

MINUTES OF ASSEMBLY

Wednesday, 19 February 2014
(7:00 - 8:31 pm)

PRESENT

Councillor A K Ramsay (Chair)
Councillor E Kangethe (Deputy Chair)

Councillor S E Ahammad	Councillor J L Alexander
Councillor A Gafoor Aziz	Councillor R Baldwin
Councillor G Barratt	Councillor S J Bremner
Councillor L Butt	Councillor E Carpenter
Councillor J Channer	Councillor J Clee
Councillor R Douglas	Councillor C Geddes
Councillor R Gill	Councillor A S Jamu
Councillor M A McCarthy	Councillor J E McDermott
Councillor M McKenzie MBE	Councillor D S Miles
Councillor M Mullane	Councillor E O Obasohan
Councillor B Poulton	Councillor H S Rai
Councillor L A Reason	Councillor C Rice
Councillor D Rodwell	Councillor T Saeed
Councillor A Salam	Councillor P T Waker
Councillor J R White	Councillor M M Worby

APOLOGIES FOR ABSENCE

Councillor S Alasia	Councillor S Ashraf
Councillor P Burgon	Councillor H J Collins
Councillor J Davis	Councillor D Hunt
Councillor M Hussain	Councillor I S Jamu
Councillor E Keller	Councillor G Letchford
Councillor J Ogungbose	Councillor T Perry
Councillor L Rice	Councillor L A Smith
Councillor S Tarry	Councillor D Twomey
Councillor G M Vincent	Councillor J Wade
Councillor L R Waker	

45. Declaration of Members' Interests

There were no declarations of interest

46. Minutes (4 December 2013)

The minutes of the meeting held on 4 December 2013 were confirmed as correct.

47. Death of former Councillor Mrs Patricia Northover

Assembly noted with deep regret that following a short illness, former Councillor Mrs Patricia Northover had passed away on 25 January 2014.

The Chair led tributes from the Assembly, noting that Mrs Northover had been a very able servant of both this borough and the London Borough of Newham.

She was a kind and helpful person and it was testament to her that so many Members of this Council had attended her funeral.

The Assembly stood for a minute's silence as a mark of respect.

48. New Year's Honour List 2014 - Award of MBE to Jeremy West

The Assembly received and noted this report introduced by Councillor Gill, Deputy Leader, relating to the award of MBE in the New Year's Honours List 2014 to Jeremy West in recognition of his professional work and services to the community.

Councillor Gill commended Jeremy's support for the young people of the borough and stated that he was a good friend to this Council. On a personal note, Councillor Gill recalled the care shown by Jeremy when he lost his father last year.

In recording their congratulations to Jeremy on this well deserved award, Members commended the dignity with which he conducts his professional business in the borough and his work as a school governor at Eastbrook Comprehensive and as a trustee of the "Living the Dream" trust.

49. Formation of UK Independence Party Group and Appointment to Committees

The Assembly received this report introduced by the Chief Executive, relating to the formation of the UK Independent Party Group with effect from 20 January 2014 and the allocation of seats to committees in accordance with the political balance requirements of Section 15 of the Local Government and Housing Act 1989.

Assembly received a verbal update from the Labour Group Secretary nominating Councillor L Rice as the Lead Member of the Children's Services Select Committee and to the vacancy on the Public Accounts and Audit Select Committee.

The Assembly **agreed** to:

1. note the formation of the UK Independence Party Group with effect from 20 January 2014;
2. approve the appointment of Councillor R Douglas as a member of the Living and Working Select Committee and Councillor G Letchford as a member of the Children's Services Select Committee; and
3. approve the nomination of the Labour Group of Councillor L Rice as Lead Member of the Children's Services Select Committee and to the vacancy on the Public Accounts and Audit Select Committee.

50. **Barking & Dagenham Youth Forum Annual Report 2012/13**

The Chair welcomed the Barking and Dagenham Youth Forum representatives to the Chamber, namely:

Viroshan Gnanapandithan - Chair
William Haggis
Ramat Ojetola
Jade Ramsey
Bethany Dowding
Roshelle Mitchell
Danielle Mitchell
Jessica Matovu
Faraz Hanif – Deputy Youth Parliament

Assembly received and noted the report introduced by the Corporate Director of Children's Services, who before giving the floor to the Youth Forum representatives, announced that last year's Chair, Paul Cox, had been awarded a place at Oxford University.

Jade Ramsey, who has been a Forum member for five years, introduced the presentation, stating that through the Forum she had built up her self-confidence.

Each of the Forum representatives spoke in turn about the work of the Forum over the last year:

The Media Sub-group:

This sub-group had wanted to raise awareness of stereotyping and developed their project by videoing the reactions of young people to a number of scenarios they were presented with.

The aim of the video was to challenge people's negative stereotypes and to get them to think more about how they view different groups of people in society. It will be toured to various youth groups and shared with schools, as well as being uploaded to YouTube.

The Education Sub-group

This sub-group considered it vital to improve communication between the schools in the borough and the Forum, to promote working together to enable young people to have a voice and make a difference. The sub-group was invited to deliver an icebreaker and workshop at the School Council Summit.

The sub-group also focussed on the content of Personal Social Health Education lessons and Citizenship and considered that the lessons should include information on:

- how to open a bank account
- budgeting
- writing a CV
- how to vote

They developed a survey/questionnaire which was sent to all secondary schools in the borough. A third of the schools responded (285 responses in total) and the findings have been presented to the Advisory Teacher for Health, Jo Caswell.

Young Inspectors

In its second year as a sub-group, they carried out the following inspections:

- Come Correct condom distribution – 10 pharmacies
- Becontree Leisure Centre
- Four inspections in partnership with London & Quadrant Housing Association
- Subwise substance misuse service
- Review of the Youth4Us website
- One Patient Participation Group with one more in the process of completion

Young Inspectors have begun planning an inspection of the 14-19 Service, commissioned by Council Officer, Helen Richardson.

The Consultation Sub-Group

This sub-group undertook the following one-off consultations, in collaboration with council officers and external partners:

- Jackie Chamberlain (Children's Commissioning and Procurement) - Borough transport operation
- Shola Akala (Joint Strategic Needs Assessment Consultant) - Joint Health and Wellbeing Strategy & Health Strategies in the Borough - Elizabeth Winnett (LSCB Business Support Manager) - LSCB Website Feedback
- Kid space - Kid space Online Survey for Anti-Bullying
- Manisha Modhvadia (Healthwatch) - Pharmacy services offered in the Borough
- Simona Daniel (New Media Advisor) - Effectiveness of StreetBase Local Facebook page
- Chris O'Connor (OFSTED stakeholder Engagement Manager) - CAF/CASS Online Survey
- Helen Oliver (Group Manager Safeguarding Adults) - DV 'Are you living in Fear' Poster
- Bobby Green (Community Safety Coordinator) – MOPAC (Mayor's Office for Police and Crime) event around the closure of local Police Stations & Feedback on London 5th Safety Plan
- Transport for London – TfL Online Survey School and Young Person Delivery Plan
- Justice Board - 'You be the Judge' Online Feedback on sentencing
- Phillippa Banister (Sustrans Coordinator) - DIY Streets Project in local community
- Florence Jane (Health Improvement Specialist) - Sexual Health Questionnaire: Relationship & Sex Education
- Chain Reaction – Spread The Word, teenage pregnancy prevention

- campaign
- Perdita (Young person) - Human Trafficking project
- Home Office public consultation on powers for stop and search
- Education Sub-group - Improving School Councils
- BAD Youth Forum – BAD Youth Forum format
- Young Minds - online survey improving the lives and wellbeing of young people
- Sex Education Forum – online Survey was your sex and relationships education good enough?

The results of each consultation have helped to shape service delivery.

UK Youth Parliament

Two Forum Members were elected in February 2013 as Member and Deputy Member of the Youth Parliament to represent LBBB at the Annual Sitting at Leeds University and at the House of Commons during Democracy Week.

The Deputy Member, Faraz Hanif, said his year had been brilliant and wished good luck to the next Member of the Youth Parliament.

Other Activities:

- ❖ Children's Services Select Committee – attended by Chair, Paul Cox
- ❖ Stubbers Team Building Day
- ❖ Alton Towers Workshop Development weekend where they split into two teams to develop and deliver a "Dragons' Den" style presentation on how they would run the Forum, highlighting areas for development.

In response to questions from Members:

- William Haggis said that the Forum had changed his life
- All said they would like to stand in the future as Councillors/Members of Parliament
- They stressed the importance of the Curriculum for Life – young people do not know enough about university tuition fees, which could be a deterrent to attending university.

Members commended the Youth Forum and the representatives who had given the presentation, with Councillor Worby, Cabinet Member for Health, requesting to meet with them to hear their voice with a view to working together to make a real difference.

William Haggis closed the presentation, thanking Assembly for giving them the opportunity to attend and asked that the Forum's congratulations be passed to Paul Cox, wishing him every success for the future.

51. Budget Framework 2014/15

Assembly received this report presented by Councillor Gill, the Cabinet Member for Finance, which set out the:

- Medium Term Financial Strategy (MTFS) for 2014/15 to 2017/18;
- Proposed General Fund budget for 2014/15;
- Proposed level of Council Tax for 2014/15;
- Financial outlook for 2015/16 onwards;
- Three year draft capital investment programme.

The Cabinet Member announced that the key messages from this budget were:

- Council Tax freeze for the sixth year in a row
- Protection of front line services as much as possible and a budget that listened to residents
- An ambitious capital programme investing in the future of the Borough

and that in setting the budget, the emphasis throughout had been, as far as possible, on protecting front line services and, in particular, prioritising the retention of those services most important to the residents and the future of Barking & Dagenham.

Despite the financial challenges, the Council had taken the lead in supporting its lowest paid staff, many of whom are local residents, by introducing a £9 per hour minimum wage, and for the sixth consecutive year, as a further means of helping local residents, the Council would again be freezing Council Tax. However, the Council's success in achieving the highest number of new homes built had resulted in the receipt of additional grant monies, and additional income would also be achieved through increasing the Council Tax base as a result of these new homes.

The budget had been set in the context of further large cuts in core funding from central government and the Council remains underfunded by approximately £2.5 million, due to the way in which central government calculates the funding formula.

The Cabinet Member went on to say that savings in support functions and corporate costs continued to be a priority for the Council, and this was reflected in sharing a Strategy and Policy Team with Thurrock Council, the joint venture with Elevate and by reducing the number of buildings used by the Council for the delivery of services.

The Council would continue to make significant capital investment in the Borough with over £300m of expenditure planned over the next three years. However, it was important to note that these decisions had not been made without considering their affordability and leaving the Council with unaffordable financing costs to pay in the future.

Significant work has been done at both Member and officer level to lobby central government for more resources and this has been hugely successful and wherever possible, external funding was sought and bidding for additional monies encouraged at every opportunity.

The Council's asset register is regularly reviewed to identify any surplus items which can then be sold for a fair price in order to reduce the authority's level of debt and in addition to Council resources, innovative solutions had been implemented such as the use of private sector finance to build 477 new homes at

King William Street Quarter and Eastern End Thames View, many of which had now been let with the majority going to Barking & Dagenham residents.

The Council remains ambitious with the next three years seeing:

- A new Leisure Centre in Barking
- Continuing to improve our schools and provide more school places
- Addressing the condition of our housing stock
- Building new affordable homes within the Borough
- Improving the condition of our roads and pavements
- Developing new ways for residents to access Council services

In closing, the Cabinet Member said that the outlook for the future was for more of the same and that in addition to continued cuts in funding from the coalition government, the Council also faced pressure from:

- Additional costs as a result of government legislation such as the Care Bill and Children and Families Bill
- Threats to income sources such as parking fines which provide funding for the investment in the highways
- An increase in National Insurance costs

all of which pressures mean the Council faces having to make savings of approximately £70m between 2015 and 2018, which will mean more difficult decisions in the future with a need to focus on key priorities and those services most important to residents.

At the invitation of the Chair to speak, the Chief Finance Officer stated that:

- The budget presented had been subject to significant review at both Member and Officer level and therefore each savings proposal was considered sufficiently robust to be included
- The savings had been approved by Assembly twelve months ago and the positive progress on implementing those savings was reported to PAASC last month
- The report included his minimum recommended level of balances of £15m and current estimates forecast the year end position as being in excess of that position providing options for the future
- The draft budget for 2014/15 included the use of balances, which would need to be addressed with ongoing savings in the setting of the 2015/16 budget

Overall, the Chief Finance Officer stated that he was comfortable that the proposed budget was sufficiently robust and sustainable to be recommended to Members.

In response to a question concerning the ELWA levy increase, the Cabinet Member for Housing, who is also Chair of ELWA, advised that ELWA's current contract was negotiated eleven years ago. He said that the maximum landfill tax was now £80 per ton and that as more houses had been built, more waste was being produced. There is diversion of general waste to Frog Island with a market to take that waste away and ELWA is looking to raise the diversion rate.

He went on to say that the ELWA board has been restructured, is continually looking for improvement, and works closely with the Department for Environment, Food and Rural Affairs. He was confident that the right decisions were being made going forward and this year they would be coming in under budget.

Councillor Gill moved that the budget be put to the vote, seconded by Cllr Carpenter.

In accordance with paragraph 9.5 of Article 1, Part B of the Council Constitution Councillor Carpenter moved that the budget be put to a recorded vote and this was supported by Councillors Alexander, Gill and Rai.

The budget was then put to the vote and was **agreed** as follows:

For: Councillors Ahammad, Alexander, Baldwin, Bremner, Butt, Carpenter, Channer, Clee, Douglas, Gafoor Aziz, Geddes, Gill, A S Jamu, Kangethe, McCarthy, McDermott, McKenzie, Miles, Mullane, Obasohan, Poulton, Rai, Ramsay, Reason, L Rice, Rodwell, Saeed, Salam, P Waker, White, Worby

Against: None

Abstain: Councillor Barratt

The Assembly therefore **agreed** to:

- (i) Approve a base revenue budget for 2014/15 of £165.3m, as detailed in Appendix A;
- (ii) Approve the adjusted Medium Term Financial Strategy (MTFS) position for 2014/15 to 2017/18 allowing for other known pressures and risks at this time, as detailed in Appendix B;
- (iii) Delegate authority to the Chief Finance Officer, in consultation with the Cabinet Member for Finance, to vary the contribution required from reserves in respect of the 2014/15 budget gap, pending confirmation of levies and further changes to Government grants prior to 1 April 2014;
- (iv) Approve the Statutory Budget Determination for 2014/15 as set out at Appendix C, which reflects a freeze on the amount of Council Tax levied by the Council, plus the final Council Tax announced by the Greater London Assembly on 14 February 2014 (1.3% reduction), as detailed in Appendix D;
- (v) Approve the Council's draft Capital Programme for 2013/14 to 2015/16 as detailed in Appendix E; and
- (vi) Approve the grant of business rate relief of £1,000 to all eligible retail premises with a rateable value of less than £50,000 in 2014/15 and 2015/16, as detailed in paragraph 7 of the report.

52. Treasury Management Strategy Statement 2014/15

Assembly received this report, introduced by the Chief Finance Officer, setting out the Council's Treasury Management Annual Strategy Statement for 2014/15 (TMSS).

Assembly noted that the overall TMSS included details of the proposed borrowing limit for the year and a range of other aspects aimed at ensuring that the Council had prudent and robust arrangements in place to meet all of its financial commitments and responsibilities, in line with the requirements of Section 15(1) of the Local Government Act 2003.

Assembly **agreed** to:

- (i) Adopt the Treasury Management Strategy Statement for 2014/15 attached as Appendix 1 to the report and, in doing so, to:
 - (a) Note the current treasury position for 2013/14 and prospects for interest rates, as referred to in sections 6 and 7 of Appendix 1;
 - (b) Approve the Council's Borrowing Strategy, Debt Rescheduling Strategy and Policy on borrowing in advance of need for 2014/15 as referred to in sections 9 - 12 of Appendix 1;
 - (c) Approve the Authorised Borrowing Limit (General Fund and HRA) of £500m for 2014/15, representing the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003, as set out in Appendix 1B;
 - (d) Approve the Treasury Management Indicators and Prudential Indicators for 2014/15, as set out in Appendix 1B;
 - (e) Approve the Minimum Revenue Policy Statement for 2014/15, representing the Council's policy on repayment of debt, as set out in Appendix 1C; and
 - (f) Approve the Annual Investment Strategy and Creditworthiness Policy for 2014/15 outlining the investments that the Council may use for the prudent management of its investment balances, as set out in Appendix 1D.

53. Pay Policy Statement 2014/15

Assembly received this report relating to the Pay Policy Statement 2014/15 (the Policy), introduced by the Divisional Director of Human Resources and Organisation Development (DDHROD).

In presenting the report, the DDHROD referred Assembly to an amendment to be made to the table set out in paragraph 5.3.3 of the Policy (page 106 of the agenda at Appendix A to the report), in that the Divisional Director of Regeneration's Grade of Post should be CO2, with a salary cost of £89,763.

Assembly noted that it is a requirement of the Localism Act 2011 for a pay policy statement covering chief officer posts and above to be agreed before the commencement of the new financial year and that the following matters must be included:

- The level and elements of remuneration for each chief officer.
- The remuneration of its lowest-paid employees (together with its definition of “lowest-paid employees” and its reasons for adopting that definition).
- The relationship between the remuneration of its chief officers and other officers.
- Other specific aspects of chief officers’ remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency.

Assembly **approved** the Pay Policy Statement for the London Borough of Barking and Dagenham for 2014/15 as set out at Appendix A, subject to the amendment to the table set out in paragraph 5.3.3 of the Policy referred to above, for publication with effect from 1 April 2014 on the Council’s website.

54. Private Rented Housing Licensing Scheme

Assembly received this report, introduced by Councillor Alexander, the Cabinet Member for Crime, Justice and Communities, relating to the proposal to introduce a Private Rented Property Licensing Scheme which would ensure that all private rented sector housing in the Borough would be covered by compulsory licensing.

The Cabinet Member said that the Scheme had been designed to protect vulnerable members of the community and would provide greater interaction between the Council and private landlords by increasing the responsibility of the private landlords to deal with issues such as anti-social behaviour.

Members spoke in support, and paid tribute to the work carried out by the Living and Working Select Committee in 2012 in relation to the borough's private rented sector residents and the conditions that they were living in.

It was noted that many residents were living in overcrowded conditions in houses in multiple occupation, which had an adverse effect on the children of the families both in terms of their health and education.

Assembly considered the representations received in response to the consultation on the proposed introduction of additional licensing of houses in multiple occupation (HMOs) and selective licensing of other private rented property and **resolved:**

- (a) To designate a selective licensing area of the district of the London Borough of Barking and Dagenham as delineated and edged red on the map at Appendix 1A to the report;
- (b) To designate an additional licensing area of the district of the London

Borough of Barking and Dagenham as delineated and edged red on the map at Appendix 1B to the report;

- (c) That the selective licensing scheme shall be cited as the London Borough of Barking and Dagenham Designation for an Area for Selective Licensing No 1, 2014;
- (d) That the selective licensing designation shall come into force on 1 September 2014;
- (e) That the additional licensing scheme shall be cited as the London Borough of Barking and Dagenham Designation for an Area for Additional Licensing of Houses in Multiple Occupation No 2, 2014;
- (f) That the additional licensing designation shall come into force on 1 September 2014;
- (g) That the schemes be known collectively as the Barking and Dagenham Private Rented Property Licensing Scheme;
- (h) To adopt the Private Rented Property Licensing Scheme Conditions as set out in Appendix 2 to the report;
- (i) That the fees and charges set out in Appendix 3 to the report be applied to the Private Rented Property Licensing scheme;
- (j) To delegate authority to the Corporate Director of Housing and Environment to make changes to the proposed implementation where necessary and ensure that all statutory notifications are carried out in the prescribed manner for each designation; and
- (k) To delegate authority to the Corporate Director of Housing and Environment to grant licences under the Council's Private Rented Property Licensing Scheme.

55. Proposed Byelaw to Ban Skateboarding in Arboretum Place and Town Square, Barking

Assembly received this report, introduced by Councillor Alexander, the Cabinet Member for Crime, Justice and Communities, relating to a proposed byelaw to ban skateboarding in Arboretum Place and the Town Square, Barking.

In presenting the report, the Cabinet Member thanked officers, ward Councillors and residents for their work and support and advised that a number of options had been investigated to resolve the issue of young people using the area as an informal skateboarding park but these had not produced workable solutions.

Assembly **agreed** to support the proposal to put in place a byelaw under Section 235 of the Local Government Act 1972 stating that no person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons in the area shown on the map at Appendix 1 to the report.

56. Independent Persons - Extension of Engagement

Assembly received this report introduced by the Legal Practice Group Manager, relating to the appointment of Independent Persons to carry out an advisory role as part of arrangements the Council must have in place to investigate and determine complaints regarding the Councillors' Code of Conduct, as required by Section 28(6)(a)&(B) and 28(7) of the Localism Act 2011.

Assembly **agreed**:

1. the retention of Mr Michael Carpenter and Mr Brian Little as Independent Persons in accordance with Section 28(7) of the Localism Act 2011 until the next Assembly meeting following the Annual Assembly in 2016; and
2. that the Monitoring Officer be authorised to engage an additional Independent Person to be retained on the same terms as the current Independent Persons, for subsequent appointment by the Assembly.

57. Constitution Review

Assembly received this report relating to the review of the Council Constitution, introduced by the Legal Practice Group Manager.

Assembly **agreed** to:

1. adopt the Employees' Code of Conduct as set out at Appendix 1 to the report;
2. adopt the Protocol for Councillor/Employee Relations as set out at Appendix 2 to the report; and
3. approve the inclusion within the Chief Executive's Scheme of Delegation (Section P of Part C of the Constitution) of the following provision:

“in exceptional circumstances, such as a civil emergency, during a void in political leadership or to maintain the efficient and effective governance of the Council, to take any decision on behalf of the Council (after consultation with the Leader where feasible)”

The Chair noted that this was the last Assembly meeting of this municipal year and wished good luck to those Members who would not be standing for re-election in May 2014.

The meeting closed at 8.35 pm.