and this will be presented to the Committee. PAASC is satisfied with these arrangements.

9.6 Comments from the Legal Partner and Deputy Monitoring Officer

- 9.6.1 "PAASC has taken on the role of the former Audit Committee and combined a scrutiny element. It is to be noted that there is no legislative requirement to have a separate audit committee, but good practice recommends local authorities to have a

committee charged with reviewing audit related activities in the Council. PAASC fulfils the audit and scrutiny function as outlined in this report.”
- Winston Brown, Legal Partner and Deputy Monitoring Officer

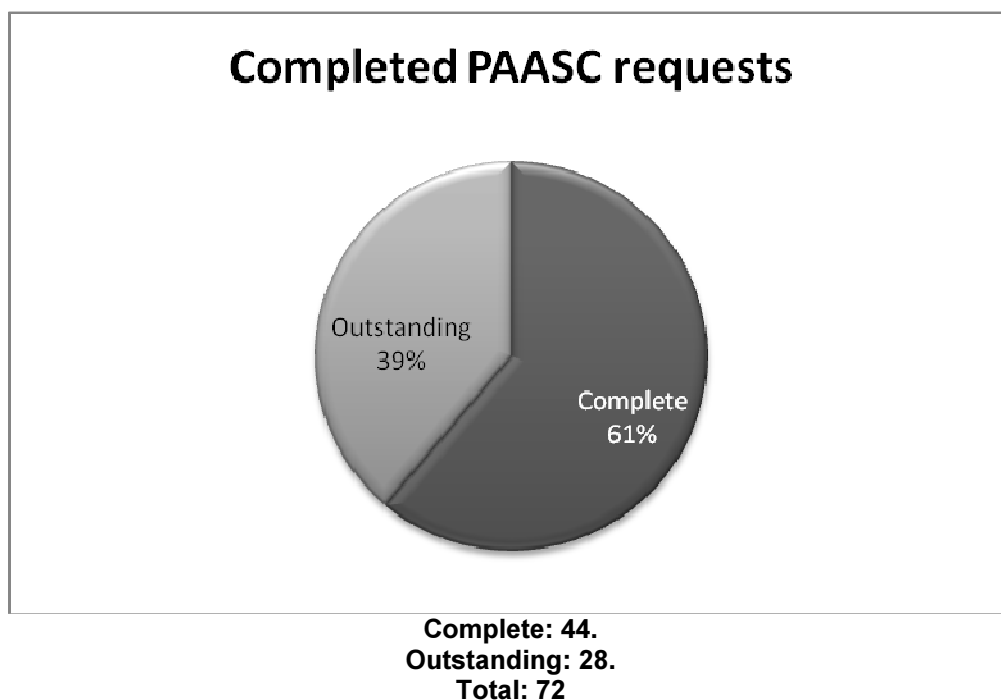
10. Committee Requests and Outstanding Items

- 10.1 As of the conclusion of the PAASC meeting on 16 March 2011, Members had made **75** requests to officers. By 27 April 2011 **44** of these should be complete. This represents 61%. These figures do not include any requests arising from the final meeting this municipal year – on 27 April 2011.

PAASC urges that the 2011/12 PAASC take the small number of outstanding items (many of which are referenced throughout this report) and incorporate them into their work programme to ensure scrutiny of these important areas is not missed.

Many of the “incomplete” items were requested by PAASC at its meetings of 2 February 2011 and 16 March 2011 (late in the municipal year) and, as such, officers are still working on completing them. They will need to be carried over into the new municipal year.

- 10.2 PAASC formally assessed its Outstanding Items List on 16 March 2011 and was satisfied with the progress made against completing it. A chart displaying the progress is shown below:



11. Key Outcomes and Conclusions

- 11.1 During the 2010/11 municipal year PAASC has considered a great number of topics covering a wide breadth of the Council’s activities. PAASC is confident it has appropriately challenged officers on these topics to achieve tangible outcomes.

PAASC's foremost thought while it has been undertaking its work has been the residents and workers of Barking and Dagenham. It takes its duty to ensure their money is being spent appropriately seriously, and PAASC is confident it has helped shape the Council's policies to help improve the lives of its residents and workers.

11.2 Some of PAASC's main outcomes are:

- The Council's contract management has greatly improved. Contract management is now handled centrally and effective monitoring is being put in place (see section 5.8 of this report for more information).
- The Council now has a comprehensive Corporate Risk Register in place to monitor where risks to the Council could come from. Action plans are in place to effectively manage these risks. PAASC has monitored the CRR closely and is confident that officers are now rating risks prudently (see section 6.6 of this report for more information).
- PAASC was deemed by the Audit Commission's Head of Governance and Counter Fraud to be "trailblazing" in its approach to its work and commended LBBD for setting a good example for how to conduct an open and transparent committee (see section 7.6 of this report for more information).
- Members and officers both recognise that this Council has some historical issues regarding having its Statement of Accounts signed-off by the Audit Commission in a timely manner. PAASC has affirmed that these delays should not be repeated. Consequently, officers have put a full plan in place to ensure that (a) the transition to the new International Financial Reporting Standards system is smooth and teething-problem free, and (b) that the accounts will be signed-off within the stipulated deadlines (see section 8.3 of this report for more detail).
- PAASC has effectively scrutinised the Council's budget and several changes have been made as a result (detailed in section 8.4 and 8.7 of the report).
- PAASC has reviewed the Council's financial regulations and has requested several alterations which have been enacted by officers. These changes (detailed in section 8.9 of this report) have strengthened the Council's governance.
- The profile of risk management has been strengthened by the work undertaken by PAASC and transparency has improved as a result.

11.3 Upon reflection of all the reports PAASC has received this year, it is clear that the Council has sound procedures in place which adhere to good governance, sound financial management, and comply with nationally recognised best practice. However, compliance with these procedures remains an issue of concern. Moving forward, PAASC would like officers to redouble their efforts to ensure that compliance with Council procedures increases across the whole organisation.

12. Background Papers Used In the Preparation of the Report

- 12.1 Public Accounts and Audit Select Committee minutes 2010-2011
- Public Accounts and Audit Select Committee agendas 2010-11
- Public Accounts and Audit Select Committee Work Programme 2010-11
- Public Accounts and Audit Select Committee Outstanding Items List 2010-11
- Council Constitution

ASSEMBLY**18 MAY 2011****REPORT OF THE DESIGNATED SCRUTINY OFFICER**

Title: Overview and Scrutiny Annual Report 2010/11		For Information
<p>Summary:</p> <p>The purpose of this report is to outline the work, outcomes, and observations of the Select Committees on matters considered throughout 2010/11.</p> <p>Overview and Scrutiny is the process by which Members investigate and examine the services provided by the Council and its partners, on behalf of the public.</p> <p>Scrutiny takes the lead in monitoring the work of the Cabinet, and, where necessary, questioning and challenging its decisions. Scrutiny has also dealt with Cabinet Referrals, Call Ins and petitions over the past year.</p> <p>The four themed Select Committees have each undertaken an in-depth review of an important local issue falling within their remit.</p> <p>Given the different role and responsibilities of the Public Accounts and Audit Select Committee (PAASC), Councillor T Saeed, Lead Member of the PAASC, will present a separate annual report to the Assembly to showcase the work and achievements of PAASC.</p> <p>Both reports will be made available on the corporate website and uploaded to the Centre for Public Scrutiny website.</p> <p>Wards Affected: None</p>		
<p>Recommendation(s)</p> <p>Members are asked to note the report.</p>		
Contact Officer: Matthew Whiddett	Title: Scrutiny Manager	Contact Details: Tel: 020 8227 2995 E-mail: matthew.whiddett@lbbd.gov.uk

- Appendix A: Children's Services Select Committee
- Appendix B: Health and Adult Services Select Committee
- Appendix C: Living and Working Select Committee
- Appendix D: Safer and Stronger Community Select Committee

Children's Services Select Committee (CSSC)

Membership

The CSSC consisted of nine councillors, two co-opted church representatives, two co-opted parent governor representatives and one co-opted youth representative.

- Councillor L Rice Lead Member
- Councillor E Kangethe Deputy Lead Member
- Councillor L Couling
- Councillor R Douglas
- Councillor G Letchford
- Councillor E Obasohan
- Councillor T Perry
- Councillor B Poulton
- Councillor S Tarry
- Reverend R Gayler Church Representative - Church of England
- Mrs G Spencer Church Representative - Roman Catholic
- Mrs Tina Woodhouse Parent Governor - Secondary (up to November 2010)
- Mr I Ncube Parent Governor - Secondary (from December 2010)
- Mrs G Youssef Parent Governor - Primary
- Kymberley Otchere Youth Representative

Matthew Whiddett, Scrutiny Manager, supported the Select Committee.

Child protection practices and policies in schools scrutiny review

From July 2010 to February 2011 the Select Committee investigated the issue of how schools identify and report potential child protection issues.

The review covered child protection and links between bullying, truancy, cultural issues and absenteeism from school; anti bullying policies in schools; training for Child Protection Coordinators and relevant staff who work in schools; the Common Assessment Framework; child protection policies in schools; the role of the schools' Child Protection Coordinators and Multi Agency Locality Teams (MALTs); the role of Police in schools and liaison between schools and the Children's Services Department.

CSSC made 30 recommendations that it hopes will improve the process of identifying potential child protection issues in schools and the early intervention needed to address these issues before they escalate to more serious levels.

The recommendations were adopted by the Assembly on 30 March 2011 and monitoring progress of the implementation of the recommendations will begin in June 2011.

An electronic copy of the report can be found by visiting:

- <http://www.lbbd.gov.uk/CouncilandDemocracy/Scrutiny/Pages/Library.aspx>

Budget scrutiny

In November 2010 the CSSC scrutinised the Children's Services budget savings proposals for 2011/2012.

As a result of the Coalition Government's Comprehensive Spending Review, Children's Services had to find £5.65m in savings for 2011/12 and £9m over three years.

Children's Services net controllable budget is £44m, and of this budget £31.5m is the Children Social Care budget. In order to protect Children's Social Care, the majority of savings needed to be made to non-social care budgets, which equated to £8.5 million.

A range of savings proposals were presented to CSSC, mostly focused around transferring costs to the Dedicated Schools Grant, management and staff restructures and reductions in back office functions, all designed to protect frontline services. CSSC questioned savings proposals in apprenticeships, job brokerage and youth provision but were assured there would be minimal reduction in outcomes achieved. It also questioned stopping the use of external consultants for Serious Case Reviews and the cutting of passenger services for children with special needs.

CSSC supported all the savings proposals and hopes that it can work collaboratively with, and support, the Cabinet when it comes to identifying further budget savings options next year.

Serious Case Review

CSSC were presented the Serious Case Review into Baby M to look at the processes involved, the reasons for initiating the review and how the recommendations were arrived at. This Serious Case Review related to a history of needs across three generations in the family that culminated in the death of a baby whilst co-sleeping with the mother.

Cabinet Referral

In January 2011, CSSC considered a Cabinet Referral to look at and monitor the Annual Assessment for Children's Services. CSSC considered the request and reviewed the relevant reports and agreed that the Select Committee would review actions taken to address areas of concern in the assessment on a six monthly basis.

Monitoring Performance

In September 2010 the Select Committee received a report from the Head of Children's Policy and Trust Commissioning detailing the performance of the 16 Local Area Agreement (LAA) Indicators.

Members' attention was drawn to two key areas:

- Performance strengths – six improving indicators

- Performance risks – eight indicators

CSSC will monitor areas of risk in the coming year using the new single set of performance indicators to be released by the Coalition Government.

Contact

For further information on the Children's Services Select Committee, or LBBB scrutiny in general, please contact:

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Scrutiny Manager

Tel: 020 8277 2995

Email: matthew.whiddett@lbbd.gov.uk

Health and Adult Services Select Committee (HASSC)**Lead Member Foreword**

“It has been a challenging time for the HASSC over the last year. The Select Committee, comprised of nine newly elected councillors, was tasked with scrutinising some of the biggest changes to the NHS since it was created as well as the Council’s proposals to reduce spending.

The Select Committee undertook several important work streams resulting in heavy workloads for Members (especially for the Chair, Vice Chair and volunteer member who represented the HASSC on the Joint Health Overview and Scrutiny Committee). Furthermore, there were a number of significant meetings, on top of our other commitments, relating to the Health for North East London proposals - particularly the re-configuration of maternity and A&E services at King George and Queen’s Hospitals.

As a new Chair I have had to overcome three major challenges. First of these was the amount of knowledge I had to gain in a short period of time to perform my role well. The training the Select Committee received at the start of the year provided a good foundation to build from and certainly helped to guide us through a difficult first year. As much as I had to work hard to keep one step ahead, I am very grateful for the support I received from the HASSC’s scrutiny officer and scrutiny champion who assisted me whenever I had a question or difficulty in understanding the more technical aspects of the subject matter. My scrutiny officer in particular continually supported both myself and the Select Committee in terms of research, structure, availability and a steady stream of viewpoints/potential questions on the topics in question. Throughout the year this proved vital in ensuring I was kept abreast of information and developments on a regular basis. Moreover, regular briefings with the Scrutiny Champion helped me to formulate ideas and questions, often following on from points raised at pre-meetings; this undoubtedly helped me to have a better understanding of the various topics and issues we investigated.

The second challenge was balancing all of my personal, professional, and Council commitments and making sure that I had enough time to digest paperwork. I would like to give special thanks to Councillor Ashraf, Deputy Lead Member of HASSC, who attended several meetings and did an excellent job of deputising in my absence.

The third challenge was supporting my committee through this first year. It has proved difficult to keep myself on the steep learning curve as well as ensure that all HASSC members were fully engaged with the Select Committee. Although I have maintained a close working relationship with my Deputy Lead Member it has been difficult to keep the other members involved as much as I would have liked, largely due to time constraints. I have learned and improved in this area over the last couple of meetings and feel confident going forward that the changes I have tried to implement will lead to genuine improvement not just for me but for the Select Committee as well.”

Cllr D Twomey

Lead Member, Health and Adult Services Select Committee

Membership

The HASSC consisted of nine Councillors, plus one co-opted member.

- Councillor D Twomey * (Lead Member)
- Councillor S Ashraf * (Deputy Lead Member)
- Councillor S Alasia
- Councillor A Gafoor Aziz
- Councillor J Clee
- Councillor H S Rai
- Councillor C Rice
- Councillor A Salam *
- Councillor J Wade
- Sky Young (Co-opted member, B&D LINK)

*These members also sat on the Outer North East London Joint Health Overview and Scrutiny Committee with Councillors from Havering, Redbridge, and Waltham Forest.

Glen Oldfield, Overview and Scrutiny Officer, supported the Select Committee.

Barking and Dagenham Local Involvement Network (LINK)

In 2010/2011 the HASSC has worked more closely with the LINK to ensure that work programmes and priorities do not overlap. The LINK has shared its Enter and View inspection findings with the HASSC and provided periodic updates on LINK activity. Over the next year it will be essential for scrutiny to strengthen its relationship with the LINK as it evolves into Healthwatch, taking on further responsibilities and a more prominent role in local accountability of health services.

For this municipal year the Select Committee appointed Sky Young (a B&D LINK Member) as a co-opted member of the HASSC. Members would like to thank Sky for her contributions over the last year and welcome her to continue as a co-optee.

NHS reforms

In July 2010, Andrew Lansley MP (Secretary of State for Health) announced the Coalition Government's plans for major reform. The White Paper *Equity and Excellence: Liberating the NHS* proposed that Primary Care Trusts would be abolished and GPs would, as local consortia, be responsible for commissioning health services. Furthermore, local authorities would take over public health and lead statutory Health and Wellbeing Boards to ensure strategic partnership working.

In October the HASSC held a special session to dissect the White Paper and make its contribution to LBBDD's response to the consultation. The Select Committee raised concerns that accountability in the new system was unclear and argued for the power to scrutinise health services to remain exclusively with elected members. This view was

overwhelmingly shared across the country and as a result the Coalition has had to re-think health scrutiny, the role of councillors, and accountability in the system more generally.

Members hope that next year the HASSC will continue to scrutinise the critically important transition period.

Health for North East London

Both the HASSC and the Outer North East London Joint Health Overview and Scrutiny Committee (ONEL JHOSC) have been involved in scrutinising the re-configuration of North East London health services.

The HASSC invited Helen Brown (Programme Director, H4NEL) to its meeting in October 2010 to discuss the proposals and what impact they would have on Barking and Dagenham residents. Members agreed with the rationale behind the proposals but had reservations about the ability of Queen's Hospital to cope with extra A&E demand and provide high quality care. Members also sought assurances that the Barking Birthing Centre and East Dagenham Community Hospital were not forgotten in the re-configuration.

The HASSC's views on the proposals were passed to Cabinet to inform the Local Authority response to the consultation. All of the assurances asked for by the Council were given by the Joint Committee of Primary Care Trusts who agreed the proposals in December 2010. However, in light of the poor performance of Barking, Havering, Redbridge University Hospital Trust (BHRUT) over the Christmas and New Year period, members of the HASSC felt that it was appropriate to exercise its power under the Health and Social Care Act 2001 to refer the matter to the Secretary of State on the grounds that the proposals are not in the interest of Barking and Dagenham residents.

As a result of this referral the Independent Re-configuration Panel (IRP) has been commissioned to review the proposals and will report back to the Secretary of State for Health on 22 July 2011. Members hope that the HASSC will take forward this agenda and continue to speak up to ensure that the H4NEL re-configuration offers a good health service for our residents. Members are happy to lend their support and experience to assist the HASSC and IRP with the review.

Smoking Cessation Scrutiny

From July 2010 to January 2011 HASSC investigated the issue of smoking. The review covered tobacco education in schools, young people's access to tobacco, the role of local businesses to support employees who wish to quit smoking, and how the Council can set a positive example for other local employers to follow.

The HASSC has made 16 recommendations that it hopes will contribute towards reducing smoking prevalence, improving quit rates, and changing engrained local attitudes towards smoking.

The recommendations were adopted by Assembly on 30 March 2011; monitoring progress of implementation will begin in roughly six-month's time.

An electronic copy of the report can be found by visiting:

- <http://www.lbbd.gov.uk/CouncilandDemocracy/Scrutiny/Pages/Library.aspx>

Budget scrutiny

As a result of the Coalition Government's Comprehensive Spending Review, Adult and Community Services were forced to find £4.7 million, of which £1.8 million is related specifically to the remit of the HASSC.

In November 2010 the HASSC scrutinised the Adult and Community Services budget savings proposals for 2011/2012. The HASSC was supportive of the Cabinet's savings proposals and appreciative that savings are to be achieved mostly through back-office reorganisations. However, Members did warn about the danger of cutting back-office staff to the point where the frontline is unable to function as it should.

The HASSC hopes that it can work collaboratively with, and support, the Cabinet when it comes to identifying further budget savings options next year.

Dementia Services Scrutiny - monitoring

In 2009/2010 the HASSC completed a scrutiny review on the provision of local dementia services. Cllr Carpenter, who was formerly Chair of the HASSC and responsible for leading the dementia services scrutiny review, was asked by members to give her comments on the progress report.

Members were satisfied with the progress made so far, but wondered if the essence of the recommendations was being captured in the implementation. The HASSC also felt that more could be done to help GPs diagnose dementia earlier and use the correct referral pathways.

A further update on progress of implementing these recommendations is expected in summer 2011.

Adult Safeguarding

In January 2011, Glynis Rogers (Divisional Director for Community Safety and Public Protection) gave a presentation on adult safeguarding in Barking and Dagenham and invited the HASSC to comment on the results of the most recent Care Quality Commission inspection.

The HASSC is pleased to report that there have been a number of successes in adult safeguarding and the Partnership is working fantastically well to protect vulnerable adults. There is still room for improvement, particularly with regard to protecting adults from self-neglect. Members called for further vigilance against financial abuse and more opportunities for engagement with vulnerable adults to improve services.

The HASSC would like to take this opportunity to congratulate all officers involved in safeguarding adults for their hard work. Members are delighted that LBBDD has performed so well in the inspections and expect officers to maintain the Council's excellence in adult safeguarding.

Autism

In March 2011 the HASSC brought together representatives from NELFT, LBBD, Parents of Autistic Children Together (PACT), and members of the public to discuss services available to children with autistic spectrum disorders (ASD), support for parents, and how adults with ASD will benefit from the provisions of the Autism Act 2009.

The HASSC was surprised to learn that currently adults with ASD are not diagnosed locally; instead they must travel to South London and Maudsley Trust. Members were informed that this is costly and welcomed plans to commission diagnosis within the sector.

It is widely accepted that having an embedded social worker within Child & Adolescent Mental Health Services (CAMHS) is a better way of working as dedicated social workers have more time to give and a better understanding of children with ASD. Therefore, the HASSC was disappointed to hear that CAMHS has lost its dedicated social worker due to NHS cutbacks.

Maureen Clulow a local resident described the meeting as “really interesting” and said that “the two guys from CAMHS were very helpful and gave me some information regarding help for my grandson”.

The HASSC would like to take this opportunity to commend the important work being done by PACT to support families in the Borough.

Fairer Contributions Policy

In April 2011 the HASSC reviewed Cabinet’s proposals to change the charging policy for non-residential services. Members raised concerns over the timing of the change and the length of the transition period. Overall the HASSC felt that the new policy was fair and praised the Cabinet for making a number of concessions to protect the vulnerable and minimise the impact to residents.

The HASSC made 3 recommendations to Cabinet that will be considered before a final decision is taken in July 2011.

Monitoring Performance

- **NHS Barking and Dagenham**

The HASSC was impressed by the dramatic turnaround in stroke services (which has risen from red to green since 2008/09) and pleased to see targets were exceeded for Chlamydia screening.

There is still progress to be made in improving overall patient satisfaction, reducing the gap in health inequalities, and limiting incidence of hospital acquired infections.

- **Barking Havering Redbridge University Hospitals Trust (BHRUT)**

The HASSC is pleased that four of the eight conditions imposed by the Care Quality Commission on the registration of BHRUT have been removed. But there are still major concerns over the financial position of the Trust and its ability to cope in testing

circumstances. Members hope that under the stewardship of a new Chief Executive improvement of the Trust can gather momentum.

- **Health and Wellbeing Strategy**

The HASSC was pleased to hear about achievements in several areas including healthy eating, domestic violence, immunisations for girls, and the provision of physical activities for over 60s.

With regard to poor performance in teenage conceptions, Members felt it was essential that the Partnership employs a teenage pregnancy co-ordinator and hoped this issue would be resolved soon.

Contact

For further information on the Health and Adult Services Select Committee, or LBBB scrutiny in general, please contact:

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Living and Working Select Committee (LWSC)

“This has been a very busy year for LWSC Members, as, in addition to the fly-tipping services review and resulting report and recommendations, Select Committees were required to carry out an examination of the budget saving proposals before being formally agreed by Cabinet and Assembly.

There was also a call-in on an estate renewal programme, a referral regarding the procurement process of Barking Park refurbishment works and a petition referral from Assembly on the installation of digital aerials. All of these, together with other aspects of the scrutiny function, are set out below in detail.”

Cllr James Ogungbose

Lead Member

Membership

The following Councillors served on the LWSC in 2010/11:

- Councillor J Ogungbose (Lead Member)
- Councillor T Perry (Deputy Lead Member)
- Councillor A Gafoor Aziz
- Councillor R Baldwin (Resigned 10 February 2011)
- Councillor P Burgon (Joined 8 December 2010)
- Councillor J Channer
- Councillor J Davis
- Councillor A Jamu
- Councillor G Letchford (Resigned 6 October 2010)
- Councillor S Tarry

Pat Brown, Senior Scrutiny Officer, supported the Select Committee.

Fly Tipping

One of the hot issues that emerged from campaigning in the lead up to the May 2010 elections was fly tipping. Not only is fly tipping incredibly unsightly and unhealthy, it is also extremely costly to the Council. For these reasons the LWSC decided to undertake a short review of fly tipping services. Members interviewed frontline staff and organised a site visit to several strategic locations where fly tipping is persistent to see the problem first hand.

After pulling all of the evidence together the LWSC identified 11 recommendations that are intended to improve education in schools, produce high profile community campaigns, develop local intelligence, share equipment with neighbouring Boroughs and be more rigorous with enforcement.

The recommendations were adopted by Assembly on 30 March 2011; monitoring progress of implementation will begin in roughly six months' time.

An electronic copy of the report can be found by visiting:

- <http://www.lbbd.gov.uk/CouncilandDemocracy/Scrutiny/Pages/Library.aspx>

Budget Proposals 2011/2012 Consultation

On the 22 November 2010, the £4.6 million worth of budget proposals for 2011/2012, relating to the remit of the LWSC, were discussed by Members to enable their comments to be considered prior to the final budget being agreed.

The LWSC asked Cabinet to be mindful of developments in national policy as, given the pace of change it is likely that some of the proposals may have to be updated as the Coalition Government's plans became clearer. Members also wanted assurances that consideration is given to the impact on carers in respect of the proposed implementation of the parking strategy and that with the remodelling of the Passenger Transport Service people would not be forced into independence, unless ready.

The proposed saving relating to the Adult College (apprenticeship programme) was particularly concerning to Members and they requested that Cabinet rethink this proposition. The Borough's apprenticeship programme had been regarded by the previous Labour Government as the best in London. However, because of the cuts in public spending by the new Coalition Government, the programme must be reduced. It is hoped that Agilisys, our joint venture partner, will create 500 apprenticeships. However, Members were still alarmed to see opportunities for young people curtailed, officers returned to the LWSC in December 2010 to provide more information on the apprenticeship programme to allay Member concerns.

It became apparent at the LWSC's budget scrutiny meeting that there was concern regarding the enforcement of the conditions of the disabled parking scheme, known as the Blue Badge Scheme. In light of these concerns the LWSC sought clarification on how the scheme is protected from abuses as this is a growing problem (particularly in London). This was followed up in January 2011 when a report was presented to the LWSC.

Assembly Referral – Petition Appeal Communal Digital/SatelliteTV System

A petition was presented to Assembly on 21 July 2010 from residents opposed to the installation of fully Integrated Reception Services Digital Communal Aerial Systems and being forced to pay an extra charge.

The matter was referred to the LWSC by Assembly with a request to carry out an investigation on the installation and associated charges. The Lead Petitioner, accompanied by four other local residents, gave evidence to the Select Committee, together with Local Authority officers responsible for the contract. Members also took time to visit D'Arcy Gardens to gain a better understanding of some of the issues raised and assess how the aerial system had been installed.

A number of recommendations were identified covering both the work carried out in D'Arcy Gardens, Dagenham, and future contract related requirements. The recommendations of the LWSC were presented to Assembly and adopted on 08 December 2010. The LWSC

will be receiving a progress report on the implementation of the recommendations in the next municipal year.

Cabinet Referral - Shopping Parades

The LWSC was asked by Cabinet to scrutinise local shopping parades to assess whether they serve their neighbourhoods effectively. There were five shopping parades identified for consideration to be part or wholly re-leased.

The LWSC organised a visit to speak to shopkeepers from the five locations to get an understanding of the challenges facing local shopkeepers competing with big supermarkets and whether units in the shopping parades could have alternative uses.

The findings and recommendations will be submitted to the Cabinet Member for Environment for consideration and action.

It had been reported that shop premises owned by the Council were less likely to be empty than those owned by private landlords.

Barking Park Procurement Process

Concern had been raised by Cabinet Members regarding the delay in delivering renovation works to Barking Park and particularly the procurement process of the project. The documentation and discussions had to be held under private and confidential business as a tendering process for the second phase was being undertaken.

The LWSC prepared a report with recommendations, and these were passed to Cabinet Members for consideration.

It is hoped that this review assisted the Local Authority in delivering a better procurement process and avoiding similar errors in the future.

Borough-wide Estate Renewal Programme - Call-In

Backbench Members 'called in' a decision of the Cabinet to proceed with the rejuvenation of council estates in the Borough. Although Members absolutely agreed that estate renewal was necessary and urgent, there was concern that the programme was shortsighted and a feeling that the Council should not consider selling land when prices are at an all time low.

The 'call-in' was dismissed because Members agreed that regeneration of badly built and maintained properties had to move forward as soon as possible for the residents. However, Members of the LWSC expressed concern relating to the disposal of land in the past where small pockets of open space used by the community had been sold off for very small financial gain. The LWSC requested that procedures should be changed to ensure all future land sales would be considered by all Members of the Council before a decision was taken.

Monitoring Performance

The LWSC fulfilled its statutory duty to monitor Local Area Agreement targets that fall under the remits of the LWSC's associated partnership boards which are Skills, Jobs and Enterprise and Clean, Green and Sustainable.

Unemployment is a major challenge for the Borough and although there is a great deal of activity to find people work, it is hard to make progress as redundancies bite and young people have no jobs to go into. Building affordable housing is another area where performance is weak. Although funding for more council housing has been secured and building on Barking Riverside will soon start, the overall stagnation of the housing market is having a profound effect.

The LWSC is sympathetic to the officers working towards improvements in these areas and accepts that there are many external factors impacting on performance against LAA targets. The challenges are only going to get harder in the coming years and the LWSC would like to take this opportunity to thank officers for their hard work in testing circumstances.

The LWSC commissioned a report setting out how the Local Authority will develop its own modified local version of LAA and how performance will be measured and managed in the future.

Supported Housing for Older People - monitoring

In 2009/2010 the LWSC completed a scrutiny review on the provision and quality of supported housing for older people. Cllr Vincent, who was formerly Chair of the LWSC and responsible for leading the scrutiny review, attended the meeting to give his comments on the progress report.

A further update on progress of implementing these recommendations is expected in summer 2011. By this time it is anticipated that more of the work that is currently unfinished will be complete and a clearer picture of the implementation will be available to members.

Housing Allocation Policy

There were a number of misconceptions around the Council's housing allocation policy, some of which are potentially damaging to the Council's reputation. Newly elected Members of the LWSC were being challenged with these myths by residents and felt unsure about all aspects of housing allocation. To bust some of these myths and prepare Members for future encounters with residents concerned about housing allocation, the LWSC requested that Housing Officers brief Members and answer questions on the policy. At the meeting it was agreed that the LWSC will be given updates as to any policy changes and the impact of the Coalition Government's London Housing Allowance reduction.

Strategy to Reduce Carbon Dioxide Emissions

The LWSC expressed grave concerns that carbon emission targets were not being met both locally and nationally resulting in financial penalties imposed by the European Parliament. For this reason the LWSC took time to go over the Council's strategy to

reduce carbon dioxide emissions. Members also received a report on the energy efficiencies in Council buildings, such as monitoring consumption, targeting high users and energy projects.

The LWSC is pleased to report that the Borough is maintaining its good track record on green initiatives. There are now over a 1,000 solar panels on buildings and the Council is upgrading its assets to be more energy efficient; saving the environment and money for the Council. A possibility to use hot water from Barking Power Station to provide energy to 55,000 homes had been identified but the London Development Agency is yet to lend its support and investment to this idea. The LWSC hopes that the Cabinet Member for Environment will apply pressure to the LDA on this matter.

The News

The Editor of 'The News' - Barking and Dagenham's community newspaper - attended the LWSC in January 2011 to answer questions from Members on the editorial steer of the publication, its ability to self-fund, and whether it could do more to inform residents, and raise the profile of scrutiny projects carried out by backbench Councillors.

Economic Development

The LWSC commissioned reports on the economic development of Barking and Dagenham to scrutinise the strategy for attracting new businesses to the Borough and what is being done to raise household incomes. Members highlighted the opportunities to maximise its Olympic Host Borough status and are hopeful that the Borough can be sold as an attractive place to do business.

The LWSC can see that Officers and Cabinet Members are actively pursuing all avenues available to them to secure resources to raise the profile of the Borough and attract investment.

Members are also very interested in the prospect of Central Government offices relocating to East London, especially as Barking and Dagenham meets the necessary criteria and would be an ideal location. This could potentially create a large number of jobs for local people and help to update the image of the Borough which has been known solely as a manufacturing area.

Not in Education, Employment or Training (NEETs)

The abolition of the Education Maintenance Allowance (EMA), together with the rise in tuition fees and the loss of funding by the Coalition Government, is having a damaging effect on local students wanting to continue their education. Improving the skills and educational attainment of young people in Barking and Dagenham is essential, as this will in turn see economic benefits for the whole community. Given Barking and Dagenham's proximity to the City it is concerning that young people's opportunities for 'white collar' employment are being taken away.

The LWSC feels strongly in the need to invest in our young people and ensure that they do move into further and higher education as well as enrol for vocational courses. The LWSC is of the opinion that further scrutiny on this issue is required and hopes the new membership will consider NEETs.

Recycling in Schools

The LWSC wanted to learn more about how schools were engaging with children to recycle more of their household and school waste. Members were pleased to learn that pupils are taken to the Murphy's World Education Centre at Jenkins Lane Reuse and Recycling Centre to see what happens to rubbish and bring recycling to life for children. In addition to these visits an education officer is available to visit both primary and secondary schools in the Borough to deliver a range of activities aimed at reducing personal rubbish and promoting recycling at home.

Translation and Interpretation Services

There had been complaints from residents in Becontree Ward that the quality of translation and interpretation services was unsatisfactory. The LWSC took this issue up on behalf of residents and questioned officers to see if these complaints were valid and what could be done to address them.

The LWSC was informed that services are to be reviewed with the contractor possibly providing a wider range of services under a 'Hosted Partnership Agreement'.

The expected benefits to the Borough would be:

- Significant cost efficiencies;
- Working with a provider with a good track record that understands the local situation;
- The creation of local employment opportunities; and,
- High and improving levels of performance in service delivery.

Forward Plan

At each Select Committee meeting, items on the Council's Forward Plan relating to the remit of the LWSC were highlighted and any reports that were of interest to Members would be requested to be circulated. If an item on the Forward Plan is considered to be of concern, officers and the relevant portfolio holder would be invited to the LWSC meeting to go through the proposals.

The LWSC feels that pre-decision scrutiny is important and urges new Members of all Select Committees to regularly consider the contents of the Council's Forward Plan.

Contact

For further information on the Living and Working Select Committee, or LBBB scrutiny in general, please contact:

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Safer and Stronger Community Select Committee (SSCSC)

Membership

The SSCSC consisted of nine Councillors.

- Councillor D Rodwell (Lead Member)
- Councillor L Butt (Deputy Lead Member)
- Councillor S Ashraf
- Councillor J Clee
- Councillor E Keller
- Councillor G Letchford
- Councillor M Mullane
- Councillor T Perry
- Councillor M Worby

Paramjit Nijher, Senior Scrutiny Officer, supported the Select Committee.

Community Cohesion

Barking and Dagenham has become increasingly diverse over the last decade and is now home to a wide range of different communities. This new found diversity has greatly enriched our community but at the same time caused tensions among a minority of our residents. The Place Survey 2010 seemed to show that our community was more divided than it should be and for this reason the Select Committee chose to look at community cohesion and try to see how it could be improved.

To this end the SSCSC consulted face to face with 25 community groups, big and small. Members also heard from several key stakeholders including the Council for Voluntary Services, the Faith Forum and representatives from local schools.

During the review the SSCSC learned that there is a lot of excellent work being undertaken by community and voluntary organisations to bring people together. However, it was recognised that community and voluntary organisations needed to be further supported, acknowledged and promoted by the Council to continue in this vein.

The SSCSC made 21 recommendations that it hopes will contribute towards building community cohesion and enable the community and voluntary sector to take a leading role in this work.

The recommendations were adopted by the Assembly on 30 March 2011; monitoring progress of implementation will begin in roughly six months time.

An electronic copy of the report can be found by visiting:

- <http://www.lbbd.gov.uk/CouncilandDemocracy/Scrutiny/Pages/Library.aspx>

Budget Scrutiny

The SSCSC was eager to get a grip on the financial position of the Council and in July 2010 decided to see what impact in-year savings were having on services relating to the SSCSC's remit.

This was followed up in December 2010 after the Coalition's Spending Review was completed and it became clear that the Council would have to save £44 million over the next three years. The SSCSC scrutinised the Adult and Community Services budget savings proposals for 2011/2012. Approximately 60 local people were present at the meeting highlighting the public interest in cuts to council services.

The SSCSC scrutinised 20 savings proposals and made a particular stand against the proposals to close smaller libraries, reduce grant to the Broadway Theatre, and to close Goresbrook Swimming Pool. The proposals that the SSCSC were unhappy with were sent back to Cabinet for reconsideration and as a result the proposal to close smaller libraries was withdrawn.

Travelling Safely

In January 2011 the SSCSC investigated the issue of travelling safely in Barking and Dagenham. The local Safer Transport Team attended an SSCSC meeting to explain their role in ensuring the safety of residents on public transport. After hearing from the Safer Transport Team about their after school patrols and work to engage young people the SSCSC felt that using public transport is much safer than residents perceive it to be and the partnership must dispel these perceptions to restore public confidence.

Safer Neighbourhood Teams

In March 2011, the SSCSC invited key stakeholders to discuss the role of the Safer Neighbourhood Teams and how the partnership is attempting to change perceptions of crime in the Borough through community engagement. Members are frustrated that residents see their community as high in crime when in reality the numbers of reported crimes are relatively low when compared to other London Boroughs. Furthermore, total notified crimes have fallen by 2.7% in the last year – the highest crime reduction in outer North East London.

The role of the local media

In April 2011, the SSCSC looked into the role of the media in enhancing community cohesion and reducing fear of crime in the Borough. To this effect, Members heard from Time FM and the Barking and Dagenham Post on how they help promote cohesion and reduce fear of crime. Members were pleased to hear that both Time FM and the Barking and Dagenham Post have assisted the Council, through running various campaigns, to address crime and cohesion issues. Members however felt that the communication between the Council and the media needed to be improved and suggested the Council and the Councillors should interact with the media more often to build a better relationship. Members also felt that the Council and the Councillors should utilise the media to further engage with the local community.

Burglary

Residential burglary is one of the areas of crime that is growing locally. In 2009/10, the Borough was experiencing an increase of 64% in residential burglary; this was the largest increase in London. For this reason the SSCSC summoned the Community Safety Partnership to its meeting in October 2010 to be held to account and explain how this trend will be reversed.

Members noted the various partnership projects and schemes in place to address burglary. Members were pleased to note that through proactive work the number of attempted burglaries had decreased by 1.3% in four months (April – August 2010).

Anti-Social Behaviour – monitoring

In July 2009, the SSCSC commissioned an in-depth review on anti-social behaviour perpetrated by and against young people. At its meeting in July 2010, the SSCSC received a report which provided an update on the progress in implementing the 16 recommendations of the review. Members were pleased to note that seven recommendations had already been implemented and work is ongoing to implement the remaining recommendations.

A further update on progress of implementing these recommendations is expected in summer 2011.

Domestic Violence

In July 2010, the SSCSC, aware that domestic violence accounts for approximately 22% of all reported violent crime, asked for a report providing an overview of domestic violence and the preventative methods that are in place to protect local people.

The SSCSC noted the good work undertaken by the Domestic Violence Strategy Group that oversees implementation and delivery of the Domestic Violence Strategy and Action Plan. Members were pleased to note that there has been a reduction in the number of repeat incidents of domestic violence which shows that more victims are coming forward and attitudes are changing.

Community Grants Strategic review

The Select Committee reviewed the proposals for a revised Corporate Grants Programme and took the view that adequate funding for the voluntary and community sector was necessary to support further community cohesion in the Borough. Comments from the Select Committee were passed to Cabinet and a report was submitted to Cabinet for approval.

Forthcoming Legislation

The Divisional Director of Community Safety and Public Protection briefed Members on the Coalition Government's announcement to pass new legislation to deal with anti-social behaviour.

Members also received an update on the Government's proposed changes to policy around crime and disorder and how it might impact on the work of the local Community

Safety Partnership. The SSCSC is looking forward to the introduction of this policy because it will mean that Local Authorities will be given more power to regulate the sale of alcohol.

Monitoring Performance

In September 2010 and March 2011 the SSCSC reviewed the performance indicators relevant to their remit.

Impressively there was a 20% increase, compared to last year, in the number of people who think that the Police do a good job. Furthermore, there has also been a rise in the number of people who feel that the Police, along with the Local Authority, are dealing with anti-social behaviour and crime issues in their neighbourhood. Whilst the SSCSC is satisfied with performance in most areas, more work is required to tackle acquisitive crimes such as the theft of (and from) motor vehicles and robbery - crimes that are both on the rise.

Members were pleased to note that there has been an increase in the number of visits to libraries, largely due to the opening of the fantastic new Dagenham Heathway library.

Contact

For further information on the Safer and Stronger Community Select Committee, or LBBD scrutiny in general, please contact:

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THE ASSEMBLY

18 MAY 2011

REPORT OF THE STANDARDS COMMITTEE

Title: Annual Report of the Standards Committee 2010/2011		For Information
<p>Summary:</p> <p>The Standards Committee is responsible for promoting and maintaining high standards of conduct by all Members, statutory co-opted Members and employees of the Council to assist them in observing relevant Codes of Conduct.</p> <p>This report summarises the work of the Standards Committee over the past municipal year.</p>		
<p>Recommendation:</p> <p>The Assembly is asked to note the Standards Committee's annual report for 2010/11.</p>		
<p>Lead Member Kevin Madden</p>	<p>Title: Independent Chair of Standards Committee</p>	<p>Contact Details: c/o Tel: 020 8227 2638 E-mail: margaret.freeman@lbbd.gov.uk</p>
<p>Contact Officer: Margaret Freeman</p>	<p>Title: Senior Democratic Services Officer</p>	<p>Contact Details: Tel: 020 8227 2638 E-mail: margaret.freeman@lbbd.gov.uk</p>

1. The role of the Standards Committee

- 1.1 The current roles and functions of the Standards Committee were changed by the Local Government and Public Involvement in Health Act 2007, which includes provision for complaints against elected Members to be assessed and dealt with locally, as opposed to them being sent to the Standards Board for England, as it was then known (now called Standards for England). The Standards Committee (England) Regulations 2008 came into force on 8 May 2008 and govern the assessment and review processes, investigations, hearings and appeals.
- 1.2 The terms of reference of the Standards Committee are attached at Appendix 1.
- 1.3 The Committee is tasked with making very careful and difficult decisions in relation to the complaints coming before them as to whether the Code of Conduct is engaged in any particular instance. The Committee is also particularly mindful, as is referred to in Standards for England Guidance, of the cost of dealing with complaints, and will only commit to an investigation where they consider that, on the face of it, the cost of doing so appears to be justified. Seemingly frivolous or tit for tat type complaints are generally not pursued. Where no action is decided by a Sub-Committee, complainants have a right of review, which is an opportunity for them to submit further evidence.

2. The membership of the Standards Committee

- 2.1 The Standards Committee is chaired by an Independent Member, Kevin Madden, who was appointed as chair with effect from 11 October 2010, following the retirement from the Committee of Fiona Fairweather. Mr Madden is a retired local government officer with more than 20 years experience at Board level. During his career he promoted national initiatives on open government legislation and the development of effective complaint handling procedures for local authorities. He is also an Independent Member of the Standards Committee at the London Borough of Havering.
- 2.2 As well as the Chair, the membership of the Standards Committee comprises four elected Members and four Independent Members. Independent Members are appointed for a period of not more than four years and cannot be re-appointed to the Standards Committee until the expiry of at least two years.
- 2.3 There is currently a vacancy for an Independent Member, following the resignation of Jennifer Spearman in January 2011. This position has been left vacant for the time being and will be reconsidered when the future of the Standards regime is more certain.

3. Member complaints between April 2010 and March 2011

- 3.1 Five complaints were carried over from the last municipal year. One had been referred for hearing, two related complaints had been deferred and two separate complaints were under investigation.
- 3.2 The matter that had been referred for hearing was ultimately suspended indefinitely and the complaint filed away without conclusion. This decision was made in the light of the fact that the subject Member was not re-elected as a councillor and although the matter had been part heard and adjourned it proved difficult to reconvene to the point where the public interest in the matter and effective use of public money came into question.
- 3.3 The two related complaints were also filed away indefinitely with no action on them at all.
- 3.4 Of the two matters referred for investigation, one was re-assessed on advice from Standards for England as the subject Member had not been re-elected as a councillor and the Standards Sub-Committee agreed to take no action in respect of the complaint for the reasons referred to in paragraph 3.2 above. In the other case, the Sub-Committee considered the Investigating Officer's report and accepted his finding that there was no breach of the Code of Conduct.
- 3.5 Since May 2010 and up to the time of drafting this report, four formal complaints against Members of the Council have been received and assessed. Two were made by members of the public, one by an employee and one by the Council's Whistle Blowing Officer.
- 3.6 The four complaints related to alleged breaches of one or more of the following paragraphs of the Members' Code of Conduct:

- ❖ 3 (1) You must treat others with respect
- ❖ 4(a)(i) You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware of, is of a confidential nature, except where you have the consent of a person authorised to give it
- ❖ 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute
- ❖ 6(a) You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage

3.7 The outcomes of the four complaints are as follows:

- Three were found not to amount to a breach of the Code of Conduct on the facts as alleged. On one of those matters, the complainant exercised the right to request a review. A Review Sub-Committee, made up of different membership to that of the Assessment Sub-Committee, upheld the Assessment Sub-Committee's decision that there was no evidence of a breach of the Code of Conduct.
- One was referred to the Monitoring Officer for investigation as potential breaches of the Code of Conduct had been identified. An investigating officer has been appointed and the investigation is ongoing.

4. Time taken in dealing with complaints

4.1 The time taken at the various Sub-Committee meetings dealing with individual complaints varies considerably. From cases to date:

- assessments and reviews may take anything from ten minutes to an hour or two;
- consideration of Investigating Officers' reports, from forty minutes to an hour or two;
- hearings may take in excess of eight hours, followed by further time expended in the event of an appeal.

4.2 None of the above times include the preparation of documentation nor the time taken by the Sub-Committee members and relevant officers in reading that documentation and preparing for meetings.

4.3 Any number of complaints is a cause for concern but since reporting to the Assembly in March 2010, complaints against Members have reduced by two-thirds, which is a positive trend. The Committee would remind Members that whilst they are generally held in high regard by members of the public, expectations of Members' standards of behaviour are equally high.

5. Annual review of policies and procedures:

5.1 The Standards Committee also reviews, on an annual basis, policies and procedures relating to ethical standards and various codes, policies and protocols.

- **The Members' Code of Conduct** - the Monitoring Officer provided a verbal update to the Committee on the Members' Code of Conduct and how the proposed Decentralisation and Localism Bill (the Bill) may impact on it. The Committee is of the view that the Code of Conduct gives the public assurance that complaints are taken seriously.
- **The Members' Code of Conduct for Licensing and Regulatory Matters**** – the Committee received a report that there have been no findings of breaches of this Code and that it remains fit for purpose.
- **The Members' Code of Conduct for Planning Matters**** – the Committee received a report that there have been no findings of breaches of this Code and that it remains fit for purpose.

** These reports focused on how the proposed Bill may impact on both the **Planning and Licensing Codes of Conduct for Members**, as Members will be given greater scope to comment and campaign on local issues of concern even if they are later involved in making a relevant decision, and that it will not be considered “predetermination” if a Member expresses their position on a matter he/she later makes a decision on. As a result of this proposed change, there will be a need for further related training for all Members on the respective committees.

- **Gifts and Hospitality Register** - the Committee received a report in relation to the systems in place to ensure that Members and staff are aware of the need to inform the Monitoring Officer and complete the appropriate forms where gifts and hospitality are received or given to the value of £25 or over.
- **Rules on Conferences, Visits and Hospitality** – following consultation with Members, Chief Officers, Heads of Service and Trade Unions (including those representing teaching staff) no amendments were considered necessary to these Rules.
- **Member/Employee Relations Protocol** – following consultation with Members, Chief Officers, Heads of Service and Trade Unions no amendments were considered necessary to this Protocol.
- **Guide on use of Council Resources, Facilities and Equipment** - following consultation with Members, Chief Officers, Heads of Service and Trade Unions (including those representing teaching staff) no amendments were considered necessary to these Rules.
- **Standards for Members of the Public (Volunteers) Undertaking Council Activities** – these Standards are scheduled to be reviewed by the Standards Committee at its next meeting.
- The Committee agreed the continued use of the **Benefits Fraud Policies*** (the Prosecution and Sanction Policy – Housing Benefit; and the Anti Fraud Policy and Strategy – Housing Benefit and Council Tax Benefit).
- The Committee agreed the continued use of **the Money Laundering Policy***, **the Whistle Blowing Policy*** and **the Whistle Blowing Policy for Schools***

- **Anti-Fraud and Corruption Policy and Strategy*** – the Committee approved the revised Strategy and noted that specific action has been taken to increase awareness amongst staff and Members in strengthening pro-active anti-fraud measures.

- 5.2 Deloitte and Touche (on behalf of internal audit) carried out an audit of the Council's Corporate Governance framework, following which a report was received in February this year which provided management with "Substantial assurance" regarding the system of internal control over Governance. The Committee very much welcomed the audit and the report, as it provided a valuable assessment of our current arrangements.
- 5.3 As a result of recommendations in Deloitte and Touche's report, the above policies marked with an asterisk * will in future be presented to and formally approved by the Cabinet. Consequential amendments will require to be made to the Standards Committee's Terms of Reference.
- 5.4 The Committee also reviews past complaints on an annual basis, and Committee Members use this review as an opportunity to discuss lessons learned to enable them to efficiently discharge their functions under the Standards regime. Efficient handling of member complaints will generate efficiency savings to the authority as unmeritorious complaints are weeded out early on.
- 5.5 As part of its yearly work programme the Committee also received annual reports from the Monitoring Officer and the Divisional Director of Human Resources and Organisational Development.

6. Member Training

- 6.1 Independent Members of the Standards Committee worked closely with the Legal Partner to develop the training that was provided to all Members following the Council Elections on 6 May 2010 and an introduction to the Code of Conduct was provided by the Monitoring Officer at the Members' Induction event on 12 May 2010.
- 6.2 Members of the Standards Committee received training on 3 June 2010 in order to equip them for their role.
- 6.3 All Member training in relation to Standards has been provided through pre-Assembly Briefings and at all Member training sessions, specifically:
- Standards and Ethical Governance - 9 June 2010 led by the Monitoring Officer
 - Liability of Members on Outside Bodies - 23 February 2011 led by the Legal Partner
- 6.4 The newly appointed Independent Member of the Standards Committee was provided with 1:1 Standards training by the Monitoring Officer on 4 November 2010.

7. The proposed abolition of the Standards regime

- 7.1 The draft Decentralisation and Localism Bill (the Bill) proposes the abolition of the current Standards regime and will give local authorities the power to revise, replace or withdraw entirely their existing Code of Conduct for Members. There would be no requirement for a local authority to appoint or retain Independent Members to sit on Standards Committees. While local authorities could retain a committee addressing standards issues and applying a local Code of Conduct, such a committee would be an ordinary committee of councillors and not a version of the existing regime. Local authorities will therefore have to decide to what extent they continue with aspects of the current regime including a Code of Conduct. Any successor committee to the current Standards Committee would not have the power to suspend a member.
- 7.2 The Bill further proposes:
- to give Members greater scope to comment and campaign on local issues of concern even if they are later involved in making a relevant decision, in that it will not be considered “predetermination” if a Member expresses their position on a matter they later make a decision on, and
 - that it will become a criminal offence if Members fail to register an interest.
- 7.3 The Bill is still before Parliament and Royal assent is anticipated between July and October 2011 with implementation between the end of December 2011 and the end of March 2012. Until such time, the current standards framework still exists, and standards committees and monitoring officers have an obligation to keep the system operating.
- 7.4 Prior to the legislation becoming effective, the Monitoring Officer will undertake full consultation with Members as to the future of the standards regime at this Council.

Background Papers Used in the Preparation of the Report:

- Agendas and minutes of Standards Committee meetings 2010/11

SECTION L - THE STANDARDS COMMITTEE

1. Promoting and maintaining high standards of conduct by Members and employees.
2. Advising on the adoption, or revision of a Code of Conduct for Members.
3. Arranging Member training, as necessary, in relation to the Code of Conduct for Members.
4. Monitoring the operation of the Code.
5. Advising on the adoption or revision of a Code of Conduct for Employees.
6. Considering any general matters referred by Standards for England.
7. Considering any matters specifically referred by Ethical Standards Officers (working on behalf of the national Board) on findings of investigations.
8. Considering any matters where allegations of breaches of the Members' Code of Conduct have been referred to the Monitoring Officer for investigation
9. Considering the local determination of all such matters referred to in 7 and 8.
10. Appointing sub-committees to:
 - 10.1. carry out an initial assessment of formal complaints of Member misconduct and to review, at a complainant's request, any decision made by a sub-committee who dealt with an initial assessment;
 - 10.2. receive reports from the Monitoring Officer following investigation of complaints and determine cases and, where necessary, to (i) carry out a formal hearing as part of this process, and (ii) where failure to comply with the Code of Conduct has been found, impose upon the Member concerned any one of or any combination of sanctions as set out in Regulation 19 of The Standards Committee (England) Regulations 2008;
 - 10.3. with the agreement of the Chair of the Standards Committee, to consider any other items of Standards Committee business which are urgent.
11. Advising on "Whistleblowing" and any other procedures or policies associated with proprietary and/or ethical standards and receiving and considering any reports arising from, or concerned with, such procedures or policies.
12. Receiving and considering any reports of concern from the Chief Executive, the Monitoring Officer, the Divisional Director of Legal & Democratic Services, the Divisional Director of Human Resources and Organisational

Development, or the Corporate Director of Finance and Resources associated with conduct or probity issues.

13. Granting dispensations under the Standards Committee (Further Provisions) (England) Regulations 2009 (requirements relating to Members' interests as set out in the Code of Conduct).
14. Considering and determining any appeals further to the Monitoring Officer's determination of a complaint concerning an alleged breach by a Member of the Member/Employee Relations Protocol, in accordance with the provision within that document.
15. Considering and determining any appeals by individual members of staff whose posts have been determined as politically restricted in accordance with the Local Government (Political Restrictions) Regulations 1990 (as amended).
16. Making appropriate recommendations to the Assembly.

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