

## **ASSEMBLY**

Wednesday, 8 December 2010  
(7:00 - 8:35 pm)

### **PRESENT**

Councillor J Davis  
(Deputy Chair in the Chair)

Councillor S Alasia	Councillor J L Alexander
Councillor S Ashraf	Councillor A Gafoor Aziz
Councillor R Baldwin	Councillor G Barratt
Councillor P Burgon	Councillor L Butt
Councillor E Carpenter	Councillor J Channer
Councillor J Clee	Councillor H J Collins
Councillor L Couling	Councillor R Douglas
Councillor C Geddes	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 J Ogungbose
Councillor T Perry	Councillor B Poulton
Councillor H S Rai	Councillor A K Ramsay
Councillor L A Reason	Councillor C Rice
Councillor L Rice	Councillor D Rodwell
Councillor A Salam	Councillor L A Smith
Councillor S Tarry	Councillor D Twomey
Councillor G M Vincent	Councillor J Wade
Councillor L R Waker	Councillor P T Waker
Councillor J R White	Councillor M M Worby

### **APOLOGIES FOR ABSENCE**

Councillor D Hunt	Councillor M Hussain
Councillor E O Obasohan	Councillor T Saeed

#### **35. Declaration of Members' Interests**

Councillor Carpenter declared a personal interest in agenda item 13 due to her membership of the Barking and Dagenham Adult College and the Corporation of Barking and Dagenham College.

#### **36. Minutes - To confirm as correct the minutes of the meeting held on 15 September 2010**

**Agreed.**

### **37. Appointments**

**Agreed that:**

**Councillor Keller** be appointed as a member of the Licensing and Regulatory Board in place of Councillor Gafoor Aziz who resigned his position on 14 October 2010.

**Councillor Burgon** be appointed as a member of the Living and Working Select Committee in place of Councillor Letchford, who resigned his position on 6 October 2010.

**Councillor L Rice** be appointed as a member of the Safeguarding & Rights Fostering Panel in place of Councillor Perry who resigned his position on 19 July 2010.

**The Leader of the Council and the Deputy Leader of the Council** be appointed as member and deputy member respectively of the Reserve Forces and Cadets Association, following Councillor Letchford's resignation on 1 December 2010.

### **38. Parent Governor (Secondary) Co-opted Member of the Children's Services Select Committee**

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

**Agreed** the appointment of Mr Ishmael Ncube as the Secondary School Parent Governor Co-opted Member to the Children's Services Select Committee for a term of four years.

### **39. Living & Working Select Committee Recommendations - Communal Digital/Satellite TV System Petition Appeal**

Received and noted the report introduced by the Lead Member of the Living and Working Select Committee.

To provide a greater understanding of issues that residents had complained about, the Lead Member also referred to photographs showing unconnected cables and the size and placement of the boxes.

Members commended the report and noted that it demonstrates to the public that when a petition is raised, it is taken seriously.

**Agreed to:**

1. note the lessons learned from the way that the system installation was progressed; and
2. agree the recommendations of the Living and Working Select Committee as set out in section 7 of the report, namely:

In respect of work carried out in the D'Arcy Gardens area:

- The Contractor, Stanley Security Solutions Limited, write to all affected residents and apologise for the sub-standard service provided.
- D'Arcy Gardens to be re-assessed for options where communal aerials and cables can be placed.
- Once viable options are found, residents will be written to and given 28 days to respond giving preference as to where the communal aerials should be placed.
- The Council to negotiate with the contractor to try and reduce the cost of the service to residents for the remaining life of the contract.
- To consider a refund of charges to those properties that have not been connected to the system.

Future contract related requirements:

- When the lease for the communal aerial expires in 2014, the contract to be reviewed and residents' views considered as to whether the communal aerial is to be maintained.
- The Council to improve the monitoring of contracts. Where appropriate, prior to appointment, a method statement be required from contractors on how they intend to liaise with residents/customers.
- Once a survey of potential works has been completed, a wide consultation, including surgeries and public meetings, take place to give residents an opportunity to clarify any concerns they may have.
- The Council to use the tenants' profile information as a guide on how to communicate with residents, for example, Braille to those who have a sight impairment.
- Communal aerials to be inspected by a qualified technician to check lightning protection.

#### **40. Council Constitution**

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

Following discussion, the Corporate Director of Finance and Resources advised that the legislative requirement to amend Appendix A of the Financial Rules was in the interests of transparency and that the role of the Public Accounts and Audit Select Committee will continue.

##### **Agreed that:**

1. the proposed changes to the Council Constitution be accepted to take immediate effect; and
2. the thresholds for e petitions be a minimum of 1% of the total borough electorate as at 1 December each year for petitions to the Assembly and 0.5% for petitions to Select Committees.

#### **41. 11th London Local Authorities Bill**

Received and noted this report introduced by the Legal Partner, Corporate Law and Employment.

**42. Local Development Framework - Adoption of Site Specific Allocations Development Plan Document**

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

**Agreed** to approve the Barking and Dagenham Local Development Framework Site Specific Allocations Development Plan Document.

**43. Proposed Provision of a Shared Civil Contingencies Service for Barking and Dagenham and Waltham Forest**

Received and noted this report introduced by the Cabinet Member for Environment.

**Agreed:**

- (i) That the Council and the London Borough of Waltham Forest form a single Civil Contingencies Unit to meet the needs of their joint populations and the requirements of the Civil Contingencies Act 2004;
- (ii) That the Council enter into a formal agreement with the London Borough of Waltham Forest in a form to be agreed by the Legal Partner, under which the Council accepts a delegation of function from the London Borough of Waltham Forest in respect of their duties and obligations under the Civil Contingencies Act 2004, in return for funding and other contributions to be made by the London Borough of Waltham Forest; and
- (iii) To delegate authority to the Cabinet to agree the extension of the joint service arrangement to include other Local Authorities in the event that it is considered to be in the Council's interests to do so.

**44. Governance Arrangements for New Joint Venture with Agilisys**

Received and noted this report introduced by the Cabinet Member for Customer Services and Human Resources.

It was noted that the Appendix 3, the structure of Commercial Services and Transformation Unit, shows two specific structures. This is because they are two separate work streams and to ensure that lines of responsibility are clearly drawn.

**Agreed :**

- (i) to appoint the Portfolio Holder for Customer Services and Human Resources and the Corporate Director of Finance and Resources as the two Council representatives on the Elevate Board;
- (ii) to appoint Councillor Carpenter as the nominated deputy for the Portfolio Holder for Customer Services and Human Resources and endorse the appointment of the Divisional Director of Assets and Commercial Services and the Divisional Director of Corporate Finance as the nominated deputies

for the Corporate Director of Finance and Resources;

- (iii) to appoint the Portfolio Holder for Finance, Revenues and Benefits, as Chair, the Portfolio Holder for Customer Services and Human Resources and Councillor Butt as the Member representation on the Strategic Partner Board; and
- (iv) that the necessary amendments be made to the Council's Scheme of Delegation to reflect the responsibilities for managing the Elevate Limited Liability Partnership agreement, the Strategic Partner Agreement and the Service Contract with Elevate and other associated legal documents, and that the Constitution be amended accordingly.

#### **45. Pension Fund Annual Report**

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

Following questions from the Assembly, the CDFR advised that:

1. the Stock Market is strong and the Fund assets may well go up;
2. the draft Triannual report has just been received and will be taken to the Members' Pension Panel;
3. the difference in the figures £549,286 and £549,284 on pages 96 and 97 is probably as a result of "rounding", but that the CDFR would revert to Members on this;
4. the Council manages the London Borough of Barking and Dagenham Pension Fund but legislative changes are made by the Government through the Pension Scheme, over which the Council has no control. The Hutton Report on ensuring a sustainable LGPS is due and some significant changes to the Scheme are expected.

#### **46. Motions**

##### **Motion 1. Increased tuition fees in adult and further education**

Moved by Councillor Carpenter and seconded by Councillor McCarthy.

"This Council condemns the Tory/Lib Dem Government's proposals to increase tuition fees in adult and further education. For example, the Tory/Lib Dem Government is removing the entitlement to free training for over 25s wanting to get a basic Level 2 qualification (equivalent to 5 GCSEs). Adults studying for a level 3 qualification (equivalent to A level) will be asked to pay fees. In addition, there are proposals to increase tuition fees to recoup 80% of the cost of education and training for adults. These fee increases will be massive. Many of our hard-working residents on low incomes will not be able to afford to improve their qualifications, and their prospects for employment. These measures are harsh: many of our residents will be locked into unemployment or imprisoned in low paid unskilled jobs.

We, therefore, call upon the Council and our MPs to lobby the Tory/Lib Dem Government vigorously about the impact on the residents of Barking and Dagenham of their proposals to increase significantly tuition fees in adult and further education.”

Members spoke in support of the motion and expressed their concerns that increasing tuition fees was a direct attack on social mobility. Concern was also raised regarding increased pressure on the Colleges if people were no longer able to afford the fees.

In response, Councillor Carpenter expressed her thanks to Members for their supporting comments. She said that increasing the fees will affect people aspiring to get a second chance in their education, as well as those who attend for reasons of health and wellbeing. This will damage the quality of life of many of our residents.

In accordance with paragraph 3.2 of Part H of the Council Constitution, it was **agreed** to suspend paragraph 9.7 of Article 1 of Part B of the Council Constitution and vote by way of a show of hands.

The motion was put to the vote and unanimously **agreed**.

## **Motion 2. Congratulations to Adult and Community Services**

Moved by Councillor Burgon and seconded by Councillor Reason:

“This Council would like to congratulate our Adult and Community Services team for the fantastic news that the Care Quality Commission have announced that we are performing well in safeguarding vulnerable adults and also improving the health and wellbeing of people with learning disabilities. Moreover, they have stated in this year’s review that our future improvement in these areas is looking promising.

We would also like to congratulate them as our Adult Social Care Area Performance Assessment for 2010 has been deemed as excellent. Out of the 152 Councils who work within this area, 37 were judged as ‘excellent’, which means that as a Council we are in the top 24%. In London, only 10 of the 33 councils were given this rating and our score places us approximately 8<sup>th</sup> in London.

This is testament to the hard work and dedication shown throughout the directorate from top to bottom, in what is one of the most challenging service areas, and will be increasingly vital over the next few years.”

Members spoke in support of the motion, stating that this is a validation of the quality of the service being provided to residents in the borough. It was noted that the Adult College works closely with Adult and Community Services and is currently working with 129 adults with learning difficulties to help improve their quality of life.

One note of concern was that this achievement was as a result of funding by the

last Labour government and that we need to ensure that funds are still available. These standards may be more difficult to achieve if we have to face a 20% cut.

Councillor Reason proposed a vote of thanks to the Corporate Director of Adult and Community Services and her dedicated and hard working staff. This was wholeheartedly supported.

In accordance with paragraph 3.2 of Part H of the Council Constitution, it was **agreed** to suspend paragraph 9.7 of Article 1 of Part B of the Council Constitution and vote by way of a show of hands.

The motion was put to the vote and unanimously **agreed**.

### **Motion 3. Delivery of Good Quality Social Housing**

Moved by Councillor Twomey and seconded by Councillor P Waker:

“This Council recognises the huge impact that the lack of affordable social housing has had on its residents over the last decade. To this end the Lead Members for housing and regeneration and the council officers involved have worked tirelessly, particularly over the last two years, to position us at the forefront of council house building projects. However, for all this hard work, the net result is plans to build only 141 council properties across the borough.

Further cuts to national housing investment by the current government, mean that there will be thousands of fewer affordable homes built this year, and the end of the council house building programme.

There are also many more barriers to building council housing than ever before. The national economic conditions are hampering our ability to attract development partners in an already challenging local housing market and with increasing uncertainty around infrastructure investment in the borough, regeneration of new housing has slowed considerably.

It is unrealistic that we can serve the housing needs of our residents/tenants by funding house building projects ourselves, as current estimates show the need to raise over £38 million to bridge the gap between our current level of estate renewal and the completion of the project.

As noted by the Living and Working Select Committee, we are currently drafting our new housing strategy document due for 2011/2012, which gives the Council an excellent opportunity to develop a substantial and robust vision for the future.

Although it is right to continue to lobby central government in pursuit of Council house building finance, I would move to the Assembly that we as a Council need to have as broad approach as possible, enabling us to explore the whole range of housing delivery options, such as with Registered Social Landlords, so that we can deliver good quality social housing that will facilitate our residents to have better homes, better health, better togetherness and a better future.”

Members spoke in support of the motion, noting that it was important to be

cautious when dealing with the private sector but nevertheless to keep an open mind. It was noted that in some parts of the borough tenants had indicated they would be against a Housing Association landlord. However, in the current climate, the Council must look at all alternatives, not least to ensure we take good advantage of any housing grants and avoid the risk of losing substantial monies.

Summing up, Councillor Twomey welcomed all Members' comments. He considered that we should be building more than the 141 properties that we have permission for. He said he was neither endorsing nor disapproving of Housing Associations, but that for every example of people who do not want to leave Council housing, he could provide an example of people who would be happy to move out. He stated that as a Council we need to explore every single angle as to what is best for us and our residents, working in partnership where relevant.

In accordance with paragraph 3.2 of Part H of the Council Constitution, it was **agreed** to suspend paragraph 9.7 of Article 1 of Part B of the Council Constitution and vote by way of a show of hands.

The motion was put to the vote and unanimously **agreed**.

#### **47. Leader's Question Time**

##### **Question from Councillor Baldwin:**

"In light of the cynical and over-the-top politically motivated and very harmful cuts being ruthlessly directed at Baking and Dagenham by the Coalition, can the Leader please explain what key front-line services have been protected? Have we given priority to any policy area that highlights our values as Labour Councillors that we can articulate to the public whom we all serve?"

##### **Response from Councillor Smith:**

"This is a worthwhile question. We need to look at where we have come over the last thirteen years to the position of the Borough now – acknowledge where we are today.

The Budgets are set. How do we protect the frontline services, some of which are more expensive than others? It is almost impossible, so we need to look at value for money.

We must protect the Children's Centres. We have got 18 of them and we all know how valuable they are. We do not want to go down the route of shutting them down.

None of our schools in the Borough is under special measures. When I was at school we were the worst performing – we were under a Tory government. What we have now in our schools is as a result of a Labour government.

We gave a commitment last year that we would provide services in our parks to keep them safe. We are still keeping our parks safe.

Council housing – we have permission to build 141. It doesn't matter if it is one or



1,000, we do not want any families living in decaying properties. We have got to work smarter.

Fortnightly bin collections are not going to happen because we want to keep the borough as clean as possible.

One positive for us is being given Olympic Borough Status. I had previously said I would not watch any of the Olympics because we had been snubbed.

All 51 of us must look at these cuts year on year. More important is listening to the public. This is a Labour Council but we need to remember that a lot of the people in this borough voted Conservative.

Many people over the last few years expressed to me their dissatisfaction with the Labour government, however at the same time recognising what that government achieved. What I am surprised at is how quickly this feeling has moved on to this Tory led coalition. People realise that these cuts are an attack on the most vulnerable in society, and it is a shame that people have to go through this to realise the many benefits of a Labour government.

I was at a function where a speaker said "The worst, worst, worst, worst Labour government is better than any Tory government."

We must remember that and let the public know that we will fight this coalition government all the way with their decisions, which are unfairly affecting the people of this borough."

#### **48. General Question Time**

##### **General Question from Councillor Tarry:**

"Would the Cabinet Member for Education and Children please give us an update on the Playbuilder funding?"

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

"I thank Councillor Tarry for this question.

This scheme was a brand new initiative from the Labour government of over £1 million to provide Playbuilder areas. We were able to roll out 11 schemes costing £530,000 in year 1. In year 2 the £600,000 that we were expecting was frozen following the general election. We thought this was shortsighted, bearing in mind the link to the Olympics and the emphasis on tackling obesity in the borough. However, I am pleased to announce that the Secretary of State for Education, Michael Gove, has notified us that we have secured £430,000. This is a big, big success thanks to the hard work of Members and officers.

I can assure Members that we will roll out 10 schemes in year 2 throughout the borough from Chadwell Heath to Thames, from Eastbrook to Abbey."

**49. Any other public items which the Chair decides are urgent**

The Assembly passed congratulations to Stacey Solomon on her recent appearance on the television programme “I’m a Celebrity...Get Me Out of Here!” and on her being crowned “Queen of the jungle”. The Leader of the Council stated that Stacey is very proud of the Borough and it is important that this Council passes on its congratulations to her.

On closing the meeting, the Deputy Chair wished everyone a very happy Christmas and prosperous New Year.