

**Notice of Meeting of the**

**ASSEMBLY**

**to be held on Wednesday, 20 May 2015  
commencing at 7:00 pm in the  
Council Chamber, Town Hall, Barking**



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

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Chief Executive

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## AGENDA

### 1. Appointment of Chair and Deputy Chair

The Chief Executive shall invite nominations and conduct the vote for the positions of Chair and Deputy Chair of the Assembly.

### 2. Apologies for Absence

### 3. Declaration of Members' Interests

In accordance with the Council's Constitution, Members are asked to declare any 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 24 February 2015 (Pages 3 - 21)

### 5. Minutes of Sub-Committees - To note the minutes of the JNC Salaries and Conditions Panel held on 15 May 2015 (to follow)

### 6. Death of Honorary Alderman John Davis (Page 23)

### 7. Leader's Statement

### 8. Appointments to the Political Structure and Other Bodies 2015/16 (Pages 25 - 34)

### 9. Members' Allowances Scheme 2015/16 (Pages 35 - 44)

### 10. Council Constitution - Updates (Pages 45 - 52)

### 11. Questions With Notice

### 12. Any other public items which the Chair decides are urgent

### 13. 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.***

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

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## **Our Vision for Barking and Dagenham**

### **One borough; one community; London's growth opportunity**

#### **Encouraging civic pride**

- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

#### **Enabling social responsibility**

- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

#### **Growing the borough**

- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough's image to attract investment and business growth

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## MINUTES OF ASSEMBLY

Tuesday, 24 February 2015  
(7:00 - 9:26 pm)

### PRESENT

Cllr Tony Ramsay (Chair)  
Cllr Syed Ghani (Deputy Chair)

Cllr Syed Ahammad	Cllr Sanchia Alasia	Cllr Saima Ashraf
Cllr Abdul Aziz	Cllr Simon Bremner	Cllr Sade Bright
Cllr Laila Butt	Cllr Evelyn Carpenter	Cllr Peter Chand
Cllr Josephine Channer	Cllr Edna Fergus	Cllr Irma Freeborn
Cllr Cameron Geddes	Cllr Rocky Gill	Cllr Kashif Haroon
Cllr Chris Hughes	Cllr Amardeep Singh Jamu	Cllr Jane Jones
Cllr Elizabeth Kangethe	Cllr Eileen Keller	Cllr Danielle Lawrence
Cllr Mick McCarthy	Cllr Giasuddin Miah	Cllr Dave Miles
Cllr Margaret Mullane	Cllr James Ogungbose	Cllr Adegboyega Oluwole
Cllr Moin Quadri	Cllr Hardial Singh Rai	Cllr Linda Reason
Cllr Lynda Rice	Cllr Darren Rodwell	Cllr Faraaz Shaukat
Cllr Danielle Smith	Cllr Liam Smith	Cllr Bill Turner
Cllr Dominic Twomey	Cllr Jeff Wade	Cllr Phil Waker
Cllr John White	Cllr Maureen Worby	Cllr Dan Young
Cllr Linda Zanitchkhah		

### APOLOGIES FOR ABSENCE

Cllr Jeanne Alexander	Cllr Melanie Bartlett	Cllr Faruk Choudhury
Cllr Chris Rice	Cllr Sam Tarry	Cllr Lee Waker

#### 45. Declaration of Members' Interests

There were no declarations of interest.

#### 46. Minutes (21 January 2015)

The minutes of the meeting held on 21 January 2015 were confirmed as correct.

In respect of Minute 43, Councillor McCarthy referred to his supplementary question regarding the written guarantees the Cabinet Member for Regeneration had regarding the funding of the London Overground extension to Barking Riverside, not only for the £55m Government loan as minuted but for the total projected cost of £190m.

The Chief Executive agreed to look into the issue and provide Councillor McCarthy with a written response outlining the detail of any funding guarantees should they be available from a number of different sources.

#### **47. Lord Derek Johnson MBE JP FICS**

The Chair announced with deep regret that Lord Derek Johnson had passed away on 11 February 2015 following a battle with cancer.

The Chair led the tribute to Lord Johnson, who had been a prominent member of the local community having formed a successful shipping company in the Borough. Lord Johnson had been a long-serving Magistrate who had risen to the position of Chair of the Bench at Barking Court and had served on a number of Council and other bodies as part of his voluntary contribution to the Borough. In recent years, Lord Johnson had been awarded the Freedom of the Borough and the Freedom of the City of London as well as receiving the MBE for services to the shipping industry.

A number of other Councillors paid tribute to the work of Lord Johnson and the Assembly stood for a minute's silence as a mark of respect.

#### **48. Minutes of Sub-Committees**

The Assembly received and noted the minutes of the JNC Salaries and Conditions Panel held on 28 January 2015.

#### **49. Leader's Statement**

The Leader of the Council presented a verbal statement updating the Assembly on the following matters:

- **£41m Housing Zone funding**

At the end of last week the Leader received confirmation that the Council had secured £41m of funding from the GLA to support the delivery of 2,000 new homes and 4,000 new jobs in Barking. The investment was in addition to the ongoing work the Council was doing with the Barbican and, alongside the cultural offer at the Icehouse Quarter, Barking was now being recognised as a cultural hub for creative arts.

The Leader stated that he had asked officers to push ahead with plans for improved public spaces as well as new leisure facilities including a new cinema to complement the new leisure centre which is due to be opening soon.

- **Devolution Conference**

The Leader referred to the recent conference he had attended with other Cabinet Members and senior officers regarding future prospects of devolving powers down to London Boroughs. Eight other London borough Leaders attended from the NELSA group (North East London Strategic Authority) to discuss ideas about what a devolved Greater London could look like.

The Leader commented that it was vital that Barking and Dagenham puts itself centre stage in the debate about the future of local government and that the conference built on the effective working already achieved with the Mayor and GLA on the growth agenda for the Borough.



- **New deal for Council tenants**

The Leader was pleased to announce that this month the Council was putting forward a 'new deal for Council tenants' which aimed to:

- bring massive investment in the existing Council homes;
- create more Council houses;
- tackle neglected housing blocks; and
- retain one of the lowest rent levels in London.

- **Ofsted**

The Leader congratulated Cllr Carpenter and the Education Team after Ofsted had published its report into the inspection of Barking and Dagenham School Improvement Services. The inspection found strong leadership in the Council with Members and senior officers providing clear direction and demonstrated that the Council was continuing to turn the tide, recognising that there were no barriers when it came to providing the best quality education for our children.

The Leader expressed his heartfelt thanks to all those involved.

- **1<sup>st</sup> Women's Empowerment Month**

The Leader was delighted to announce the inaugural celebration of Women's Empowerment Month in March as part of the Borough's 50th anniversary celebrations. The event aimed to promote pride and to honour the many influential women who had lived and worked in Barking and Dagenham throughout the years.

The Leader advised that the Council was hosting a community awards event to recognise the achievements of the borough's women across nine different categories, with an overall 'Woman of the Year' selected from the category winners. Councillors Ashraf and Bright were also giving presentations linked to the awards and the Leader encouraged all Members to get involved.

- **Young Mayor**

Following on from the Mayor's commitment made at last year's inaugural Youth Parade, the Leader congratulated Angelica Olawepo who had recently been elected as the Borough's first Young Mayor.

## **50. Appointments**

The Assembly resolved to make the following appointments:

- Councillor Oluwole to the Health and Adult Services Select Committee;
- Councillor Bremner to the Children's Services Select Committee;
- Councillor Kangethe to the OFSTED Report Panel.

## 51. **BAD Youth Forum Annual Report 2014**

The Assembly received the BAD Youth Forum's annual report for 2014, introduced by Erik Stein, Group Manager for Youth Services, who was accompanied by Chloe Kent, Adeola Ajayi, Sharon Obens, Rya Bernard-Jones, Viroshan Gnanapandithan, Angel Olorode, Roshelle Mitchell, Faraz Hanif, Joe Fuller, Rao Khan and Danielle Mitchell from the Forum.

The Forum was made up of 70 young people who were elected from schools and youth groups in the Borough in January 2014. Amongst the initiatives undertaken by the Forum during the year were the creation of two sub-groups to focus on 'Raising a Positive Profile for Young People' and 'Teenage Pregnancy and Sexual Health', alongside a third standing group, 'Young Inspectors'. The Forum representatives gave a presentation on the work of each of the sub-groups as follows:

**Raising a Positive Profile of Young People** - A number of events were organised by the sub-group to promote a positive profile for young people, which included helping elderly residents at the Bennetts Castle Lane Care Home, a car wash in aid of the Mayor's charity and a litter clean up day at Pondfield Park. The group also worked on a short presentation to raise awareness of World AIDS Day, creating information cards for distribution throughout the Borough's schools.

**Teenage Pregnancy and Sexual Health** - Having had various discussions about the importance of sexual health education in schools, the group devised a range of activities, short films and exercises for students to participate in. The group also worked with a Health and Personal Development Advisor to develop lesson plans for use by teachers alongside the other resources, to be delivered to schools during 2015.

In order to purchase some of the resources to be, the sub-group successfully bid for a Think Big grant from O2 for the bid limit of £300.

**Young Inspectors** - Following training led by the Terence Higgins Trust, the Young Inspectors sub-group was commissioned to carry out inspections of pharmacies, to check on correct condom distribution, and sexual health clinics. A report was completed following each inspection on the positive and negative aspects of the services provided and recommendations made on how to improve the services.

Other key aspects highlighted during the presentation included:

- Two members of the Forum had been elected to be representatives on the UK Youth Parliament and the Chair and Deputy Chair of the Forum had attended all meetings of the Children Services Select Committee, contributing ideas for the Select Committee's work plan focussing on supporting more primary schools to become outstanding as well as giving views around the Council's budget savings proposals.
- All forum members had the opportunity to work towards the Youth Achievement Awards, mostly at bronze level, while Paul Cox, then Chair of the Forum, received a Gold Award, the first time this had been achieved by a young

person working with the Integrated Youth Service.

- In December 2014 the Forum was awarded the “Inspiring Project Award” by the British Youth Council for its overall work throughout the year.

A new Forum was elected in January 2015 and Angelica Olawepo was elected as the inaugural Young Mayor for the Borough.

A number of Councillors paid tribute to the work of the Forum and what they had achieved in championing the cause of young people across a range of services which was clearly making a difference. A number of questions were posed and responded to, which included:

- Involving young people in decision making - The Forum felt that regular meetings with councillors would be helpful to promote more dialogue and understanding of young peoples’ needs. The Leader of the Council gave an undertaking to meet with the BAD Youth Forum Executive on a monthly basis.
- Further work on sexual health and Aids/HIV awareness issues - The Forum has done a video around sexual health awareness which is broader in its content than AIDS awareness alone and the Health and Wellbeing Board has commissioned several pieces of work through the Forum. One area on which young people’s views are to be sought to help improve matters relates to the rates of teenage pregnancy which still remains relatively high in Barking and Dagenham.
- Further work in the schools - A newsletter for all students was proposed which would advise on the Forum’s activities and point students where to go to seek support and advice from their peers.

The Mayor expressly thanked the Forum for the money raised at the car wash day in support of her charity and commended the great work the young people were doing as the future leaders of the community.

The Assembly formally noted the Forum’s annual report for 2014 and congratulated all the Forum members who were present for their hard work and commitment.

## **52. Budget Framework 2015/16**

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

- Medium Term Financial Strategy (MTFS) for 2015/16 to 2018/19;
- Proposed General Fund budget for 2015/16;
- Proposed level of Council Tax for 2015/16;
- Financial outlook for 2016/17 onwards;
- Draft capital investment programme for 2014/15 to 2016/17.

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

- This budget is made out of necessity and not choice with decisions made

against the backdrop of the draconian austerity cuts imposed by the current, but hopefully by 7 May former Tory lead coalition government

- £90m of savings have been taken out of the budgets over the past four years with the prospect of another £39m in the next two years and a further £14m in 2017/18. Going forward this will be increasingly harder to achieve not least that the government has only set a one year settlement and so years two and three could prove even more challenging.

Whatever the future holds the Council will need to manage budgets even more closely and ensure that reserves are used as sparingly but as effective as possible.

- The reduction in government grant and the unfairness of the government funding formula consistently works against this authority at a time of significant demographic growth.
- The disproportionate affect for local residents of the government's welfare reforms.
- Protection as far as possible to the staff, our most valuable asset, through retaining jobs and services, and in so doing continue to pay above the London Living Wage of £9.25 per hour for the lowest paid staff.
- To achieve this to impose a small increase in Council Tax of 1.994%, the first increase in seven years of approximately £20 per year in a band D property for those that pay full Council Tax, and
- An ambitious capital programme to attract business and new housing and transport links alongside school improvements.

The Cabinet Member explained that given the significant level of savings required it was decided early on that alongside the usual budget scrutiny by the Select Committees the Council would embark on the most extensive consultation with residents, trade unions and wider groups in the Borough to ensure that everybody has an understanding of the difficult times ahead and more importantly where possible to shape budget decisions around their views and needs.

Moving forward whilst central government cuts will continue it is hoped that under a new Labour government the funding formulas will be revised and that the allocation of grant funding will be carried out in a more proportionate way to the benefit of the Council and NE London Boroughs who are adversely affected at present.

As a Council we will continue to :

- Look wherever possible for new ways of raising additional income and moving towards more efficient ways of working in terms of online service provision and ongoing reviews of management tiers and business support.
- Lobby government, GLA, TfL and other organisations for new funding and investment on top of the monies already received for the London housing

zone, extension of the Gospel Oak line to Barking Riverside, Crossrail extension to Chadwell Heath and other projects

- Expand estate regeneration and house building to enable residents to have the opportunity to live in good quality housing by identifying new ways of securing investment such as through such as securing the £89m loan from the European Investment Bank.

At the invitation of the Chair to speak, the Chief Finance Officer (CFO) stated that the budget presented had been subject to significant review at both Member and Officer level as well as public consultation. He assessed that the savings proposals were challenging but sufficiently robust to be included as part of the overall budget.

Balances remain at the minimum recommended level of £15m. Therefore overall, the CFO stated that he was comfortable that the proposed budget was sufficiently robust and sustainable to be recommended to Members.

A number of questions were raised on the report and presentation as follows:

*Councillor Gill questioned why are the Council proposing to reduce staff wages but at the same time increase senior officer pay?*

This will be addressed later on as this relates to a question submitted with notice by Councillor Gill.

*What benefits will residents see from the modest increase in Council Tax?*

It is about the Council having the resources to meet the level of investment needed to support all our communities. Local residents understand that with the significant cuts being imposed by this government that we cannot provide the level of services they require now. The increase will benefit residents by the council being able to maintain to staff and services so that the cuts to the likes of the library service are minimised. The Council will ensure that a clear narrative goes out to our residents to make these points.

Councillor McCarthy stated that no one in this chamber wants to see cuts but he made the point that residents in neighbouring Havering pay more in Council Tax for less services. He paid particularly tribute to the Council's street cleaning teams.

*Councillor McCarthy asked that with the increasing number of so called "problem" families relocating to the Borough, how is the Council expected to manage the additional costs to services this inevitably brings?*

The Leader raised the very issue when he recently met with NE London Leaders making the point that Barking and Dagenham is not a "dumping ground" for other authorities of the likes of Westminster to discharge their statutory duties. Unfortunately as things stand we are unable to seek any recourse financial or otherwise against these authorities, hence why we are lobbying London Councils about getting these authorities to provide funds to support the additional costs that such families bring. He highlighted the article that appeared in the Barking and Dagenham Post recently where he was very critical of Westminster Council's

policy of moving poorer families here.

*The strategy in setting a two year budget was challenged by Councillor Gill when the financial position is only clear for 2015/16?*

The Cabinet Member for Finance explained that it was good practice to get officers to face up to the saving challenges. By setting a two year budget it creates the headroom to undertake better financial planning in the lead up to the election of a new Government, when it is clear going forward that making savings year on year will be more difficult to achieve. He added that although the settlement for 2016/17 has yet to be announced he was confident that the figures we are working are a good guide.

*It was noted by Councillor Gill that the opening of the new Abbey Sports Centre originally scheduled for September 2014, is now scheduled to open in March 2015. Is this new date confirmed and what financial penalties will be imposed on the contractor for yet another delay?*

The Cabinet Member for Finance is confident that the new opening date will be met. As for the contractor he confirmed that significant financial penalties are being applied in the region of £40,000 per week.

*Councillor Young referring to the rationalisation of corporate office arrangements which forms one of the budget savings urged all members to get behind the "Save the Civic" petition and campaign being led by Jon Cruddas MP. He challenged the justification behind the Cabinet decision to delay a final decision on the future of the building until 2016/17 and the uncertainty this has brought for staff and local residents alike.*

Councillor Twomey referred to the report that was presented to Cabinet in December 2014, when the decision was taken about the future arrangements for a number of Council office buildings. It was his view that the decision was clear in terms of timelines and the future use of the Civic Centre.

*Councillor Young referred to the meeting of the Assembly in September 2014 where he raised a question about maintaining the current terms and conditions and pay of front line staff to maintain morale and the answer he received at that time from the Cabinet Member for Finance.*

Councillor Twomey stated that he believed that just looking to maintain employee terms and conditions when we should be striving to improve upon all aspects of our employees' conditions within the workplace, whether that be terms and conditions, pay, training or developmental opportunities was short sighted . As all of these things significantly impact on staff morale. The quality of our services is a result of the ongoing commitment and skill of the people who work for us. The Council is committed to ensuring that both staff and trades unions continue to play an active part in shaping future terms and conditions as they have successfully done over the last four years.

Councillor Twomey in summing up reassured members that as a Cabinet and a Council we will not be satisfied with the choices we have had to make and therefore we will continue to strive to identify new opportunities that can alleviate

some of the difficult decisions already made as well as to avoid some that inevitably lay ahead.

Councillor Twomey moved the vote, seconded by Councillor Rodwell.

In accordance with paragraph 10.3.2 of Part 2, Chapter 3 of the Council Constitution, the budget was put to a recorded vote and was **agreed** as follows:

*For:* Councillors Ahammad, Alasia, Ashraf, Aziz, Bremner, Bright, Butt, Carpenter, Channer, Chand, Doyle, Fergus, Freeborn Geddes, Ghani, Gill, Haroon, Hughes, Jamu, Jones, Kangethe, Keller, Miah, McCarthy, Miles, , Mullane, Ogungbose, Oluwole, Quadri, Rai, Ramsay, Reason, L Rice, Rodwell, Shaukat, L Smith, D Smith, Turner, Twomey, Wade, P Waker, White, Worby, Young and Zanitchkhah

*Against:* None

*Abstain:* None

The Assembly **resolved** to:

- (i) Approve a base revenue budget for 2015/16 of £151.444m, as detailed in Appendix A to the report;
- (ii) Approve the adjusted Medium Term Financial Strategy (MTFS) position for 2015/16 to 2018/19 allowing for other known pressures and risks at this time, as detailed in Appendix B to the report;
- (iii) Delegate authority to the Chief Finance Officer, in consultation with the Cabinet Member for Finance, to finalise any contribution required from reserves in respect of the 2015/16 budget, pending confirmation of levies and further changes to Government grants prior to 1 April 2015;
- (iv) Approve the Statutory Budget Determination for 2015/16 as set out at Appendix C, which reflected an increase of 1.99% (rounded down) on the amount of Council Tax levied by the Council, plus the Council Tax agreed by the Greater London Assembly (1.3% reduction), as detailed in Appendix D to the report;
- (v) Approve the Council's draft Capital Programme for 2014/15 to 2016/17 as detailed in Appendix E to the report; and
- (vi) Agree that the full economic cost be levied as a charge on fees paid by credit cards for Council Tax, as detailed in paragraph 7 of the report.

### **53. Treasury Management Strategy Statement 2015/16**

The CFO introduced a report setting out the Council's Treasury Management Annual Strategy Statement for 2015/16 (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.

Responding to the report, Councillor Gill sought clarification as to the proposal to extend the authorised Borrowing limit to the maximum statutory limit of £800m in 2015/16 with no plans to repay loans. The CFO explained that the principle reason to maximise borrowing limits was to achieve headroom in the short term to allow the Council to maintain a healthy cash flow to meet its ongoing revenue commitments. He confirmed that there are no existing loans due to mature next year although officers constantly review all current loans to make sure the Council is achieving the best terms.

The Assembly **resolved** to:

- (i) Note that on 15 January 2015 the Council borrowed £89 million from the European Investment Bank as outlined in section 4.5 of the report;
- (ii) Adopt the Treasury Management Strategy Statement for 2015/16 as set out in the report and in doing so:
  - (a) Note the current treasury position for 2015/16 and prospects for interest rates, as referred to in sections 4 and 7 of the report;
  - (b) Approve the Council's Borrowing Strategy, Debt Rescheduling Strategy and Policy on borrowing in advance of need for 2015/16 as referred to in section 9 of the report;
  - (c) Approve the Annual Investment Strategy and Creditworthiness Policy for 2015/16 outlining the investments that the Council may use for the prudent management of its investment balances, as set out in Appendix 1 to the report;
  - (d) Approve the Authorised Borrowing Limit of £800m for 2015/16, representing the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003, as set out in Appendix 3 to the report;
  - (e) Approve the Treasury Management Indicators and Prudential Indicators for 2015/16, as set out in Appendix 3 to the report;
  - (f) Approve the Minimum Revenue Policy Statement for 2015/16, representing the Council's policy on repayment of debt, as set out in Appendix 4 to the report;
  - (g) Maintain the authority delegated to the Chief Finance Officer, in consultation with the Cabinet Member for Finance, to proportionally amend the counterparty lending limits agreed within the TMSS to take into account the initial increase in cash from the EIB but also the subsequent decrease in cash balances as payments are made to the SPV; and



- (h) Agree that the delegated responsibility be reviewed as part of the 2014/15 Treasury Management Outturn Report to Assembly in July 2015.

#### **54. Pay Policy Statement 2015/16**

The Assembly received a report on the draft Pay Policy Statement for the Council for 2014/15, introduced by the Cabinet Member for Central Services.

The Cabinet Member stated that the report was a demonstration of the Council's commitment to greater transparency, remembering that staff were the Council's greatest asset. In that respect, Members were reminded of the Council's continued commitment to paying a living wage above the level which was paid across the rest of London.

In recommending the report, Councillor Ogungbose referred to an amendment to the Pay Policy Statement to reflect an error in the stated salary of the Divisional Director of Adult Social Care, from £89,763 to £91,558, to take account of the 2% national pay award for JNC officers.

Responding to the presentation and specifically the table setting out the Chief Officer pay levels, Councillor McCarthy enquired as to the cost since April 2014 of filling the Director of Housing post on an interim basis, and when it was anticipated that the position would be recruited to on a permanent basis. He also questioned why there was no reference to the grade and salary of the post of Director of Growth, currently stated as vacant.

The Chief Executive referred to the wording in the covering report which stated that he would be reviewing the senior management of the Council to ensure it was fit for purpose and his review would include those two posts. Should that result in any changes then the Pay Policy Statement would be amended including grades and salary levels. In respect of the filling of the interim post of Director of Housing, the Leader confirmed that a written response would be provided to Councillor McCarthy within a week, which would be copied to all Members.

Referring to the decision to award temporary honorariums to the posts of the Chief Finance Officer and Head of Legal and Democratic Services, and in response to a question from Councillor Gill, Councillor Ogungbose confirmed there were no plans at this time to award honorariums to other JNC post holders.

The Assembly **resolved** to approve the London Borough of Barking and Dagenham Pay Policy Statement for 2015/16 as set out at Appendix A to the report, for publication on the Council's website with effect from 1 April 2015, subject to the amendment in respect of the stated salary of the Divisional Director of Adult Social Care.

#### **55. Establishment of Pension Board**

The Cabinet Member for Finance introduced the report which related to the introduction of a local Pension Board for the Barking and Dagenham Pension Fund and its proposed structure and terms of reference, defined as a consequence of regulations brought about through the Public Service Pensions Act 2013.

The proposals supported by the Pensions Panel aimed to secure compliance with all relevant regulations and ensure the effective and efficient governance and administration of the fund. The report set out details of the functions and proposed composition of the Board and the appointment process which will see the Board in place by April 2015 with the first meeting being held before July.

Councillor McCarthy, as a member of the Pension Panel, supported the recommendation to establish the Pension Board with an independent Chair.

The Assembly **resolved** to:

- (i) Note the requirement for the Council to establish a Pension Board by 1 April 2015;
- (ii) Approve the proposals for the establishment of the London Borough of Barking and Dagenham Pension Board, as set out in Appendix 1 to the report; and
- (iii) Delegate authority to the Chief Finance Officer, in consultation with the Chair of the Pension Panel and the Head of Legal and Democratic Services, to agree the final terms of reference of the Pension Board.

#### **56. Community Infrastructure Levy - Change of Implementation Date**

Further to Minute 28/11/14 Councillor Geddes, Cabinet Member for Regeneration, presented a report concerning the implementation date of the Community Infrastructure Levy (CIL), which would largely take over from Section 106 planning agreements as the primary means of obtaining a contribution from developers towards new infrastructure requirements.

He explained that due to the complexity and need to secure the authorities best interests in relation to a number of ongoing major development applications, it was proposed to put back the date of implementation from 2 March to 3 April, and in so doing allow sufficient time to conclude the planning applications referred to in the report whilst still allowing the CIL to come into force before new restrictions on the use of S106 agreements come into effect from 6 April 2015.

In supporting the recommendation Councillor Gill questioned why the original implementation date had slipped?. Councillor Geddes explained that due to the complexities of negotiations the implementation timetable was always going to be tight but that he was confident that the new date would allow for the successful conclusion of the various applications. In those circumstances,

The Assembly **resolved** to revise the introduction date of the Community Infrastructure Levy rates from the previously agreed date of 2 March 2015 to 3 April 2015.

#### **57. Appointment of Independent Persons - The Localism Act 2011**

Councillor James Ogungbose, Cabinet Member for Central Services presented a report on the appointment of Independent Persons (IP) to carry out an advisory

role as part of the arrangements the Council must have in place in accordance with the provisions of the Localism Act 2011. The law requires that at least one IP must be appointed to give an impartial view regarding the management and response to complaints made against elected members in accordance with the Councillors Code of Conduct.

Both the Monitoring Officer and any councillor who is the subject of a complaint have the right to consult the IP. This creates the potential for a conflict of interest. Consequently following the resignation last year of one of two IP, the Standards Committee decided it would be sensible to appoint a further two IP's, for which a recruitment exercise was carried out.

At the meeting of the Assembly in September Members decided they would like to see local people taking up the position of IP and therefore officers were asked to undertake a further recruitment exercise from which two candidates, both with strong local connections, and suitable to the role were identified, and whom Councillor Ogungbose recommended for appointment.

Councillor McCarthy commented on the absence in the report to the previous discussions at the Assembly in September and the decision not to appoint the two candidates presented at that time. He questioned why only two men had been put forward for two positions, what had happened to those applicants this time around and why there were no suitable female applicants. He suggested that it demonstrated serious flaws in the recruit process and certainly was not representative of the Council's policy towards equal opportunities. Councillor Gill added that with a local population of more than 180,000 he would expect it to be possible to attract some female applicants.

Councillor Ogungbose explained that adverts for the position were placed across a wide area. The Monitoring Officer added that at the September meeting of the Assembly when the appointments were considered and the decision was taken to go out to recruit persons with local connections, the two applicants put forward at that time were effectively ruled out as neither had close enough links with the Borough.

Councillor Twomey stated that it was unfortunate that the recruitment exercise had not thrown up a bigger pool of suitable applicants. However the post attracted a remuneration of only £500 and was a voluntary role, which in all likelihood was a contributory factor for the lack of interest. He added, however, that the two applicants presented before the Assembly fully met the criteria laid down for the role.

The Assembly **resolved** to:

- (i) Approve the appointment of Dr. Gurpreet Singh Bhatia and Pastor Thomas Adeyemi Aderounmu as Independent Persons in accordance with Section 28(7) of the Localism Act 2011; and
- (ii) Agree that the appointment of all the Council's Independent Persons be until the next Assembly meeting following the Annual Assembly in 2018 when it shall be reviewed.

## 58. Council Constitution - Updates

Councillor James Ogungbose, Cabinet Member for Central Services, presented a report seeking approval to amendments to the Council's Constitution in relation to meeting start times and duration as well as noting a number of minor administrative changes which had been implemented by the Monitoring Officer.

The Assembly **resolved** to:

- (i) Approve the revisions to Chapter 3, Part 2 of the Constitution in respect of the default start time of evening meetings and the termination threshold, as detailed in Appendix 2 to the report; and
- (ii) Note the schedule of other administrative changes made to the Constitution by the Monitoring Officer, as set out in Appendix 1 to the report.

## 59. Questions With Notice

### Question 1

#### **From Councillor McCarthy**

"I have received many enquiries regarding dropped kerbs. Can the relevant Cabinet Member please advise how many enforcement letters have been sent ward by ward since June 2014 requesting residents to pay for a dropped kerb?"

#### **Response from Councillor Butt, Cabinet Member for Crime and Enforcement**

"469 letters have been sent to residents where no permissions were in place for driving or parking across the footpath."

#### **Supplementary question from Councillor McCarthy**

"I do not feel the Cabinet Member's response addresses my question. I asked for a ward by ward breakdown."

#### **Response from Councillor Butt**

"Councillor McCarthy was previously responsible for this area and I know he was keen to enforce parking regulations, especially where regulations were not being followed.

We have to balance the need to enforce parking regulations at the same time as making it easier for people to pay for installing dropped kerb. We want an affordable parking policy. That is why we are introducing a scheme to allow residents to pay for a dropped kerb in instalments through a payment plan which they can set up with the Council.

I would be happy to come back to him after tonight's meeting with the additional information he has requested."

### Question 2

#### **From Councillor McCarthy**

"Can the Cabinet Member of Housing state a numerical definition for the term "substantial" in respect of the number of council properties lost to estate

renewal, as contained in the Cabinet report dated 16th February 2015?"

**Response from Councillor Ashraf, Cabinet Member for Housing**

"796 properties that have been subject to estate renewal initiatives."

**Supplementary question from Councillor McCarthy**

"What impact will that have on the HRA and staffing numbers in the Housing service going forward?"

**Response from Councillor Ashraf**

"There will be no impact in staffing levels as we will be looking to provide services in the private housing sector."

**Question 3**

**From Councillor Mullane**

"John Smith House as the current location for the Boroughs' homeless is closing in approximately two years time and Council Officers have been tasked to find new premises. As elected Councillors we have been advised by the Leader that there is a shortlist for a new site. Can the Cabinet Member for Housing please advise what sites have been short-listed?"

**Response from Councillor Ashraf, Cabinet Member for Housing**

"Property Services are conducting a feasibility study about accommodating the Housing Advice Service. This has identified the Pondfield House site as a possible location."

**Supplementary question from Councillor Mullane**

"Is this the only site that has been identified?"

**Response from Councillor Ashraf**

"Yes. The move would place the Housing Service in one location. This would give us the opportunity to improve the way we provide our service, which has to be our main aim for residents. A full impact assessment will be undertaken before any decision is taken."

**Question 4**

**From Councillor P Waker**

"As well as Westminster, a number of boroughs in London have either rented temporary accommodation or bought houses and flats in the borough for rental purposes. Newham, indeed, has long been the biggest single leaseholder in Barking and Dagenham. These actions have often led to the most difficult families being placed in that accommodation and a subsequent increased demand for public services.

As this has been raised for a number of years would the relevant Cabinet Member present the full figures so that we can obtain an understanding of the overall picture of the problem as it currently stands?"

**Response from Councillor Ashraf, Cabinet Member for Housing**

"Can I thank Councillor Waker for his question. I know he has a long standing interest in housing in the borough and has had responsibility for housing, so he

will appreciate the challenges we face from councils like Westminster who have a history of placing homeless families here.

From April 2014 temporary accommodation placements started to be monitored through the Inter Borough Accommodation Agreement (IBAA). However, it is difficult to verify the figures. Councillor Waker will know it is in the 100s if not the 1,000s. He will know this is only part of the picture. Homeless families are also placed in the borough in many different ways.

**Supplementary question from Councillor Waker**

“I appreciate the point being made by the Cabinet Member in terms of assessing the numbers however we need to establish a picture of the overall borough position and use the information to lobby a future Government.”

**Response from Councillor Ashraf**

“We are not going to sit still and do nothing. That is why the Leader has taken the initiative this month by naming and shaming Westminster Council for buying up properties for their homeless families.

So I welcome Councillor Waker’s commitment and would urge him to support the Leader’s campaign.”

**Question 5**

**From Councillor Gill**

“Redbridge Council has recently introduced up to 30 minutes of free parking at on-street and Display bays at shopping locations in the borough to encourage short term parking at local shopping parades.

Can the relevant Cabinet Member please commit to introducing a similar free parking initiative for on-street and display bays at shopping locations in Barking and Dagenham to support local residents and businesses especially in difficult economic times?”

**Response from Councillor Butt, Cabinet Member for Crime and Enforcement**

“Councillor Gill will be aware that allowing a 30 minute free period for parking at some shopping locations was raised at the Living and Working Select Committee’s review of parking related savings.

He will recall a commitment was made at that time to look at this option as part of a wider review at how we can deliver savings through cashless and paperless parking arrangements. I remain committed to this review and to finding ways we can deliver practical parking solutions which benefit local shopping parades and businesses.”

**Supplementary question from Councillor Gill**

“We need a commitment to implement short stay car parking for shoppers as opposed to undertakings to review the situation seeing the neighbouring Tory Borough of Redbridge have introduced it?”

**Response from Councillor Butt**

“I agree in principle with Councillor Gill about the importance of such short stay parking provision. The issue is implementing the policy in a way which is practical and sensible to do so.

I have asked Officers to look at ways of modernising the parking service and

bringing costs down, for example by moving to paperless and cash free parking. This will provide us with an opportunity to look at whether and how we could introduce a short free parking period.

I would remind Members that we have installed parking friendly schemes for shops across all of our main secondary shopping locations and this includes free parking in many locations where there is not abused by long stay parking.”

## **Question 6**

### **From Councillor Gill**

“Does the Leader believe that it is correct to increase the cost of managers at a time when frontline staff are having their terms and conditions reduced?”

### **Response from Councillor Rodwell, Leader of the Council**

“The overall cost of management is not going up, nor do we have any intention of increasing it. The Chief Executive has been made well aware of this. I have set him a challenging agenda of creating a management team who will deliver our ambitions for the borough. We need to appoint people with the skills we need to help us fulfil our ambitions for the borough.”

### **Supplementary question from Councillor Gill**

“Does the Leader think it is fair to reduce the terms and conditions for staff whilst at the same time paying an additional £100,000 to employ a dedicated Chief Executive, recruiting an office manager for his office, a political assistant, paying honorariums to JNC officers and continuing to employ highly paid management interims?”

### **Response from Councillor Rodwell**

“I repeat my previous answer. We have excellent staff at all levels in the organisation and we recognise our lowest paid workers by paying them in excess of the London Living Wage hourly rate. As for senior staff it is important to have the right staff in place to take the borough forward so we can realise our ambitions for the Borough.”

## **Question 7**

### **From Councillor Miles**

“Can the Lead Member for Regeneration clarify whether the new Sainsbury’s due to be built in the Dagenham East area is progressing or have the plans been withdrawn?”

### **Response from Councillor Geddes, Cabinet Member for Regeneration**

“My understanding is that Sainsbury’s are pursuing the completion of the sale from Sanofi.”

### **Supplementary question from Councillor Miles**

“Do you know when that sale might complete and works start?”

### **Response from Councillor Geddes**

“To the best of our knowledge Sanofi’s advisers envisage the sale being completed before the end of March. In terms of the works starting, we have not been given that date.”

## Question 8

### **From Councillor Miles**

“Can the Leader of the Council please explain why the Council is seeking to community transfer the Fanshawe Community Centre as opposed to disposing of the site, which could potentially produce a significant capital sum as well as new housing and a community facility for the Council?”

### **Response from Councillor Rodwell, Leader of the Council**

“I thank Councillor Miles for his question although I am a little surprised by it, seeing the answer is well documented and in the public domain having formed part of a previous Cabinet report and had also appeared in the Barking & Dagenham Post.”

### **Supplementary question from Councillor Miles**

“I do not read the Barking & Dagenham Post.”

### **Response from Councillor Rodwell**

“I will provide Councillor Miles with the relevant Cabinet report and minute where the decision was taken on the future of the Fanshawe Community Centre.”

## Question 9

### **From Councillor Chand**

“Can the relevant Cabinet Member please comment on recent national publicity concerning high burglary rates in Barking and Dagenham?”

### **Response from Councillor Butt, Cabinet Member for Crime and Enforcement**

“I am glad to have the opportunity to speak about this. In fact, Barking and Dagenham has seen a sustained reduction of over 500 less victims per year in burglary over the past three years. More recently, within the last twelve months to the end of December 2014 there were 301 fewer residential burglaries than in the previous year. This is a reduction of 18% compared with a 13% reduction across all London Boroughs. The reports that have appeared in the press recently are based on claims made to one insurance company which represents around 10% of the 25.6 million households in the UK.”

### **Supplementary question from Councillor Chand**

“What are we doing to eradicate this crime and what work are we doing with the police to ensure our residents feel safe?”

### **Response from Councillor Butt**

“One of the reasons Community Safety Partnerships were set up is that tackling burglary cannot be done by the Police on their own. The Council works closely with the Police to address this and other issues. Members will recall campaigns for example those encouraging people to check their doors and windows are locked. We also jointly fund the Victim Support Safer Homes Van which secures homes, sometimes free of charge.



We work with the Police on crime prevention campaigns and also with agencies like Neighbourhood Watch and the Ward Panels to make sure people are warned when there are burglaries in their area. Even though burglary is on the decline, every burglary is one too many, with victims targeted at home where they should feel most safe. Together we are tackling offenders and we have joint police, probation and Council teams targeting our prolific offenders and getting them into services to help change their behaviour.”

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The meeting closed at 9.26 pm

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**ASSEMBLY****20 May 2015**

<b>Title:</b> Death of Honorary Alderman John Davis	
<b>Report of the Chief Executive</b>	
<b>Open Report</b>	<b>For Information</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Alan Dawson, Democratic Services Manager	<b>Contact Details:</b> Tel: 020 8227 2348 E-mail: <a href="mailto:alan.dawson@lbbd.gov.uk">alan.dawson@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Fiona Taylor, Head of Legal and Democratic Services	
<b>Accountable Director:</b> Chris Naylor, Chief Executive	
<p><b>Summary:</b></p> <p>The Assembly is asked to note with deep regret that former Councillor, Freeman and Alderman of the Borough, John Davis, passed away on 18 March 2015 following a long illness. Mr Davis' funeral took place at South Essex Crematorium on 31 March 2015.</p> <p>Mr Davis had lived in the Borough for over 50 years and worked at Ford Motor Company in Dagenham for 35½ years before retiring in 1992. He was first elected to the Council in 1970 to represent Triptons ward, a role that he fulfilled until 2002 when the ward was dissolved following a Boundary Commission review. Mr Davis remained as a councillor, representing Alibon ward from 2002 until he retired as a councillor in May 2014.</p> <p>Mr Davis served on numerous committees and other bodies during his 44 years on the Council and held the position of Chair or Deputy Chair on many of them. He was elected by his peers as Mayor of Barking and Dagenham for the 1982/83 municipal year and served as Deputy Mayor in 1983/84 and again in 2010/11. He was awarded the Freedom of the Borough in 1992 and subsequently was bestowed the highest award that a Borough can give by becoming an Honorary Alderman in February 2014.</p>	
<p><b>Recommendation</b></p> <p>The Assembly is asked to stand for a minute's silence as a mark of respect.</p>	

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**ASSEMBLY****20 May 2015**

<b>Title:</b> Appointments to the Political Structure and Other Bodies 2015/16	
<b>Report of the Chief Executive</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Alan Dawson, Democratic Services Manager	<b>Contact Details:</b> Tele: 020 8227 2348 Email: alan.dawson@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Fiona Taylor, Head of Legal and Democratic Services	
<b>Accountable Director:</b> Chris Naylor, Chief Executive	
<b>Summary:</b>  The Assembly is responsible for appointments to the political structure and various other internal and external bodies. There are various positions to which appointments are required, as set out in <b>Appendix 1</b> .  The appointment of the Mayor and the Mayor's Chaplain will be dealt with at the Ceremonial Council on 5 June 2015.	
<b>Recommendation(s)</b>  The Assembly is recommended to agree appointments to the vacant positions shown in Appendix 1 and to any other casual vacancies that may have arisen.	
<b>Reason(s)</b>  To meet statutory and constitutional requirements and to ensure relevant positions are appointed to.	

**1. Introduction and Background**

- 1.1 Chapter 4, Part 2 of the Constitution sets out the Assembly's responsibilities in respect of appointments to the political structure and various other internal and external bodies.

- 1.2 The appointments meet statutory and constitutional requirements and ensure the Council is able to proceed with the business reserved to the committees.

## **2. Proposal and Issues**

- 2.1 Following last year's Local Elections, fresh appointments were made to all of the Council's committees and outside bodies. Many of those appointments are reviewed on an annual basis and the schedule at **Appendix 1** shows those appointments that are required to be made at this year's Annual Assembly meeting.
- 2.2 There are no proposed changes to the main political meeting structure or the membership levels of the respective committees that make up that structure.
- 2.2 The nomination process in respect of the vacant posts is dealt with through party groups and it is anticipated that the nominations will be reported at the meeting. There may also be additional changes other those shown in **Appendix 1** stemming from casual vacancies that arise from the annual process.

## **3. Options Appraisal**

- 3.1 Any delay in reappointing Members to the various meetings and other bodies puts the normal decision making process and business of the Council at risk.

## **4. Consultation**

- 4.1 Consultation has taken place with Members and officers as appropriate.

## **5. Financial Implications**

Implications completed by: Carl Tomlinson, Finance Group Manager

- 5.1 There are no financial implications associated with this report. This concerns the annual appointment of elected Members to existing Boards and Committees and is funded through existing budgets.

## **6. Legal Implications**

Implications completed by: Paul Field, Senior Corporate Governance Lawyer

- 6.1 The Assembly is a meeting of full Council for the purposes of Section 8 and Schedule 12 of the Local Government Act 1972. This meeting of the Assembly is the annual meeting where the Council decides on the overall political structure and makes the necessary appointments
- 6.2 Part 2 of the Council's Constitution sets out the membership requirements and terms of reference for the various Council committees. The appointments in this

report meet statutory and constitutional requirements and ensure the Council is able to proceed with the business reserved to each committee.

**Background Papers Used in the Preparation of the Report:** None

**List of appendices:**

**Appendix 1:** Positions To Be Appointed To 2015/16

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**POSITIONS TO BE APPOINTED TO  
AT ANNUAL ASSEMBLY 20 MAY 2015**

**Main Council Committees**

Committee	Positions to be Appointed to	Current Membership (at 18 March 2015)
<b>Assembly</b>	<b>Chair</b>  <b>Deputy Chair</b>  <b>(To be appointed at the commencement of the Annual Assembly meeting.)</b>	All 51 Councillors  <b>Chair:</b> Councillor Ramsay <b>Deputy Chair:</b> Councillor Ghani
<b>Development Control Board</b>	<b>Chair</b>  <b>Deputy Chair</b>  <b>16 other Members</b>  Total Membership = 18	Councillors Ahammad, Alasia, Aziz, Fergus, Geddes, Ghani, Haroon, Jamu, Miah, Miles, Ogungbose, Quadri, C Rice, Shaukat, Tarry, Turner, P Waker and White  <b>Chair:</b> Councillor Alasia <b>Deputy Chair:</b> Councillor Shaukat
<b>JNC Panels (various)</b>	<b>4 non-Cabinet Members</b>	Councillors Fergus, Haroon, Keller and Kangethe
<b>Licensing &amp; Regulatory Board</b>	<b>Chair</b>  <b>Deputy Chair</b>  <b>8 other Members</b>  Total Membership = 10	Councillors Ahammad, Chand, Channer, Choudhury, Haroon, Kangethe, Keller, Oluwole, Rai and L Waker  <b>Chair:</b> Councillor Channer <b>Deputy Chair:</b> Councillor Oluwole

**POSITIONS TO BE APPOINTED TO  
AT ANNUAL ASSEMBLY 20 MAY 2015**

<b>Personnel Board</b>	<b>Chair</b>  <b>Deputy Chair</b>  <b>7 other Members</b>  Total Membership = 9	Councillors Alasia, Bright, Fergus, Freeborn, Hughes, Jones, Keller, Rai and P Waker  <b>Chair:</b> Councillor Bright <b>Deputy Chair:</b> Councillor Jones
<b>Standards Committee</b>	<b>Chair</b>  <b>Deputy Chair</b>  <b>4 other Members</b>  Total Membership = 6	Councillors Freeborn, Jamu, Miah, Rai, White and Worby.  <b>Chair:</b> Councillor Rai <b>Deputy Chair:</b> Councillor Miah
<b>Children's Services Select Committee</b>	<b>Deputy Lead Member</b>  <b>7 other Members</b>  Total Membership = 9	Councillors Bartlett, Bremner, Bright, Fergus, Freeborn, Jamu, Kangethe, D Smith and White.  <b>Lead Member:</b> Councillor White (appointed in June 2014 for two-year term) <b>Deputy Lead Member:</b> Councillor Bartlett
<b>Health &amp; Adult Services Select Committee</b>	<b>Deputy Lead Member</b>  <b>7 other Members</b>  Total Membership = 9	Councillors Alasia, Aziz, Bright, Chand, Fergus, Keller and Oluwole (two vacancies)  <b>Lead Member:</b> Councillor Keller (appointed in June 2014 for two-year term) <b>Deputy Lead Member:</b> vacant (Cllr Lawrence resigned as of 16/03/15)

**POSITIONS TO BE APPOINTED TO  
AT ANNUAL ASSEMBLY 20 MAY 2015**

<p><b>Living &amp; Working Select Committee</b></p>	<p><b>Deputy Lead Member</b></p> <p><b>7 other Members</b></p> <p>Total Membership = 9</p>	<p>Councillors Bartlett, Bright, Jones, Quadri, Reason, Wade, L Waker, P Waker and Zanitchkhah</p> <p><b>Lead Member:</b> Councillor P Waker (appointed in June 2014 for two-year term) <b>Deputy Lead Member:</b> Councillor Wade</p>
<p><b>Safer &amp; Stronger Community Select Committee</b></p>	<p><b>Deputy Lead Member</b></p> <p><b>7 other Members</b></p> <p>Total Membership = 9</p>	<p>Councillors Alexander, Bremner, Choudhury, Freeborn, Haroon, Rai, Ramsay and D Smith (one vacancy)</p> <p><b>Lead Member:</b> Councillor Alexander (appointed in June 2014 for two-year term) <b>Deputy Lead Member:</b> Councillor Haroon</p>
<p><b>Public Accounts and Audit Select Committee</b></p>	<p><b>Deputy Lead Member</b></p> <p><b>3 other Members</b></p> <p>Total Membership = 9 (Four positions filled by the Lead Members of the other four Select Committees)</p>	<p>Councillors Alexander, Gill, Jamu, Keller, Miles, Ramsay, P Waker, White and Young</p> <p><b>Lead Member:</b> Councillor Miles (appointed in June 2014 for two-year term) <b>Deputy Lead Member:</b> Councillor Jamu</p>

**POSITIONS TO BE APPOINTED TO  
AT ANNUAL ASSEMBLY 20 MAY 2015**

**Other Internal / Outside Bodies**

(Appointments are for one year unless otherwise stated)

<b>Organisation</b>	<b>Positions to be Appointed to</b> (annual appointment unless specified)	<b>Current Membership</b> (at 18 March 2015)	
<b>Barking Housing Forum</b>	<b>1 Councillor per Ward</b> from: Abbey Becontree Eastbury Gascoigne Goresbrook Longbridge Mayesbrook Thames	Cllr Lawrence Cllr Choudhury Cllr Rai Cllr Quadri Cllr Bremner Cllr L Rice Cllr Oluwole Cllr Channer	Abbey Becontree Eastbury Gascoigne Goresbrook Longbridge Mayesbrook Thames
<b>Dagenham Housing Forum</b>	<b>1 Councillor per Ward</b> from: Alibon Chadwell Heath Eastbrook Heath Parsloes River Village Valence Whalebone	Cllr Hughes Cllr Bright Cllr Fergus Cllr Young Cllr C Rice Cllr Keller Cllr Mullane Cllr Jones Cllr Bartlett	Alibon Chadwell Heath Eastbrook Heath Parsloes River Village Valence Whalebone

**POSITIONS TO BE APPOINTED TO  
AT ANNUAL ASSEMBLY 20 MAY 2015**

<b>East London Waste Authority</b>	<p><b>1 Councillor</b></p> <p>(Cabinet Member for Environment automatically a Member)</p> <p>Total Representation = 2</p>	<p>Cllr Wade</p> <p>Cllr L Rice</p>
<b>Elevate Strategic Partner Board</b>	<p><b>1 Councillor</b></p> <p>(Cabinet Member for Finance and Cabinet Member for Central Services automatically Members)</p> <p>Total Representation = 3</p>	<p>Cllr Fergus</p> <p>Cllr Twomey</p> <p>Cllr Ogungbose</p>
<b>Employee Joint Consultative Committee</b>	<p><b>5 Councillors</b></p> <p>(Cabinet Member for Central Services automatically a Member)</p> <p>Total Representation = 6</p>	<p>Cllrs Keller, Oluwole, White, Young and Zanitchkhah</p> <p>Cllr Ogungbose</p>
<b>Employee Joint Health, Safety and Wellbeing Committee</b>	<p><b>3 Councillors</b></p> <p>(Cabinet Member for Central Services automatically a Member)</p> <p>Total Representation = 4</p>	<p>Cllrs Bright, Keller and Zanitchkhah</p> <p>Cllr Ogungbose</p>

**POSITIONS TO BE APPOINTED TO  
AT ANNUAL ASSEMBLY 20 MAY 2015**

<p><b>OFSTED Report Panel</b></p>	<p><b>2 Councillors</b> (appointment co-terminus with Borough elections)</p> <p>(Cabinet Member for Education and Schools automatically a Member)</p> <p>Total Representation = 10</p>	<p>Cllrs Bright, Geddes, Kangethe, Mullane, Rai, P Waker and White (two vacancies)</p> <p>Cllr Carpenter</p>
<p><b>The Kallar Lodge and Few Lodge Trust Fund</b></p>	<p><b>2 Councillors</b></p>	<p>Cllrs Keller and Wade</p>

**ANNUAL ASSEMBLY****20 May 2015**

<b>Title:</b> Members' Allowances Scheme 2015/16	
<b>Report of the Cabinet Member for Central Services</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Alan Dawson, Democratic Services Manager	<b>Contact Details:</b> Tele: 020 8227 2348 Email: alan.dawson@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Fiona Taylor, Head of Legal and Democratic Services	
<b>Accountable Director:</b> Chris Naylor, Chief Executive	
<p><b>Summary:</b></p> <p>This report sets out proposals in relation to Members' allowances for the 2015/16 municipal year.</p> <p>It is proposed that in view of the continuing difficult economic climate and the increasing pressures on public sector funding a freeze, for the seventh successive year, be applied to all basic and special responsibility allowances (SRAs). Furthermore, no other changes are proposed to the scheme that was approved for 2014/15.</p>	
<p><b>Recommendation(s)</b></p> <p>The Assembly is recommended to:</p> <ul style="list-style-type: none"> <li>(i) Agree that no increase be applied to Members' basic and special responsibility allowances for the 2015/16 municipal year, representing a freeze in allowance levels for the seventh year in succession; and</li> <li>(ii) Adopt the Members' Allowances Scheme 2015/16 as attached at <b>Appendix A</b>, to come into effect from 21 May 2015.</li> </ul>	
<p><b>Reason(s)</b></p> <p>To meet the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003.</p>	

**1. Introduction and Background**

- 1.1 The Local Authorities (Members Allowances) (England) Regulations 2003 require local authorities to make an annual scheme of allowances.

- 1.2 In setting its annual scheme, the Council must have regard to any recommendations of an independent remuneration panel. The exceptions to this requirement are where allowances are to be increased in accordance with an approved index or where no increase is proposed, subject to a review every four years.
- 1.3 In considering the Members' Allowances Scheme last year, the Assembly had regard to the report published in June 2014 by the Independent Panel that was established by London Councils to exercise the functions of and on behalf of London Boroughs.
- 1.4 The Members' Allowances Scheme forms part of the Council Constitution (Part 6).

## **2. Proposal and Issues**

- 2.1 In view of the continuing difficult economic climate, it is proposed to maintain the freeze on both basic and special responsibility allowances for the seventh successive year.
- 2.2 Furthermore, there are no proposed changes to the positions that shall qualify for a special responsibility allowance or the rates applicable to travelling, subsistence and other allowances.
- 2.3 The proposed Members' Allowances Scheme for 2015/16 is set out at **Appendix A**.

## **3. Options Appraisal**

- 3.1 The cost of allowances must be contained within the existing budget provision and consequently any changes to basic and/or SRAs would need to be funded within that overall budget provision.

## **4. Consultation**

- 4.1 The proposal to freeze allowances for a further year was discussed with and supported by the Leader of the Council and the Cabinet Member for Central Services has also discussed the proposals with his colleagues.

## **5. Financial Implications**

Implications completed by: Carl Tomlinson, Finance Group Manager

- 5.1 The Members' Allowances budget was reduced by £100,000 as part of the budget savings process for 2015/16. The reduction stemmed from the removal of the entitlement of councillors to be members of the Local Government Pension Scheme, which meant that the Council was no longer required to make an employer contribution in relation to those councillors in the LGPS.
- 5.2 The budget for 2015/16 of £800,000 is sufficient to meet all projected costs during the year. Any proposed increase in allowances would need to be funded within the current budget through other efficiencies, such as reducing the number of positions attracting an SRA, or via an approved growth bid or additional funding.



## **6. Legal Implications**

Implications completed by: Paul Feild, Senior Corporate Governance Lawyer

6.1 The relevant legal issues have been covered in the body of the report.

**Background Papers Used in the Preparation of the Report:** None

**List of appendices:**

- **Appendix A** – Proposed Members' Allowance Scheme 2015/16

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## **Members' Allowances Scheme 2015/16**

The Council of the London Borough of Barking and Dagenham, pursuant to the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations"), hereby makes the following scheme.

### **1. Introduction**

- 1.1 The Members' Allowances Scheme ("the Scheme") is approved each year by the Assembly at its annual meeting. The Assembly shall have regard to any recommendations made by an Independent Remuneration Panel before making or amending the Scheme.

### **2. Types of Allowances**

- 2.1 The allowances payable are:
- a) Basic Allowance;
  - b) Special Responsibility Allowance;
  - c) Co-opted Members' Allowance;
  - d) Travelling and Subsistence Allowance;
  - e) Dependants' Carers' Allowance;
  - f) Other allowances as described in the Scheme.

### **3. Effective Date**

- 3.1 This Scheme has effect from 21 May 2015.

### **4. Definitions**

- 4.1 "Approved duties" means attendance by a Councillor or Co-opted Member at any:
- a) formally convened meeting of any committee or body to which the individual has been appointed or nominated by the Authority, including any sub-committees or working parties thereof.
  - b) conference, training session and presentation organised by or on behalf of the Authority which the individual is required to attend.
  - c) meeting with a Corporate Director or Divisional Director / Head of Service where the Councillor's attendance has been requested in writing or by e-mail or where the Councillor is a member of the Cabinet.
- 4.2 "Co-opted Member" means any co-opted, added or independent Member of a Committee or other body to which this scheme relates regardless of whether or not the Co-opted Member receives a Co-opted Members' Allowance.

## **5. Basic Allowance**

- 5.1 A Basic Allowance shall be paid to each Councillor in accordance with Appendix 1 to this Scheme.

## **6. Special Responsibility Allowances**

- 6.1 Special Responsibility Allowances shall be paid in accordance with Appendix 1 to this Scheme.
- 6.2 Where a Councillor would otherwise be entitled under the Scheme to more than one Special Responsibility Allowance, the entitlement shall only be to the highest allowance.
- 6.3 In the event of a person receiving a Special Responsibility Allowance being absent or substantially unable to act for a period of at least three months, the Council may resolve to reduce the level of Special Responsibility Allowance payable to that person and instead resolve to pay the allowance, or part of it, to any person appointed as a deputy or vice-chair for such period as it determines.

## **7. Travelling and Subsistence Allowances**

- 7.1 Travelling and subsistence allowances in respect of Approved Duties undertaken by Councillors and Co-opted Members are payable in accordance with Appendix 1 to this Scheme.
- 7.2 The provisions relating to eligibility to Travelling and Subsistence Allowances apply only to Approved Duties undertaken outside the Borough. Councillors and Co-opted Members are not permitted to claim Travelling and Subsistence Allowances for any activities undertaken within the Borough.

## **8. Dependants' Carers' Allowances**

- 8.1 Dependants' Carers' allowances in respect of Approved Duties undertaken by Councillors and Co-opted Members are payable in accordance with Appendix 1 to this Scheme.
- 8.2 The carers' allowance may be claimed towards the cost of care for children or other dependants within the household who have a recognised need for care.
- 8.3 The allowance will not be payable to a member of the immediate family or household.
- 8.4 The maximum period of the entitlement will be the duration of the approved duty and reasonable travelling time.

## **9. Co-opted Members**

9.1 Co-opted Members shall be paid in accordance with Appendix 1 to this Scheme.

## **10. School Appeals Panel Members**

10.1 Schools Appeals Panel (Admissions and Exclusions) members shall be entitled to an allowance as set out in Appendix 1 to this Scheme but shall not be eligible to receive travelling, subsistence or Dependants' Carers' allowances.

## **11. National Insurance and Income Tax**

11.1 Payment of allowances shall be subject to such deductions as may be statutorily required in respect of national insurance and income tax.

## **12. Local Government Pension Scheme (LGPS)**

12.1 In accordance with the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014, Councillors are not eligible to be members of the LGPS.

## **13. Renunciation**

13.1 A Councillor and/or Co-opted Member may, by notice in writing to the Chief Executive, elect to forgo all or any part of his/her entitlement to an allowance under this Scheme.

## **14. Payments and Claims**

14.1 Payment of Basic and Special Responsibility Allowances shall be made in instalments of one-twelfth of the amounts specified on a monthly basis, with the exception of the Mayor's Allowance which shall be paid quarterly in advance.

14.2 Where an individual takes office part way through a year, a proportionate part of any applicable allowance is payable, unless the allowance is a Special Responsibility Allowance for serving on a committee which is appointed for a period of less than a year.

14.3 The Council may determine that an allowance or a rate of allowance will not come into effect until a date other than the effective date of this Scheme. In such circumstances, the alternative date that the allowance shall be payable from shall be specified in Appendix 1 to this Scheme.

14.4 Claims for travelling, subsistence and dependants' carers' allowance should be completed monthly and no later than three months from the date that the expenditure was incurred.

**15. Councillors who are Members of another Authority**

- 15.1 Any Councillor who is also a Member of another Authority shall only receive allowances from one Authority in respect of the same duties.
- 15.2 In such instances, the Councillor shall be required to nominate the Authority from whom he/she wishes to receive the allowance(s) and advise the Chief Executive accordingly.

**16. Record of Allowances Paid**

- 16.1 A record of the payments made by the Authority to each Councillor and Co-opted Member shall be maintained and published in accordance with the Regulations.

**17. Publication of Scheme**

- 17.1 As soon as practicable after the making or amendment of this Scheme, arrangements shall be made for its publication within the Authority's area in accordance with the Regulations.

**London Borough of Barking and Dagenham  
Schedule of Allowances for 2015/16**

<b>Type</b>	<b>Allowance</b> (per annum unless otherwise stated)
<b>BASIC ALLOWANCE</b> (for all Councillors)	£10,006
<b>SPECIAL RESPONSIBILITY ALLOWANCES</b>	
Leader of the Council	£35,022
Deputy Leader(s) of the Council	£21,583
Other Cabinet Members	£17,510
Chairs and Lead Members of the following: <ul style="list-style-type: none"> <li>• Assembly</li> <li>• Development Control Board</li> <li>• Personnel Board</li> <li>• Licensing and Regulatory Board</li> <li>• Health and Adult Services Select Committee</li> <li>• Children's Services Select Committee</li> <li>• Safer and Stronger Community Select Committee</li> <li>• Living and Working Select Committee</li> <li>• Public Accounts and Audit Select Committee</li> </ul>	£3,142
Deputy Chairs and Deputy Lead Members of the following: <ul style="list-style-type: none"> <li>• Assembly</li> <li>• Development Control Board</li> <li>• Personnel Board</li> <li>• Licensing and Regulatory Board</li> <li>• Health and Adult Services Select Committee</li> <li>• Children's Services Select Committee</li> <li>• Safer and Stronger Community Select Committee</li> <li>• Living and Working Select Committee</li> <li>• Public Accounts and Audit Select Committee</li> </ul>	£1,571

<b>Type</b>	<b>Allowance</b> (per annum unless otherwise stated)
Leaders of the Minority Groups	£342 per seat (with a minimum of £1,110 per Leader)
Mayor's Allowance (payable under section 3(5) of Part I of the Local Government Act 1972)	£12,000
<b>CO-OPTED MEMBERS' AND OTHER ALLOWANCES</b>	
Independent Adviser (Public Accounts and Audit Select Committee)	£300 per meeting
Independent Persons (Standards Committee)	£500
Schools Appeals Panel (Admissions and Exclusions) members	£20 per session (up to four hours)
<b>TRAVELLING ALLOWANCES</b>	
Mileage Rates	<ul style="list-style-type: none"> <li>• Car: 45p per mile</li> <li>• Motorcycle: 24p per mile</li> <li>• Bicycle: 20p per mile</li> </ul>
<b>SUBSISTENCE ALLOWANCES</b>	
Meal Allowances	<ul style="list-style-type: none"> <li>• Breakfast (away between 7.00am and 11.00am) - £4.92</li> <li>• Lunch (away between 12.00 noon and 2.00pm) - £6.77</li> <li>• Tea (away between 3.00pm and 6.00pm) - £2.67</li> <li>• Evening (away between 7.00pm and 11pm) - £8.35</li> </ul>
Overnight (continuous period of 24 hours involving absence overnight)	<ul style="list-style-type: none"> <li>• Normal - £79.82</li> <li>• Greater London, AMA Annual Conference or other approved Association conferences - £91.04</li> </ul>
<b>DEPENDANTS' CARERS' ALLOWANCE</b>	£6.82 per hour



**ASSEMBLY****20 May 2015**

<b>Title:</b> Council Constitution - Updates	
<b>Report of the Cabinet Member for Central Services</b>	
<b>Open Report</b>	<b>For Information</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Alan Dawson, Democratic Services Manager	<b>Contact Details:</b> Tel: 020 8227 2348 E-mail: alan.dawson@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Fiona Taylor, Head of Legal and Democratic Services	
<b>Accountable Director:</b> Chris Naylor, Chief Executive	
<p><b>Summary</b></p> <p>The Assembly adopted the new Council Constitution at its meeting on 25 November 2014 (Minute 27) and approved several changes at its last meeting on 24 February 2015 (Minute 58). This report presents some further changes which have arisen from new legislative requirements, the establishment of the new Pension Board from 1 April 2015 and the correction of some errors / omissions during the drafting of the new Constitution.</p> <p>The main changes relate to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 which came into force on 11 May 2015. These regulations are intended to simplify, as well as localise, the disciplinary process for the three statutory officer posts of Head of Paid Service, Monitoring Officer and Chief Finance Officer.</p> <p>Attached at <b>Appendix 1</b> is the full schedule of updates to the Constitution. The nature of the changes are such that they do not require the Assembly's approval and have been agreed for implementation by the Monitoring Officer under the revision arrangements set out in paragraph 2 of Part 7 of the Constitution. That said, there are some noteworthy implications in relation to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.</p>	
<p><b>Recommendation(s)</b></p> <p>The Assembly is recommended to:</p> <ul style="list-style-type: none"> <li>(i) Note the revised arrangements in respect of the proposed dismissal of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015; and</li> <li>(ii) Note the schedule of updates to the Constitution as set out in Appendix 1 to the report.</li> </ul>	

**Reason(s)**

To appraise Members with details of legislative changes and to accord with the requirements of Part 7 of the Council Constitution.

**1. Introduction and Background**

- 1.1 A new Council Constitution was adopted by the Assembly at its meeting on 25 November 2014 (Minute 27 refers).
- 1.2 Paragraph 2 of Part 7 of the Constitution establishes the rules for making amendments to the Constitution. In summary, the Assembly is responsible for approving all changes except for the following which may be implemented by the Monitoring Officer:
- changes to give effect to any decisions of the Council;
  - changes in the law;
  - minor amendments such as to correct errors; and
  - to ensure that the Constitution is maintained up-to-date.
- 1.3 The Constitution is kept under continual review by officers within the Legal and Democratic Services division. A number of amendments to the Constitution were approved at the meeting of the Assembly on 24 February 2015 and this report presents a number of further changes which are required.

**2. Proposal and Issues**

- 2.1 The Constitution updates at **Appendix 1** relate to three main aspects:
- (i) the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015;
  - (ii) the new Pension Board arrangements;
  - (iii) the correction of the Chief Executive's statutory roles in respect of elections.
- 2.2 With regard to (ii) above, the Assembly considered and approved proposals for the creation of a new Pension Board at its meeting on 24 February 2015 (Minute 55 refers). The new Board became effective from 1 April 2015 and it is appropriate to include reference to it in the Constitution. Although the new Pension Board is a separate entity to the Council's Pensions Panel, it has been included within that section of the Constitution (Part 2, Chapter 11) for ease of reference.
- 2.3 In relation to (iii) above, an error and an omission were identified in relation to the Chief Executive's position as Returning Officer for Local Elections and as Acting Returning Officer for Parliamentary Elections.
- 2.4 The significant changes relate to (i) above and the implications of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. All local authorities are required to set out procedures relating to staff and the legal basis is established via Sections 8 and 20 of the Local Government Housing and Land Act 1989 and the Local Authorities Standing Orders Regulations 2001.
- 2.5 Local authorities are required to appoint the following statutory officers:

- **Head of Paid Service** - Section 4 of the 1989 Act requires the Council to designate one of its officers as the “Head of Paid Service” (the Chief Executive);
- **Monitoring Officer** - Section 5 of the 1989 Act requires the Council to designate one of its officers as the “Monitoring Officer” (the Head of Legal and Democratic Services);
- **Chief Finance Officer** - Section 151 of the Local Government Act 1972 requires the Council to have an officer with responsibility for financial administration (the Chief Finance Officer).

- 2.6 Under the 2001 Standing Orders Regulations, a degree of statutory protection was provided for the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer in view of their statutory responsibilities and the fact that they are carried out in a political environment. The statutory protection required the appointment of a Designated Independent Person (DIP) to investigate any allegation of misconduct against those officers. The DIP was to be appointed early in the procedure, when it appeared that an allegation of misconduct by the relevant officer needed to be investigated. No disciplinary action could be taken other than in accordance with a recommendation in a report made by a DIP. The intention of that measure was to ensure that the officers could discharge their duties without any fear of being influenced by elected members and being dismissed without good reason.
- 2.7 In recent years the Secretary of State for Communities and Local Government had expressed concern that the DIP process was, in practice, complex and expensive in that it placed Councils as the employer at a great disadvantage in comparison to the position of the employee, particularly given that the recommendation of the DIP had to be followed. In addition, where there were disciplinary actions against those senior officers, there had been some suggestion that Councils may have preferred to negotiate severance payments rather than go through the formal DIP process.
- 2.8 As a result the Secretary of State issued new amending Standing Order Regulations in March 2015 aimed at simplifying, as well as localising, the disciplinary process for the three statutory officers through the abolition of the requirement that a DIP should be appointed. In place of the DIP process, a decision to dismiss any of the statutory officers must now be taken by the full Council, who must consider any advice, views or recommendations from a panel of Members that includes at least two independent persons appointed under Section 28(7) of the Localism Act 2011 (the Council currently has three Independent Persons).
- 2.9 In summary, the new requirements do not impact greatly on this Council’s existing arrangements for disciplinary arrangements against the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer. The Assembly established the JNC Disciplinary Panel several years ago and that body would continue to fulfil the requirements of the new Regulations. The membership and terms of reference of that Panel (Part 2, Chapter 4 of the Constitution) need to reflect the cessation of the DIP role and the inclusion of two Independent Persons while administrative changes are also required to the Employment Procedure Rules (Part 4, Chapter 3) to reflect that the JNC Disciplinary Panel now replaces the role of the DIP.
- 2.10 The two Localism Independent persons would be able to take part and vote on the JNC Panel’s recommendations, but the Panel would not be required to accord any

special weight to their views or opinions, unlike the previous arrangements whereby the recommendation of the DIP had to be followed.

- 2.11 Under the new regime, the Assembly will, before taking a vote on whether or not to approve a dismissal, need to take account of any advice views or recommendations of the JNC Panel, any conclusions of any investigation and any representations from the relevant officer(s) subject to the report. It will be free to make its own decision on the merits of the case as it sees it and not be bound by the view of a third party.

### **3. Options Appraisal**

- 3.1 The primary changes are a mandatory legal requirement and there are no alternative options.

### **4. Consultation**

- 4.1 The proposals have been discussed with relevant Members and officers via the report clearance processes.

### **5. Financial Implications**

Implications completed by: Olufunke Johnson, Principal Accountant

- 5.1 There are no financial implications associated with the measures outlined in this report.

### **6. Legal Implications**

Implications completed by: Paul Feild, Senior Governance Solicitor

- 6.1 The Local Government Act 2000 requires Councils to produce, maintain and review the Constitution document which sets out the rules, codes, protocols and schemes by which the Council operates. The body of this report sets out the legal framework and, as explained, the Council is legally required to implement the changes.

### **7. Other Implications**

- 7.1 **Risk Management** - The Council has a duty to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. Prompt action to implement the changes is a hallmark of sound administration.

**Public Background Papers Used in the Preparation of the Report: None**

#### **List of appendices:**

- **Appendix 1** – Schedule of Amendments approved by the Monitoring Officer (May 2015)

## COUNCIL'S CONSTITUTION – May 2015 SCHEDULE OF AMENDMENTS (implemented by MO)

AMENDMENT	REASON	ASSEMBLY APPROVAL REQUIRED?
<p><b>Part 2, Chapter 4 – The Assembly</b></p> <p>Amendment of the terms of reference of the JNC Disciplinary Panel as set out below, to reflect the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.</p> <p><b>JNC Disciplinary Panel</b> - consisting of the Leader (who shall be Chair), the Deputy Leader(s) of the Council, the relevant Portfolio Holder(s) and two non-Cabinet councillors (selected by the Chief Executive, in consultation with the Leader, from a pool of four non-Cabinet councillors appointed by the Assembly), to:</p> <ul style="list-style-type: none"> <li>(a) make decisions in respect of the suspension of the Chief Executive in accordance with paragraph 5, Chapter 3, Part 4 of the Constitution for the purposes of investigating alleged misconduct;</li> <li>(b) make decisions in respect of disciplinary action, including dismissal, in respect of all JNC Officers with the exception of the Head of Paid Service, Monitoring Officer and Chief Finance Officer;</li> <li>(c) make decisions in respect of disciplinary action, excluding dismissal, in respect of the Head of Paid Service, Monitoring Officer and Chief Finance Officer; and</li> <li>(d) make recommendations to the Assembly in relation to the dismissal of the Head of Paid Service, Monitoring Officer and</li> </ul>	<p>To give effect to new legislative requirements.</p>	<p>No. Monitoring Officer implemented as 'change in the law' in accordance with paragraph 2.1(b) of Part 7 of the Constitution.</p>

<p>Chief Finance Officer, subject to the provision below.</p> <p>In respect of (d) above, the membership of the JNC Disciplinary Panel shall be extended to include at least two Independent Persons appointed by the Council under the Localism Act 2011, with priority to an Independent Person(s) appointed by the Council who is a local elector, followed by an Independent Person(s) appointed by the Council who is not a local elector and finally an Independent Person(s) appointed by another authority.</p>		
<p><b>Part 2, Chapter 8 – Scrutiny, the Select Committees and Call-in</b></p> <p>Inclusion of wording in paragraph 1.4 to reflect that “Lead Member appointments shall be for a two-year term”.</p>	<p>To clarify existing arrangements.</p>	<p>No. Monitoring Officer implemented as a ‘minor amendment’.</p>
<p><b>Part 2, Chapter 11 – Pensions Panel</b></p> <p>Inclusion of new paragraph 5 to reflect the creation of the new Pensions Board, as approved by the Assembly on 24 February 2015 (Minute 55).</p>	<p>To reflect the creation of the new Board with effect from 1 April 2015.</p>	<p>No. Monitoring Officer implemented ‘to give effect to any decisions of the Council’ in accordance with paragraph 2.1(a) of Part 7 of the Constitution.</p>
<p><b>Part 3, Chapter 2 – Officer Scheme of Delegation</b></p> <p>Replace “Section 35(1)” with “Section 35(3)” in respect of Returning Officer (Local Election) statutory function.</p>	<p>Correction of drafting error</p>	<p>No. Monitoring Officer implemented as a ‘minor amendment’.</p>

<p><b>Part 3, Chapter 2 – Officer Scheme of Delegation</b></p> <p>Inclusion of the Chief Executive’s statutory role as Acting Returning Officer (Parliamentary Election) under Section 28(1) of the Representation of the People Act 1983.</p>	<p>Omitted from new Constitution in error (previously in old Constitution under Chief Executive’s Responsibility for Functions, Part C, Section P)</p>	<p>No. Monitoring Officer implemented to correct error at drafting stage</p>
<p><b>Part 4, Chapter 3 – Employment Procedure Rules</b></p> <p>Revision of paragraph 2.1 and inclusion of new paragraphs 2.2 and 2.3 to reflect requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.</p> <p>2.1 Employment functions, including the appointment or discipline of the Chief Executive (Head of Paid Service), Monitoring Officer and Chief Finance Officer (as defined in the Local Government and Housing Act 1989), shall be discharged by the Assembly, or an appointed sub-committee, in accordance with the arrangements set out in Part 2, Chapter 4 of this Constitution.</p> <p>2.2 Employment functions, including the appointment, dismissal or discipline of all other JNC officers, except those specified in paragraph 2.1 above, shall be discharged by the Assembly, or an appointed sub-committee, in accordance with the arrangements set out in Part 2, Chapter 4 of this Constitution.</p> <p>2.3 The dismissal of the Chief Executive (Head of Paid Service), Monitoring Officer and Chief Finance Officer (as defined in the Local Government and Housing Act 1989), shall be discharged by the Assembly in accordance with the arrangements set out in Part 2, Chapter 4 of this Constitution</p>	<p>To give effect to new legislative requirements.</p>	<p>No. Monitoring Officer implemented as ‘change in the law’ in accordance with paragraph 2.1(b) of Part 7 of the Constitution.</p>

<p><b>Part 4, Chapter 3 – Employment Procedure Rules</b></p> <p>Revision of section 5 to reflect the role of JNC Disciplinary Panel in place of the Designated Independent Person, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.</p>	<p>To give effect to new legislative requirements.</p>	<p>No. Monitoring Officer implemented as ‘change in the law’ in accordance with paragraph 2.1(b) of Part 7 of the Constitution.</p>
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