

Notice of Meeting of the

ASSEMBLY

**to be held on Wednesday, 2 December 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

Date of publication: 24 November 2015

Chris Naylor
Chief Executive

Councillors and senior officers are also invited to attend a presentation by the Strategic Director Customer, Commercial & Service Delivery on the subject of the New Member Casework Process and System within the Council which will take place in the Council Chamber from 6.00 pm until 6.45 pm

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AGENDA

1. Apologies for Absence

2. 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.

3. Minutes - To confirm as correct the minutes of the meeting held on Wednesday 23 September 2015 (Pages 3 - 13)

4. Minutes of Sub-Committees (Pages 15 - 18)

To note the minutes of the:

- JNC Appointments Panel held on 22 September 2015
- JNC Salaries and Conditions Panel held on 17 November 2015

5. Leader's Statement

The Leader will present his statement.

6. Appointments

The Labour Group Secretary will announce any nominations to fill vacant positions on Council committees or other bodies.

7. Appointment of Parent Governor (Secondary) Co-optee to the Children's Services Select Committee (Page 19)

8. Adoption of London Councils' Code of Practice for Affixing Traffic Signs and Street Lighting to Buildings in London (Pages 21 - 26)

9. Council Tax Support Scheme 2016/17 (Pages 27 - 30)

10. Treasury Management Strategy Statement Mid-Year Review 2015/16 (Pages 31 - 45)

11. Motions (Pages 47 - 51)

12. Questions With Notice

13. Any other public items which the Chair decides are urgent

14. 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.

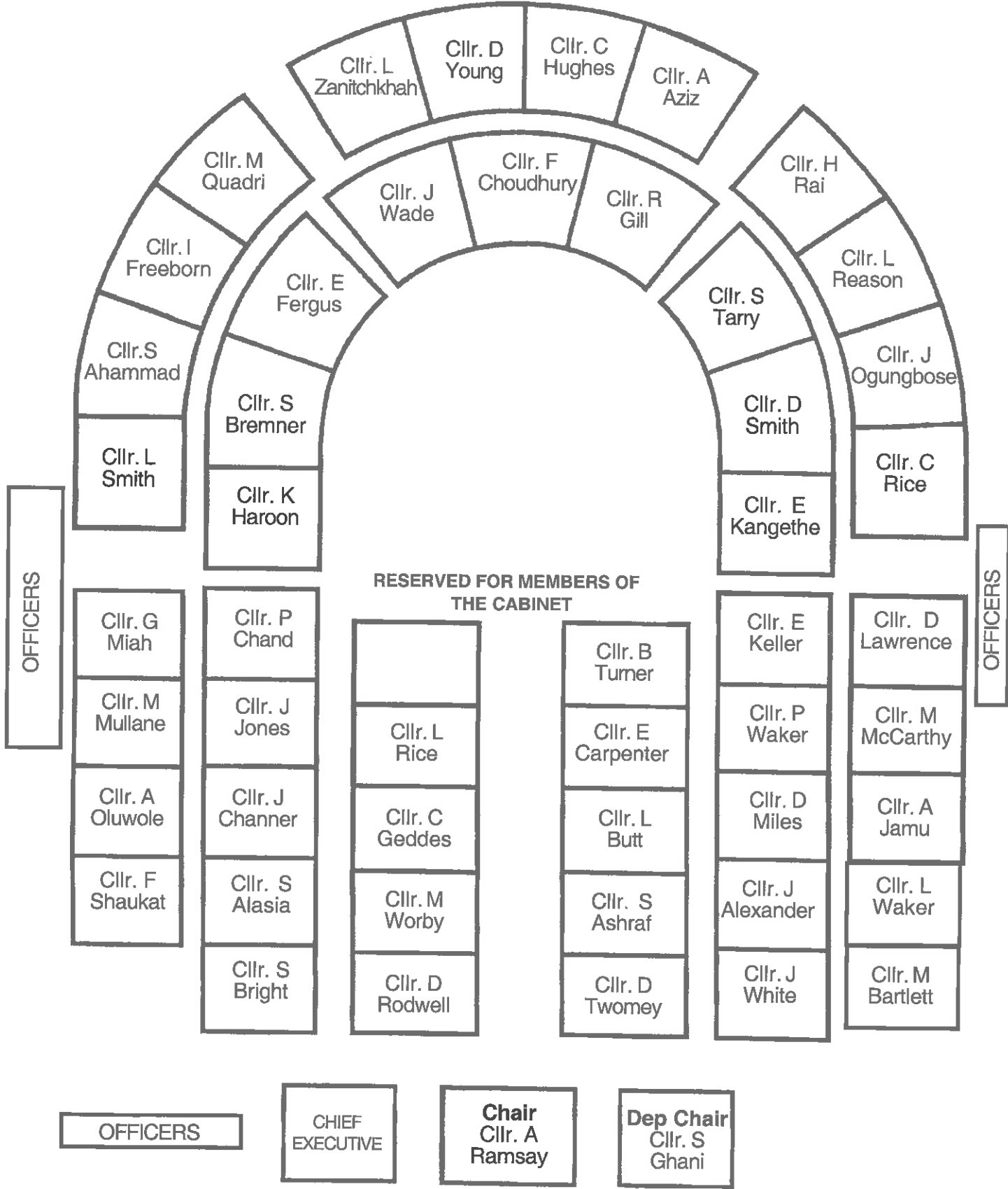
Private Business

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.***

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

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BARKING TOWN HALL COUNCIL CHAMBER



SEATING PLAN FOR THE ASSEMBLY

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

MINUTES OF ASSEMBLY

Wednesday, 23 September 2015
(7:00 - 8:16 pm)

PRESENT

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

Cllr Syed Ahammad	Cllr Jeanne Alexander	Cllr Saima Ashraf
Cllr Melanie Bartlett	Cllr Simon Bremner	Cllr Sade Bright
Cllr Laila Butt	Cllr Peter Chand	Cllr Josephine Channer
Cllr Faruk Choudhury	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 Giasuddin Miah
Cllr Dave Miles	Cllr Margaret Mullane	Cllr Adegboyega Oluwole
Cllr Moin Quadri	Cllr Hardial Singh Rai	Cllr Chris Rice
Cllr Lynda Rice	Cllr Darren Rodwell	Cllr Faraaz Shaukat
Cllr Danielle Smith	Cllr Sam Tarry	Cllr Bill Turner
Cllr Dominic Twomey	Cllr Lee Waker	Cllr Phil Waker
Cllr Maureen Worby	Cllr Dan Young	Cllr Linda Zanitchkhah

APOLOGIES FOR ABSENCE

Cllr Sanchia Alasia	Cllr Abdul Aziz	Cllr Evelyn Carpenter
Cllr Danielle Lawrence	Cllr Mick McCarthy	Cllr James Ogunbose
Cllr Linda Reason	Cllr Liam Smith	Cllr Jeff Wade
Cllr John White		

20. Declaration of Members' Interests

There were no declarations of interest.

21. Minutes (15 July 2015)

The minutes of the meeting held on 15 July 2015 were confirmed as correct.

22. Minutes of Sub-Committees

The Assembly received and noted the minutes of the following:

- JNC Appointments Panel held on 15 July 2015 at 1.00pm
- JNC Appointments Panel held on 15 July 2015 at 3.00pm
- JNC Appointments Panel held on 16 September 2015*

(* The Chair agreed that this item could be considered at the meeting under the provisions of Section 100B(4)(b) of the Local Government Act 1972.)

23. Leader's Statement

The Leader of the Council presented a verbal statement updating the Assembly on a range of matters which included:

- The 50th Anniversary Events, of which 70 had taken place over the summer had to date attracted over 100,000 people

The highlight of the events this Summer for the Leader, Members and many residents was the visit from Her Majesty The Queen in July, which put the Borough of the Map.

The events were not yet over, with the second annual Youth Parade being led by the first ever Young Mayor on Sunday 27 September.

- The appointment of the new Strategic Director of Growth and Homes, which would complete the new leadership team to take the Council forward. The Leader reminded Assembly that he had set the Chief Executive the task of reducing management costs throughout the organisation over the next few years, a commitment he had made and intended to keep.
- The Ambition 2020 programme, which had been launched and would take a fresh look at the way the Council provides its services in the face of a £70m reduction in the Council's finances as a result of cuts from Central Government.
- The Growth Commission's task was to assist in realising the Borough's ambition of becoming London's Growth Opportunity. Through this the Borough will forge a new relationship with residents, and be better placed to become London's Cultural hub with first class services.
- Two new Borough Champion appointments namely Councillor Bright as the Boroughs "Women and Equalities Champion" and Councillor Ahammad as the "Making a Change Champion" to help promote healthier lifestyles
- Congratulations, to Jeremy Corbyn and Tom Watson as the new Labour Leader and Deputy Leader respectively; Sadiq Khan and Umnesh Desai who secured the Labour Group nominations for the London Mayor and City and East GLA seat respectively, as well as Margaret Hodge, MP who was recently appointed a Dame.

24. Appointments

There were no appointments to Council Committees and/or other bodies.

25. Senior Management Appointments

(The Chair agreed that the report could be considered at the meeting under the provisions of Section 100B(4)(b) of the Local Government Act 1972.)

The Chief Executive introduced a report on the recommendation of the JNC

Appointments Panel which, on 22 September 2015, had interviewed candidates for the post of Strategic Director – Growth and Homes.

The Assembly **resolved** to approve that John East be appointed as the role of Strategic Director – Growth and Homes, subject to agreement on start dates.

26. Questions With Notice

Question 1

From Councillor Ahammad

“Following the announcement of the government on 7 September 2015, that Britain should resettle up to 20,000 Syrian refugees – what can our borough offer to help in this global crisis and has it been communicated to the RSMP (Regional Strategic Migration Partnership)?”

Response

Councillor Rodwell, Leader of the Council, expressed his concern at the harrowing situation so many refugees were currently in and advised that the Council had made it clear to RSMP that it would play a full part alongside other London boroughs as it had a moral duty to help.

The Government had announced that Britain will resettle 20,000 Syrian refugees over 5 years. The Government was developing in consultation with the London Government Association the details and funding of how the resettlement would work. The Council had set up an internal officer working group to ensure that it was able to respond effectively.

The Leader further advised that the Council was keen to work with voluntary, faith, and community members, and he would be meeting representatives of the local Citizens Advice Bureau and Refugee & Migrant Forum of Essex and London on 1 October 2015.

Supplementary Question

Councillor Ahammad advised that the London Borough of Camden had announced they would accept 20 families and enquired as to whether this was a commitment the Council could make.

Councillor Rodwell reiterated the Council's commitment to helping refugees and confirmed that as yet, nothing had been asked of the Council.

Question 2

From Councillor Fergus

“Can the Leader advise Assembly what role the Council is playing in responding to the Syrian refugee crisis?”

Response

Reiterating his response to the previous question Councillor Rodwell, emphasised the Council's commitment to undertake whatever was feasibly possible to help the refugees and he confirmed that, following a call from the Shadow Minister, Barking

and Dagenham were the first Council to confirm they would assist in the crisis.

Question 3

From Councillor Freeborn

“In the light of the Government’s sinister assault on the rights of working people (the Trades Union Bill) will the Deputy Leader & Cabinet Member for Central Resources give his assurance that we will continue to give the highest priority to good industrial relations on this Council?”

Response

Councillor Twomey, Deputy Leader and Cabinet Member for Finance and Central Services as a long standing union member opposed the Bill suggesting that it sought to curb some of the basic rights trade unions had enjoyed even when Margaret Thatcher was Prime Minister. The Bill was designed to impose draconian measures which would worsen, not improve, industrial relations.

Councillor Twomey said that the Council was committed to working with the unions and had enjoyed good relations over the years, which were being rebuilt after strike action earlier this year.

Supplementary Question

Councillor Freeborn asked if the Bill was successful, what option was there for investment in employees.

Councillor Twomey referred to the staff temperature check already being undertaken to engage with staff and ascertain their views. Recent results had indicated that three out of four staff were proud to work for the Council. Six out of ten staff thought it was a great place to work whilst eight out of ten were committed to the Council’s vision.

Question 4

From Councillor Choudhury

“Can the Cabinet Member for Housing set out the main challenges facing the Council’s housing services and what we are doing to deliver a service which matches our ambitions for the future?”

Response

Councillor Rodwell explained that over the past 12 months, the average time to re-let a council property was down from 70 to 46 days, the percentage of repair jobs where the Council have kept to appointments is up from 73% to 91% and all urgent repair jobs have been completed within government guidelines.

Councillor Rodwell advised that in order for the Council to be in the top 25% of London Authorities, he had launched a Housing Transformation Programme, the outcome of which would be presented to Cabinet in December.

Question 5

From Councillor Haroon

“Will the Leader agree with me that the Government’s cuts to tax credits announced last week are a direct attack on working families in Barking & Dagenham. In contrast, can the Leader give his assurance that tackling inequality and promoting inclusion will remain at the heart of everything we do as a Labour Council?”

Response

Councillor Rodwell, gave assurances that the Council would continue to tackle inequality and promoting inclusion would be at the heart of its agenda. He was proud of the Borough’s history in this respect with it being the home both to the first feminist and the man who abolished slavery as well as more recently the political fight in defeating the rise of the BNP.

He stated that this Council were taking a unique approach to tackling inequality by concentrating on one group at a time, starting with gender equality in 2015/16. Officers were currently working with the Fawcett Society on the Gender Equality Charter which would be launched on International Women’s Day, 8 March 2016. In 2016/17, the focus would be on looking at the barriers for the local LGBT community.

Question 6

From Councillor Kangethe

“Can the Cabinet Member for Regeneration set out what the borough is set to gain from having a Growth Commission?”

Response

Councillor Rodwell, explained that the Growth Commission would help to achieve the Council’s vision of improving the future economic prospects the people who live and work in the Borough.

The Commission would provide authoritative expert advice on how the vision can be achieved, what needs to be done, and by whom.

Question 7

From Councillor Hughes

“Can the Cabinet Member for Housing confirm this Council’s vital commitment to the provision of affordable housing for local residents and how we are going to enshrine fairness in our housing allocation policy?”

Response

Councillor Ashraf, Deputy Leader and Cabinet Member for Housing, advised that the Council remained passionate about providing affordable housing for local people. Only last week the Guardian newspaper featured an article on the ground-breaking work undertaken by Barking and Dagenham Reside who manage the lettings process for all new affordable rented homes in the Borough and where 84% of such properties in William Street, Thames View East and Richard Moore Court had been let to residents of Barking and Dagenham.

Councillor Ashraf announced this month the Council would be changing its Housing Lettings Policy bringing to an end the rights of those who own their own home to apply for Council housing, except in extreme circumstances. The Council would also suspend those bidding on properties if they turned down three reasonable offers.

Question 8

From Councillor Quadri

“Over the summer, RightMove dared to suggest we might be unhappy in Barking & Dagenham. Could the Leader clarify whether we are happy with RightMove?”

Response

Councillor Rodwell, confirmed that the Council was indeed not happy with RightMove following their claim that Barking and Dagenham was one of the unhappiest places to live.

He advised that that nine out of the ten places RightMove suggested were full of unhappy people were all in London, which to many is regarded as one of the best cities in the world to live. The Leader had written to the Chair of RightMove about the issue but to date had not received a reply.

Question 9

From Councillor Haroon

“Can I ask the Cabinet Member for Education to set out the progress made in this year’s GCSE and A level results?”

Response

Councillor Turner, Cabinet Member for Children’s Services and Social Care, advised that the early national results for A Levels indicated that schools overall had seen a 2% improvement in the number of A*-C’s which meant that the Borough was within 1% of the national average. The Borough had also improved on the top grades (A*-B) necessary for entry into the more competitive universities.

Councillor Turner pointed out that GCSE results nationally were not available until October, with a report going to Cabinet in November. However, the indications were that results for Barking and Dagenham on the headline five A*-C including English and maths fell by just over 3% to 55%.

He advised that the Cabinet Member for Education would be holding a briefing for Members on Monday 28 September where more detailed information regarding the results would be available for discussion, and he urged all Members to attend.

Question 10

From Councillor Kangethe

“Can the Cabinet Member for Crime & Enforcement confirm the Council’s policy of providing a free ‘grace period’ of parking around our shopping parades to help shoppers and promote local trade?”

Response

Councillor Butt, Cabinet Member for Crime & Enforcement, stated that as from this month no user of the Borough's car parks and pay and display bays would have to pay for the first 15 minutes of car parking.

Councillor Butt was hopeful that following discussions with local traders and residents improved access to parking in and around the shopping locations would make them more attractive to visit and by keeping the overall cost low for short stay parking the Council can help the locations to thrive.

Supplementary Question

Councillor Kangethe asked as to whether this extended to the small shopping parades in the Borough, such as Parsloes for example.

Councillor Butt reaffirmed the changes covered all car parks and pay and display bays.

Question 11

From Councillor P Waker

"Would the relevant Cabinet Member agree that the Council's agreed disciplinary procedures should be used for ALL staff including those who have worked for the Council, either directly or indirectly in schools etc, for under two years and that the Council will not support staff being dismissed without using the agreed procedures simply because they are not entitled under current laws to an Employment Tribunal."

Response

Councillor Twomey stated that it was expected that all Council employees should be managed according to agreed Council policies both in schools and educational centres where the Council was the ultimate employer.

Supplementary Question

Councillor Waker asked that if he provided details of a case where this had not happened, would the Cabinet Member look into it.

Councillor Twomey advised he would look into any such cases brought to his attention.

Question 12

From Councillor Bartlett

"With social housing now required more than ever in London and the South East, will the relevant Cabinet Member commit to ensuring that a percentage of social housing is agreed as part of every housing scheme, private or Council with the expectation that this will be a much higher figure for Council schemes than private, but that there will be a definite number in every scheme."

Response

Councillor Geddes, Cabinet Member for Regeneration, advised that the Council's Local Plan currently did not have an overall target. However despite this in 2013/14, 68% of all new homes built in the borough were affordable, the second highest percentage in London. To put this into context Barking and Dagenham had the fourth highest percentage of affordable housing of any London Borough at 35.9%.

Councillor Geddes reported that the Council was currently reviewing the Local Plan and was consulting on the issues and options in October which were agreed by Cabinet in July. This proposed a number of options for an overall affordable housing target ranging from 25%-40% of all new homes built and of those between 8 and 12% being social rent.

Supplementary Question

Councillor Bartlett asked for further clarification on the proposed affordable housing targets.

Councillor Geddes advised he would look into the details and respond directly to Councillor Bartlett.

Question 13

From Councillor Gill

“Could the relevant Cabinet Member please explain the recent decrease in GCSE results in Barking & Dagenham?”

Response

Councillor Turner, referring to his earlier response on this matter, advised that whilst some schools had out performed such as Robert Clack he acknowledged that some of the other school results had been disappointing. However this was against the backdrop of late changes in the marking criteria for certain subjects and a national shortage of maths teachers.

Supplementary Question

Councillor Gill asked what improvement plans were in place to achieve better results next year.

Councillor Turner reminded Members about the Cabinet Member for Education briefing on 28 September where more detailed information regarding the results would be available for discussion. Councillor Turner also took the opportunity to urge members to read the report being presented to Cabinet in November and also encouraged more Members to become involved in scrutiny.

Question 14

From Councillor Gill

“Does the Leader of the Council believe that the reported cost of the recent visit of the Queen to the borough at over £72k is good use of public money in the context of the up to £72m budget savings required & the £70k cut to pre-start for front line workers in Barking & Dagenham?”

Response

Councillor Rodwell felt that the money was well spent.

Supplementary Question

Councillor Gill asked if the Leader felt that remarks made to local residents by the Duke of Edinburgh when the Royal Party visited the Chadwell Heath Community Centre were disrespectful and whether he had written to seek an apology.

Councillor Rodwell expressed his dismay at the question and advised that the comment was meant and taken in jest by those present.

Over 10,000 residents had either been involved or viewed the activities on the day of Her Majesty’s visit. The Leader had been advised by organisers that it was one of the warmest receptions the Queen had received in a long time. The event had put the Borough on the map and therefore he considered the money was well spent.

Question 15

From Councillor Chand

“Does the relevant Cabinet Member agree that the reported high levels of childhood obesity in Barking & Dagenham must be tackled by restricting the growth of fast-food outlets in the borough and increasing physical activity in schools?”

Response

Councillor Worby, Cabinet Member for Adult Social Care and Health, advised that the Joint Health & Wellbeing Strategy outlined ambitious plans to create a borough that supports local people to make healthy choices now, as well as creating an environment which makes those choices easier and more accessible in the future.

She confirmed that over the last three years, she had worked with officers, partners and schools to invest significant resources in establishing the infrastructure and programmes to promote healthy eating and uptake of physical activity for lifelong health.

The Council had been at the forefront of using its powers and responsibilities to create a healthier environment in line with the Borough’s ambitions. In 2010 new planning guidance was introduced entitled ‘Saturation Point’. This aimed to reduce the risk of obesity amongst the borough's population, and particularly among children, by introducing a 400m hot food takeaway exclusion zone in proximity to schools and criteria to reduce the clustering of hot food takeaways in town centres. Since its implementation eight hot food takeaways had been refused planning permission.

Supplementary Question

Councillor Chand asked if there would be the opportunity to let children use the Councils leisure centres for free if they were deemed at risk.

Councillor Worby confirmed that whilst she could not make any commitments today she was currently looking into different programmes aimed at improving children's health including free swimming.

Question 16

From Councillor Bartlett

"Will the relevant Cabinet Member seek to ensure that every regeneration scheme on Council housing land will mean that there is no reduction in the percentage of social housing when the renewal takes place?"

Response

Councillor Geddes could not provide such a commitment but assured the member that every regeneration scheme would be considered on its merits. He added that such an approach with developers was neither practical nor viable and could seriously limit the Council's ability to deliver more social housing as well as other regeneration benefits.

Schemes such as those taking place at the Gascoigne estate which involve a substantial land take for a new school means there would be a lower percentage of social rent units. The whole context of social rented homes had changed with various Government policy and funding announcements limiting the scope to fund new social rent units through the HRA. This demonstrated the importance of using cross subsidy and other funding streams such as Housing Zones to achieve more affordable housing.

Question 17

From Councillor Mullane

"Village Ward has some private houses in Western Avenue and Mayswood Gardens, which appear to be houses of multiple occupancy, and some people have in the past few months taken to living in vans outside the properties, with no toilet facilities. The licensed Landlord team are undertaking the HMO issues, but the enforcement of the vehicles, and disorder issues are proving difficult for the Council enforcement Teams. Can the Cabinet member confirm that a system is in place to deal with these issues, as we have had 3 such issues in the past three months, which are taking 6 weeks at a time to be dealt with, with much distress to our communities?"

Response

Councillor Butt, advised that where it could be shown that a person and persons are living in a vehicle the Council had powers to direct them to leave with the vehicle. This power was exercised by a senior officer of the Council as a Direction Notice.

Councillor Butt advised the problem in the instances raised in Village ward had been proving that the vehicles were being used for habitation. Action here was limited by the evidence of occupation and activity here included tracing of vehicle ownership, speaking to residents where these came forward, observations at various times throughout the day and night and placing a camera at the location.

Question 18

From Councillor Mullane

“Does the Cabinet Member for Housing feel that in certain circumstances, a sensitive lets policy should be carried out for vulnerable people in our communities within our social housing stock?”

Response

Councillor Ashraf, explained that it was about exercising discretion when say someone had experience of a neighbour who had demonstrated challenging behaviour. In these circumstances the Council would sometimes use a sensitive lettings approach to decide how to let a property. By employing this approach the Council try to ensure successful tenancies which recognised the needs of the tenant who may have special needs, together with the community in which they are living. Each case was treated on its own merits.

Councillor Ashraf advised that this way the Council was trying to make best use of its housing stock at the same time as recognising that everyone should have a place to live and feel part of the local community rather than being isolated.

Supplementary Question

Councillor Mullane advised there was a large issue in her Ward currently regarding sensitive lettings and asked for the Policy to be considered at the relevant Select Committee.

Councillor Ashraf noted that Cllr Mullane had raised casework issues in previous questions at Assembly. Through the Chair, Cllr Mullane was encouraged to contact her directly rather than waiting until Assembly so that appropriate action could be considered at a much earlier stage.

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MINUTES OF JNC APPOINTMENTS PANEL

Tuesday, 22 September 2015
(1:05 - 3:35 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Saima Ashraf, Cllr Elizabeth Kangethe and Cllr Dominic Twomey

Apologies: Cllr Cameron Geddes and Cllr Eileen Keller

20. Declaration of Members' Interests

There were no declarations of interest.

21. Private Business

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

22. Appointment of Strategic Director for Growth and Homes

The Panel considered the papers that had been submitted in advance of the meeting which included the job description and person specification for the post together with an interview report produced by the recruitment consultant, as well as the CV's and supporting statement of the two shortlisted candidates.

The Panel had reviewed and agreed in advance the presentation topic as well as the interview questions which were asked of both candidates.

Following the interviews, Members discussed the presentations and responses to the questions at length and reached a unanimous decision.

The Panel **resolved** to appoint John East to the post of Strategic Director for Growth and Homes, subject to satisfactory references.

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MINUTES OF JNC SALARIES AND CONDITIONS PANEL

Tuesday, 17 November 2015
(4:30 - 5:05 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Saima Ashraf, Cllr Laila Butt, Cllr Elizabeth Kangethe and Cllr Eileen Keller

Apologies: Cllr Dominic Twomey

1. Declaration of Members' Interests

There were no declarations of interest.

2. Minutes (15 May 2015)

The minutes of the meeting on 15 May 2015 were confirmed as correct.

3. Private Business

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

4. Proposal to Amend the Second Tier Management Structure of the Council

The Chief Executive introduced the report on proposed changes to the Council's second tier management structure. The report built on the new top team structure agreed by Assembly and recently put in place with the recruitment of four Strategic Directors and a new Divisional Director.

The Chief Executive explained that proposals contained in the report had an emphasis on building capacity and bringing together service areas that had compatible synergies and will importantly deliver savings meeting the helping to meet the commitment of reducing the overall cost of the top 5% of staff by £350,000 and then £650,000 over the next two years. The report outlined proposals for the areas of responsibility under the Strategic Director of Finance and Investment (SDFI) and the Strategic Director of Customer, Commercial and Service Delivery (SDCCSD) and clarified future arrangements relating to the current Head of Legal and Democratic Services (HLDS) post whose salary was part-funded by Thurrock Council under the shared Legal Service arrangements. In respect of the latter issue, it was noted that although the shared Legal Service arrangements would continue the scope of the HDLS's involvement in operational matters at Thurrock Council would reduce significantly with the intention that it would be a full-time role by 1 April 2016. That had presented the opportunity for the HDLS role to take on responsibilities relating to the Employee Relations and HR Business Partner services, in recognition of the close working relationships that already existed between the services, and to give greater emphasis to commercialising the Legal Service on behalf of both Councils. As a consequence,

it was proposed that the HDLS post be redesignated Director of Law and Governance.

The SDFI outlined the proposals pertaining to his area, which were to create a new Divisional Director role which would provide for a Deputy Section 151 Officer at a more senior level than currently existed and would allow for an individual, other than the SDFI, to have a view of the whole of the Council's finances. The current Group Manager for Corporate Finance role would be deleted alongside the two roles reporting in to it and, alongside the new Divisional Director role, a new Chief Accountant role would be created. The SDFI also outlined other changes relating to his service as detailed in the report, including the deletion of the Group Manager for Strategy post.

The SDCCSD then outlined proposals put forward that were within her remit. In summary, these were:

- To acknowledge that the Interim Director of Housing would be leaving as the new Strategic Director of Growth and Homes arrived;
- That the post of Divisional Director of Environmental Services would be deleted as the first stage in recognising the step change expected from these services and the need to build the structure from the ground up; and
- That the Divisional Director of Human Resources and Organisational Development role would be deleted in order that the functions currently beneath it could be split into different areas, from which it was believed greater synergy could deliver a greater impact for the organisation.

Members of the Panel asked the officers present a number of questions of clarification.

The Panel **resolved** to:

- (i) Approve the reorganisation of the second tier management structure as detailed in the report;
- (ii) Agree that the post of Divisional Director of Finance be established at grade CO3 (£101,196); and
- (iii) Agree that the Head of Legal and Democratic Services post be redesignated Director of Law and Governance at grade CO4 (£108,661).

ASSEMBLY**2 December 2015**

Title: Appointment of Parent Governor (Secondary) Co-optee to the Children's Services Select Committee	
Report of the Chief Executive	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Masuma Ahmed, Democratic Services Officer	Contact Details: Tel: 020 8227 2756 E-mail: masuma.ahmed@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Director: Chris Naylor, Chief Executive	
<p>Summary:</p> <p>The Secondary School Parent Governor representative position on the Children's Services Select Committee (CSSC) is currently vacant as a result of the previous representative's term of office expiring.</p> <p>As stated in Part 2, Chapter 8 of the Council's Constitution and in accordance with the Education Act 1996 and the Local Government Act 2000, the CSSC should include a secondary school parent governor co-optee to scrutinise education matters, appointed by the Assembly. Statutory co-optees have voting rights in respect of education matters only.</p> <p>Nominations to fill the vacancy were sought by Children's Services in October 2014 and March 2015 which did not result in any applications. Nominations were sought again in September 2015 and one application was received, which meant that an election process was not necessary. The applicant is Tracy MacDonald who is currently a Parent Governor at All Saints Catholic Secondary School.</p>	
<p>Recommendation(s)</p> <p>The Assembly is recommended to agree the appointment of Tracy MacDonald to the position of Parent Governor (Secondary) Co-optee on the Children's Services Select Committee for a term of four years.</p>	
<p>Reason(s)</p> <p>To ensure that the Council's Scrutiny function is in accordance with the Council's Constitution and legislation.</p>	

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

List of appendices: None

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ASSEMBLY**2 December 2015**

Title: Adoption of London Councils' Code of Practice for Affixing Traffic Signs and Street Lighting to Buildings in London	
Report of the Cabinet Member for Regeneration	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Alex Jeremy, Regeneration Officer	Contact Details: Tel: 020 8227 5243 E-mail: alex.jeremy@lbbd.gov.uk
Accountable Divisional Directors: Jeremy Grint, Divisional Director of Regeneration and Robin Payne, Divisional Director of Environmental Services	
Accountable Directors: Chris Naylor, Chief Executive and Claire Symonds, Strategic Director of Customer, Commercial and Service Delivery	
Summary	
<p>The London Local Authorities and Transport for London Act 2013 has amended the requirements for affixing traffic signs and street lighting to buildings in London. Councils can now follow a notice procedure rather than obtain consent from the building owner. This gives London authorities powers similar to those currently enjoyed by the City of London Corporation.</p> <p>While London authorities have previously been able to install signs and lighting on buildings, permission had to be obtained from the building owner before any works could commence. This was often difficult to obtain, costly to administer and took a considerable amount of time to implement.</p> <p>New powers in the Act mean boroughs now only need to give building owners 56 days' notice of their plans to put up signs and lights, rather than obtain formal consent. The Council may use these powers once it formally adopts London Councils' Code of Practice (CoP), which explains the legislation and outlines good practice procedures which should be followed to ensure a compliant and consistent approach across schemes. The Council must also fix a date on which the provisions shall come into effect and that date must allow for the Council to give at least one month's notice by way of publication of the passing of the resolution in a local newspaper and in the London Gazette.</p> <p>Under the legislation, property owners still have the right to challenge these decisions before they are carried out. Additional rules and exemptions apply to listed buildings, theatres and buildings owned by statutory undertakers.</p> <p>For Barking and Dagenham, this legislation is particularly relevant to a new lighting scheme currently planned for East Street in Barking Town Centre. The proposed scheme will replace the existing lamp columns with high quality 'catenary' (suspended) lighting</p>	

hung between and fixed to buildings on either side of the high street. However, the ownership status of many buildings on East Street is complex and securing permission from each individual building owner would be difficult and highly time-consuming.

Adopting the London Council's Code of Practice will greatly reduce the time, cost and risk of successfully designing and implementing a transformational new lighting scheme for East Street, and provides a clear and transparent process for other projects in the borough where lighting or signage needs to be fixed to a private property.

Recommendation(s)

The Assembly is recommended to:

- (i) Note the new powers in the London Local Authorities and Transport for London Act 2013 (the 2013 Act) with regard to the erection of signage and street lighting on buildings in private ownership;
- (ii) Agree to adopt the London Council's Code of Practice "Affixing Traffic Signs and Street Lighting to Buildings in London" in relation to the London Local Authorities and Transport for London Act 2013 Part 2(4) with effect from 1 February 2016 to enable the Council to exercise the new powers; and
- (iii) Authorise the Strategic Director of Customer, Commercial and Service Delivery to publish notice of the passing of the resolution in recommendation (ii), in accordance with the requirements of section 3(4) of the 2013 Act.

Reason(s)

The new powers in the Act and the adoption of the CoP will facilitate the design and delivery of future lighting and signage schemes which require fixings to buildings in private ownership. It will ensure that lighting and signage are located in the best locations possible and reduce the need to install unnecessary street furniture.

The new legislation and adoption of the CoP will enable a new lighting scheme for East Street to be progressed, as part of a £1.4m high street improvement programme to upgrade the public realm and enhance the appearance and layout of Barking Market. The project will **encourage civic pride** and **grow the borough** by investing in the borough's public spaces and enhancing the borough's image to attract investment and business growth.

1. Introduction and Background

- 1.1 Authorities in London are continually searching for ways to improve the urban landscape by reducing street clutter and removing unnecessary street furniture. One of the ways being increasingly explored by London authorities is utilising existing building infrastructure to attach street lighting and signage.
- 1.2 This approach is being explored for East Street in Barking Town Centre. East Street is currently undergoing a £1.4m high street improvement programme which includes proposals for a 'catenary' lighting scheme, where high quality, low-energy LEDs are

suspended on wires fixed to buildings on either side of the high street. The existing lamp columns on the high street would be removed to allow for a more uniform, centralised layout of market stalls to be created across East Street. This in turn would help make the high street a smarter and more accessible public space.

- 1.3 While London authorities have previously been able to install signs and lighting on buildings, permission had to be obtained from the building owner before any works could commence. This was often difficult to obtain, costly to administer, and took a considerable amount of time to implement. East Street is no different, with approximately 70 high street buildings under different freehold and leasehold ownerships, including some which are held by offshore investment companies and others which have complex ownership arrangements.
- 1.4 The London Local Authorities and Transport for London Act 2013 ('the Act') has amended the requirements for affixing traffic signs and street lighting to buildings in London in order to reduce the need for authorities to more and more street furniture and reduce the time and cost of putting up signs and lights. Councils can now follow a notice procedure (56 days) rather than obtain consent from the building owner, giving London authorities powers similar to those currently enjoyed by the City of London Corporation.
- 1.5 The Council may use these powers once they formally adopt London Councils' Code of Practice (CoP). The CoP clearly explains the legislation and outlines good practice procedures which London authorities should follow to ensure that they are fully compliant and ensure a consistent approach. Under the legislation, property owners still have the right to challenge these decisions before they are carried out.
- 1.6 The Council must also fix a date on which the provisions shall come into effect. The date must allow for the Council to give at least one month's notice by way of publication of the passing of the resolution in a local newspaper and in the London Gazette. The date proposed is 1 February 2016 to enable sufficient time for the notices to be published.

2. Proposal and Issues

- 2.1 The new powers in the Act allows the Council, as a London authority, to affix traffic signs and street lighting to a building provided they have complied with the notice requirements set out in the Act. The authority must also be satisfied in each case that the public interest justifies the interference with the property owner's rights to enjoyment of their property.
- 2.2 The London Councils' CoP provides clear and transparent guidance on the Act, including:
 - The requirement to serve a notice, including a notice period of not less than 56 days before works commence.
 - The contents of the notice and additional information to be supplied, such as design drawings, specifications and wayleave (legal) agreements if required.
 - How the notice should be served to the building owner.
 - How representations by the relevant building owner against a light or sign fixing should be considered.

- When additional consent outside the power of the Act is required (e.g. statutory undertakers, listed buildings and theatres).
- Responsibility of maintenance and inspections.
- Appeals and compensation in relation to damage caused by a sign or lighting fixing.

2.3 The CoP document has also been designed as an informative and accessible tool to help property owners understand their rights under the legislation.

2.4 The Council will not incur any cost in implementing these guidelines. In the unlikely event that a case for affixing lighting to a particular building is taken to appeal, a cost may be incurred. The CoP provides guidance on representations and appeals.

3. Options Appraisal

3.1 In order to use the new powers available through the Act, the Council must formally adopt the London Councils' Code of Practice (CoP).

3.2 Alternative Option 1 - If the Council chooses to use the new powers for affixing traffic signs and street lighting to buildings afforded to it in the Act, but chooses NOT to formally adopt the London Councils' CoP:

The CoP is not legislative, but as it has been agreed by the London Councils joint committee (which includes Barking and Dagenham) that all boroughs must have regard to it. Any significant deviation with what has been written could lead to potential challenge from a building owner and from the Upper Tribunal (Lands Chamber) in the unlikely event that a compensation claim was to proceed that far.

3.3 Alternative Option 2 - If the Council chooses NOT to formally adopt the London Council's CoP for affixing traffic signs and street lighting to buildings and chooses NOT to utilise the new powers afforded to it in the Act:

Consent for affixing signage or lighting to a privately owned building would have to be obtained from each individual building owner. For the East Street lighting project and future lighting and signage schemes involved buildings in private ownership, this will be a lengthy and unnecessary administrative process which would delay the scheme design and implementation and incur additional costs as a result.

4. Consultation

4.1 The CoP guidelines were formally approved at the June 2015 meeting of London Councils Transport and Environment Committee: (<http://www.londoncouncils.gov.uk/node/26371>).

4.2 The Council must publish notice of its adoption of the CoP before being able to exercise the new powers as stated in Paragraph 1.6. The Council is required to serve notice (56 days) to the building owners of any intention to install signage or lighting to their building.

4.3 In 2013 several public consultations were held to discuss options for improving the quality, appearance and layout of the East Street public realm and Barking Market. The consultation included proposals for replacing the existing lamp columns with a new high quality 'catenary' or suspended lighting scheme fixed between buildings.

- 4.4 114 responses were received from local residents, business and market traders. 65% of respondents were supportive of the proposed lighting scheme, 22% were against, 11% had no view on the matter and 2% provided no response to the particular issue.

5. Financial Implications

Implications completed by: Carl Tomlinson, Finance Group Manager

- 5.1 There are no specific financial implications for the Authority in respect of adopting this code of practice. If adopted, however, the code of practice will assist in the implementation of public realm improvements with greater speed and in a more cost effective way.
- 5.2 With specific reference to the proposed catenary lighting scheme in East Street, Barking, this is part of the current financial year's capital programme project for Barking Town Centre and will be funded from a number of external sources including Transport for London, The Mayor's High Street fund, New Homes Bonuses and Section 106 income.

6. Legal Implications

Implications completed by: Dr. Paul Feild, Senior Corporate Governance Solicitor

- 6.1 This legislation is adoptive and the Act requires the Assembly to approve the Guidance and set an appointed day for when it shall come into effect(see S.1(3), S.3 and S.4 of the Act). The resolution will need to be announced in a local paper and the London Gazette.

7. Other Implications

- 7.1 **Risk Management** – Adopting the CoP ensures due process is being followed and reduces the risk of challenge from building owners. The risks associated with installing lighting and signage on buildings in private ownership will be determined on a case by case basis.
- 7.2 **Contractual Issues** – If required, wayleave agreements between the Council and individual building owners will set out arrangements relating to the Council and/or its contractors having access to the building for the purpose of the installation, repairs and maintenance.
- 7.3 **Staffing Issues** – None anticipated.
- 7.4 **Corporate Policy and Customer Impact** - The new powers in the Act and CoP will enable new lighting and signage schemes to be delivered which encourage civic pride and help grow the borough, through investing in the borough's public spaces and enhancing the borough's image to attract investment and business growth. Building owners can still challenge the decision and the Council will follow the Code of Practice to ensure consistency of application.

- 7.5 **Safeguarding Children** – The new powers in the Act and the CoP will enable the Council to fix lighting and signage in the most appropriate locations in the borough without having to resort to installing more street furniture. They will enable new lighting schemes to be brought forward, such as the one proposed for East Street, which will help make the borough’s public spaces safer and more accessible places for children.
- 7.6 **Health Issues** – None anticipated, although this will be determined on a case by case basis.
- 7.7 **Crime and Disorder Issues** - The new powers in the Act and the CoP will enable new lighting schemes to be delivered that improve the quality of lighting in public areas. Reducing street furniture also reduces the risk of vandalism and graffiti in the public realm.
- 7.8 **Property / Asset Issues** – The new powers in the Act will reduce the amount of street furniture required to install lighting and signage across the public realm and on public highways.

Public Background Papers Used in the Preparation of the Report:

- London Councils’ Code of Practice for Affixing Traffic Signs and Street Lighting to Buildings in London: <http://www.londoncouncils.gov.uk/node/27122#>

List of appendices: None

ASSEMBLY**2 December 2015**

Title: Council Tax Support Scheme 2016/17	
Report of the Cabinet Member for Finance and Central Services	
Open Report	For Determination
Wards Affected: All	Key Decision: Yes
Report Author: Andrew Kupusarevic Interim Revenues and Benefits Delivery Director, Elevate East London	Contact Details: E-mail: andrew.kupusarevic@elevateeastlondon.co.uk
Accountable Director: Jonathan Bunt, Strategic Director Finance & Investment	
Summary	
<p>The Council has a statutory duty to consider annually whether to revise its Local Council Tax Support Scheme (CTSS) or replace it with another scheme. This report recommends keeping the current scheme for use in 2016/17, subject to minor amendments. The Assembly has a legal duty to approve the CTSS by Assembly by 31 January 2016.</p>	
Recommendation(s)	
<p>The Assembly is recommended to:</p> <p>(i) Agree that the Council Tax Support Scheme implemented for 2015/16 be retained for 2016/17, subject to the following minor amendments:</p> <ul style="list-style-type: none"> • To adopt the same non-dependant deductions that apply to Universal Credit applicants; • Apply the lowest non-dependant deduction for those receiving work related or sickness benefits (to be specified); • To realign Council Tax Support with the Housing Benefit legislation so that entitlement ends on the Monday following the last day of entitlement. 	
Reason	
<p>The Council's CTS scheme requires minor changes so the general administration of the scheme is simplified and compatible with all welfare reforms. For effective processing the scheme should align with the administration of Housing Benefit.</p>	

1. Introduction and Background

- 1.1. As part of the 2010 Comprehensive Spending Review, the Government announced that it would localise support for Council Tax from April 2013. The proposals are part of a wider policy of localism which aims to give local authorities increased financial autonomy and be part of the reform of the Welfare System to improve

incentives to work whilst protecting the most vulnerable in society.

- 1.2. The Welfare Reform Act in 2012 abolished Council Tax Benefit (CTB) from April 2013 and, in its place, support took the form of a local Council Tax Support Scheme (CTSS). The scheme is now in its second year and helps low income households by reducing the amount of Council Tax that they have to pay.
- 1.3. CTSS has been funded by a fixed grant for the years 2013/14 and 2014/15. The funding has been based on expenditure in 2012/13 but with a factored reduction of 10%.
- 1.4. The Local Government Finance Act 2012 contains provisions for the setting up of local support schemes. The current scheme in Barking & Dagenham has been based on the Default Council Tax Reduction Scheme and has been ratified by Assembly. The scheme has included and replicated annual uprating of social security rates for Housing Benefit. This will continue in 2016/17.
- 1.5. The current scheme in operation ensures that;
 - The scheme is means tested
 - Pensioners are protected, i.e. they must be able to receive up to a 100% reduction (a provision of the national pension age scheme).
 - Everyone of working age contributes something towards their Council Tax. A “minimum payment” of 25%. There is a 75% maximum on which any entitlement to CTSS is based.
 - Those who are not pensioners and with capital in excess of £6,000 are not eligible for a Council Tax reduction under this scheme.

2. Proposals and Issues

- 2.1. Like many local authorities, the Council is facing unprecedented financial challenges and has identified over £37m of savings to be made over 2015/16 and 2016/17. This included an amendment to the CTS scheme for 2015/16 which, after full consultation, was approved by Assembly. The Council must continue with the scheme it implemented last year to avoid further financial pressures and an increase in its budget gap.
- 2.2. The proposed minor revisions to the current scheme do not affect the core elements of the scheme and only seek to make it easier to understand and administer to ensure it is compliant with the wider welfare system, principally the roll out of Universal Credit.
- 2.3. The proposed revisions are;
 - To adopt the same non-dependant deductions that apply to Universal Credit applicants;
 - Apply the lowest non-dependant deduction for those receiving work related or sickness benefits (to be specified);
 - To realign CTS with the Housing Benefit legislation so that entitlement ends on the Monday following the last day of their entitlement.

- 2.4. The adoption of these changes will simplify the administration of the scheme by bringing it more in line with how the Council currently administers Housing Benefit. It also addresses the technical issues the Council have faced with applying some of the rules that currently apply to the current scheme.
- 2.5. By adopting the Universal Credit non dependant deductions this will align the scheme with Universal Credit legislation and alter the level of non dependant deduction applied to a person's Council Tax Support. The deductions currently range from £3.30 to £9.90 and the proposal is to move to a flat rate of £4.65. This ensures the administration of the scheme falls in line with prescribed guidelines and that consistent rates are applied for Universal Credit and Council Tax Support.
- 2.6. By adopting the lowest non dependant deductions for those on means tested work related benefits this will align the scheme with Housing Benefit legislation and administration and alter the level of non dependant deduction applied to a person's Council Tax Support from current range of £3.30 to £9.90 to the lowest level being applicable. This ensures the administration of the scheme falls in line with prescribed guidelines and ensures ease of administration moving forward.
- 2.7. By adopting the effective date for changes in circumstance to mirror Housing Benefit Legislation (Monday following date of change) this reduces the level of administration required as both HB and CTS changes are effective from the same date. This will also reduce the level of customer query currently received as to why changes apply from one date for CTS and another for HB.

3. Financial Implications

Implications completed by: Kathy Freeman, Group Manager (Corporate Finance)

- 3.1. Keeping the Council Tax Support Scheme will have no impact on the amount of collectable Council Tax. However, applicants with outstanding Council Tax arrears which have occurred due to the cut in support last year will likely find it difficult to continue to pay their Council Tax next year. Unless their personal finances change for the better, collection rates next year may drop as a result of recovering last year's increased Council Tax charge.
- 3.2. The Council must set aside a discretionary fund for circumstances of exceptional hardship. It is anticipated that a discretionary fund of £50,000 can be created to assist those with exceptional circumstances. This would be monitored and reviewed quarterly, although case law does suggest that if exceptional hardship is shown the Council must grant a discretionary reduction and cannot refuse due to a "depleted budget". It is therefore vital that a clear policy is implemented so the Council can set their own criteria of whom would qualify for a discretionary reduction. The cost of the discretionary fund will reduce the overall Council Tax collected by £50,000.
- 3.3. In 2014/15, Assembly agreed to change the 2015/16 Local Council Tax support scheme with the effect of everyone of working age contributing a minimum of 25% towards their Council Tax, compared to a contribution of 15% under the 2014/15 scheme.
- 3.4. The decrease of entitlement for Council Tax support of 10% has resulted in 2,390 of Council Tax papers who are now liable to pay the full annual tax.

- 3.5. In addition to the 2,390 Council Tax payers who longer receive any form of Council Tax support, the average weekly amount payable has increased from £3.41 in 2014/15 to £4.31 in 2015/16. Over the course of a year, this equates to an average increase of £47 or an average increase of 27%.
- 3.6. The impact of the proposed change to end entitlement to CTS on the following Monday rather than the next working day is estimated, based on experience in 2014/15 and 2015/16 year to date, at approximately £5,000. It is anticipated that aligning this entitlement with Housing Benefit will create productivity savings within the Revenues team enabling with resource to focus on the collection of outstanding Council Tax.
- 3.7. The financial implication of the change from last year can now be seen, as lower earning Council Tax payers are paying off debts owed from previous years first before any payments are made towards the in year debt. The impact of the current support scheme will be closely monitored, alongside how effectively the Council is able to collect the additional 10% Council Tax from those who still qualify for Council Tax support.

4. Legal Implications

Implications completed by Dr. Paul Feild, Senior Governance Lawyer

- 4.1 The CTSS is a continuation of the scheme as approved by the Assembly last year following consultations as required by the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012. Maintaining the current scheme will bring no specific legal implications.

5. Other Implications

- 5.1 **Risk Management** - It is considered likely that keeping the current scheme will continue to make it difficult to collect Council Tax from those entitled to a reduction under the scheme. Presently there are 74,033 properties with a Council Tax Charge in this borough, as of September 2015, and 19,992 Council Tax Support claims against these properties.

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

List of appendices: None

ASSEMBLY

2 December 2015

Title: Treasury Management Strategy Statement Mid-Year Review 2015/16	
Report of the Cabinet Member for Finance	
Open Report	For Decision
Wards Affected: None	Key Decision: Yes
Report Author: David Dickinson, Group Manager Pensions and Treasury	Contact Details: Tel: 020 8227 2722 E-mail: david.dickinson@lbbd.gov.uk
Accountable Director: Jonathan Bunt, Strategic Director, Finance & Investment	
<p>Summary:</p> <p>Regulation changes have placed greater onus on elected Members in respect of the review and scrutiny of treasury management policy and activities. This mid-year review report is important in that respect as it provides details of the mid-year position for treasury activities and highlights compliance with the Council's policies previously approved by the Assembly.</p> <p>The Assembly agreed the Treasury Management Strategy Statement for 2015/16 on 24 February 2015 which incorporated the Prudential Indicators.</p> <p>This report, which was considered and endorsed by the Cabinet at its meeting on 10 November 2015, updates Members on treasury management activities in the current year.</p>	
<p>Recommendation(s)</p> <p>The Assembly is recommended to:</p> <ul style="list-style-type: none"> (i) Note the Treasury Management Strategy Statement Mid-Year Review 2015/16; (ii) Note that in the first half of the 2015/16 financial year that the Council complied with all 2015/16 treasury management indicators; (iii) Agree to maintain the delegated authority given to the Strategic Director of Finance and Investment, in consultation with the Cabinet Member for Finance, for the duration of the 2015/16 financial year to proportionally amend the counterparty lending limits agreed within the Treasury Management Strategy Statement to take into account the additional £89m from the European Investment Bank; and (iv) Authorise the Strategic Director of Finance and Investment to make the necessary adjustments to the Treasury Management Strategy to reflect the borrowing of funds and the Capital Financing Requirement to accommodate the additional borrowing arising from the Cabinet's decision under Minute 67, 10 November 2015 to finance the Low Energy Street Light Replacement Programme via the UK Green Investment 	

Reason(s)

This report is required to be presented in accordance with the Revised CIPFA Code of Practice for Treasury Management in the Public Services.

1. Background and Introduction

- 1.1 The Council operates a balanced budget whereby cash raised during the year meets the Council's cash expenditure needs. Part of the treasury management operations is to ensure this cash flow is adequately planned, with surplus monies invested with counterparties of an appropriate level of risk, providing adequate liquidity before considering maximising investment return.
- 1.2 The second main function of treasury management is the funding of the Council's capital programme. These capital plans provide a guide to the Council's borrowing need, which is essentially the use of longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging loans, using cash flow surpluses or restructuring previously drawn debt to meet Council risk or cost objectives.
- 1.3 The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2011) the:
- I. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management.
 - II. Creation and maintenance of Treasury Management Practices which set out the how the Council will seek to achieve those policies and objectives.
 - III. Receipt by the full council of an annual Treasury Management Strategy Statement, including the Annual Investment Strategy and Minimum Revenue Provision Policy for the year ahead, a Mid-year Review Report and an Annual Report (stewardship report) covering activities during the previous year.
 - IV. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
 - V. Delegation by the Council to a specific named body, for this Council this is Cabinet, to scrutinise the treasury management strategy and policies.
- 1.4 This mid-year report has been prepared in compliance with CIPFA's Code of practice on Treasury Management, and covers the following:
1. Economic Summary;
 2. Treasury Position at 30 September 2015;
 3. Debt Position as at 30 September 2015;
 4. Investment Portfolio 2015/16; and
 5. The Council's Capital Position (Prudential Indicators), including:
 - Prudential Indicator for Capital Expenditure
 - Changes to the Financing of the Capital Programme
 - Prudential Indicator – Capital Financing Requirement
 - Limits to Borrowing Activity.

2. Economic Update and Interest Rate Forecast

- 2.1 UK growth continued in 2015, although it did slow marginally with the second quarter of 2015 growth of 2.4% year on year. Growth is expected to weaken marginally to about +0.5% in the third quarter as the economy faces headwinds for exporters from the appreciation of Sterling against the Euro and weak growth in the EU, China and emerging markets, plus the dampening effect of the Government's continuing austerity programme.
- 2.2 Despite these headwinds, the Bank of England is forecasting growth to remain around 2.4 – 2.8% over the next three years, driven mainly by strong consumer demand as the squeeze on the disposable incomes of consumers has been reversed by a recovery in wage inflation at the same time that CPI inflation has fallen to, or near to, zero over the last quarter. Investment expenditure is also expected to support growth.
- 2.3 The August Bank of England Inflation Report forecast was notably subdued with inflation barely getting back up to the 2% target within the 2-3 year time horizon. However, with the price of oil taking a fresh downward direction and Iran expected to soon rejoin the world oil market after the impending lifting of sanctions, there could be several more months of low inflation still to come, especially as world commodity prices have generally been depressed by the Chinese economic downturn.
- 2.4 The impact of the slowdown in growth in the UK and generally within the global economies has pushed back the date for the first rate increases both in the UK and in the US. Despite this, markets have generally provided better returns than over the past two years.
- 2.5 The steady rather than spectacular growth has pushed back projections for the first rate increase by the Bank of England to 2016, with some economists forecasting a first rate increase in 2017.
- 2.6 The Council's treasury advisor, Capita Asset Services provides a forecast of rate increases, which was reviewed and amended on 11 August 2015. This latest forecast is outlined in table 1 below includes a first increase in Bank Rate in quarter 2 of 2016. The table forecasts that low rates will remain for the next three years.

Table 1: Interest Rate and PWLB forecasts

	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18
Bank rate	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.50%	1.50%	1.75%	1.75%
5yr PWLB rate	2.40%	2.50%	2.60%	2.80%	2.90%	3.00%	3.10%	3.20%	3.30%	3.40%	3.50%
10yr PWLB rate	3.00%	3.20%	3.30%	3.40%	3.50%	3.70%	3.80%	3.90%	4.00%	4.10%	4.20%
25yr PWLB rate	3.60%	3.80%	3.90%	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.60%
50yr PWLB rate	3.60%	3.80%	3.90%	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.60%

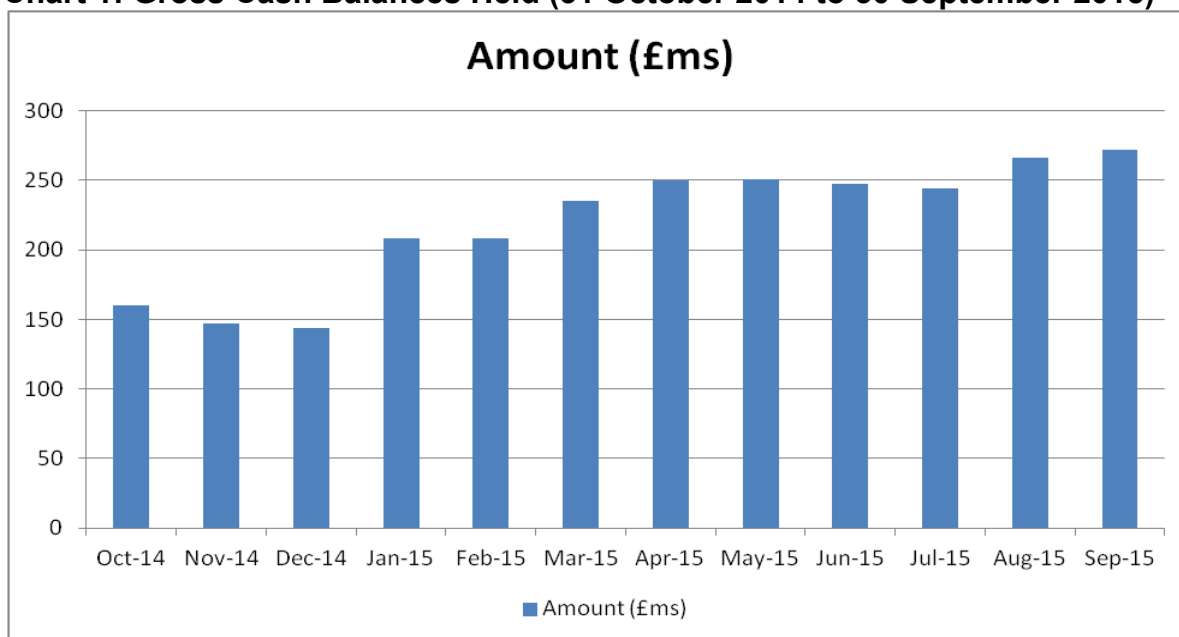
3. Council Cash Position, Treasury Budget and Strategy Amendments

3.1 Council Cash Position

3.1.1 On 30 January 2015 the Council borrowed £89m from the European Investment Bank (EIB) to fund the regeneration of Gascoigne Estate (East) Phase 1 and Abbey Road Phase 2, which resulted in the Council's cash balances increasing significantly. Between February and May 2015 cash positions have continued to increase as a result of back loading and front loading of grants from central government.

3.1.2 There was a further increase in cash held in August as a result of short-term borrowing taken out to manage the Council's cash flow and to enable investments to be made over longer durations. Chart 1 below summarises the investment held by the Council over the past 12 months.

Chart 1: Gross Cash Balances Held (31 October 2014 to 30 September 2015)



3.2 General Fund Treasury Budget Position and Strategy Changes

3.2.1 As part of the Council's savings proposals a number of revisions were made to the General Fund treasury budget for 2015/16, including:

1. **£3.25m** was removed from the interest payment budget; and
2. the General Fund interest receivable budget was increased by **£0.91m**.

3.2.2 As a result of these budget revisions, a total of **£4.16m** was removed from the Treasury interest budget, a reduction from **£4.87m** to a challenging **£0.71m**. To achieve the revised treasury budget, Members approved a number of changes in investment strategy compared to the 2014/15 TMSS, including:

1. Increase the one year Lloyds limit from £50m to £80m.
2. Increase the RBS limit for deals from £35m to £50m.
3. Increase the total Local Authority Limit over one year from £40m to £50m.
4. The minimum credit rating criteria be revised from A / F1 to A- / F2.

5. Maintain the authority delegated to the Strategic Director, Finance & Investment (SDFI), 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.

3.3 Review of exposure to part government owned banks

- 3.3.1 The Council's investment strategy included a view that the UK Government would seek to reduce its exposure to Lloyds during 2015/16. The strategy set a minimum Government ownership of Lloyds at 10%, below which the Council's exposure to Lloyds would be reduced to its credit rating limit of £30m. In June 2015 the UK Government announced the proposed sale of its remaining shares in Lloyds and RBS. This led to a review of the Council's exposure to both banks.
- 3.3.2 **Lloyds:** Following the review, the SDFI, under delegated authority, amended the treasury strategy to reduce the Council's exposure to Lloyds Banking Group from £80m to £60m. The decrease will be managed by not reinvesting the Council's current investments as they mature. It is likely that the Council's exposure to Lloyds Banking Group will decrease further to £30m by the end of the financial year.
- 3.3.3 **RBS:** RBS is majority owned by the UK Government and it is likely that the significant holding by the Government will remain for at least the next year. As a result, and to accommodate the increased cash balances, the RBS counterparty limit was increased from £50m to £90m for an investment duration of a maximum two years. This limit will be reviewed as each investment with RBS matures and if there are any material changes to the RBS credit rating or Government ownership.

3.4 Treasury Position at 30 September 2015

- 3.4.1 Table 2 details the Council's mid year treasury position. Overall the Council's borrowing has increased from 31 March 2015 due to short-term borrowing. As a result the average cost of borrowing has decreased. Investment balances remain elevated but the return has improved.

Table 2: Council's treasury position at 30 September 2015

	Principal Outstanding £000s	Rate of Return %	Average Life (yrs)
Fixed Rate Borrowing:			
PWLB	(265,912)	3.50	39.89
Market and Local Authority Loans	(183,810)	2.05	25.35
Total Debt	(449,722)	2.90	33.94
Investments			
Banks	204,504	1.23	0.90
Local Authorities	43,500	1.06	1.01
Other Investments	24,374	1.97	1.28
Total Investments	272,378	1.27	0.95

3.5 Treasury Budget Position

- 3.5.1 Although yields have remained at historically low levels for much of the first half of the financial year, a number of opportunistic investments have resulted in a much improved rate of return of **1.27%**. Short-Term borrowing has reduced the overall borrowing costs but the short-term borrowing is intended to manage the current cash flow requirements and, therefore, is reported separately from the longer term borrowing.
- 3.5.2 Improved investment returns, higher than forecast cash balances, careful management of the Council's cash flow and its borrowing requirement has resulted in a forecast surplus of **£731k** in net interest against budget. This equates to a positive net position for the General Fund borrowing costs of **£19k** (i.e. the Council's General Fund is forecast to receive more in interest income that it will spend on borrowing costs). Table 3 summarises the 2014/15 and 2015/16 budget, the forecast net and the variance between the 2015/16 budget and forecast.

Table 3: 2015/16 Treasury Interest Budget Position

Description	2014/15 Budget	2015/16 Budget	2015/16 Forecast	Variance
	£000's	£000's	£000's	£000's
Interest Payable (Excluding HRA)	(5,501)	(2,251)	(1,611)	640
Short-Term Borrowing			(86)	(86)
Total Borrowing Costs	(5,501)	(2,251)	(1,697)	554
Net Interest to the General Fund	629	1,539	1,716	177
Net Interest Payable to GF	(4,872)	(712)	19	731

3.6 European Investment Bank Loan

- 3.6.1 In August 2014, Cabinet agreed to the regeneration of the Gascoigne Estate and Abbey Road and that financing of £89m would be provided by a loan from the European Investment Bank (EIB). This decision was ratified by the Assembly in September 2014. Cabinet also agreed that, given the low borrowing costs at the time, £2m from the Budget Support Reserve (BSR) would be made available to pay for interest costs in the development period. On 30 January 2015 £89m was borrowed from the EIB at a competitive rate of 2.21% for a duration of 30 years.
- 3.6.2 Costs of £120k were charged to the BSR for costs incurred in 2014/15. Table 4 below provides a summary of the likely costs that will be charged to the BSR in 2015/16 and 2016/17 as a result of borrowing the full £89m in advance. It is expected that sufficient income will be received from Gascoigne Estate and Abbey Road 2 to cover the interest and capital repayments in 2018/19.

Table 4: 2015/16 and 2016/17 EIB Borrowing Costs

	2015/16	2016/17
Gross Interest (EIB)	1,964,230	1,964,230
Interest Income from Abbey Road 2	(460,668)	(587,864)
Interest from Cash Balance	(840,000)	(650,000)
Total Charge	663,562	726,366

4. Debt Position at 30 September 2015

- 4.1 The Council's capital financing requirement (CFR) for 2015/16 is forecast to be £588,244. The CFR denotes the Council's underlying need to borrow for capital purposes, which is met through the use of reserves, external borrowing, internal borrowing and careful management of the Council's cash flow. The Council holds £40m of Lender Option, Borrower Option (LOBO) loans, with an average fixed rate of 4.0%. Table 5 provides a breakdown of the Council's debt as at 30 September 2015.

Table 5: General Fund Debt held as at 30 September 2015

Borrowing/ Loan Held	Type	Interest Rate	Principal	Start Date	End Date
		%	£000s	£000s	£000s
PWLB	HRA	3.50	50,000	28/03/2012	28/03/2042
PWLB	HRA	3.52	50,000	28/03/2012	28/03/2050
PWLB	HRA	3.49	50,000	28/03/2012	28/03/2060
PWLB	HRA	3.49	50,000	28/03/2012	28/03/2061
PWLB	HRA	3.48	65,912	28/03/2012	28/03/2062
EIB	General Fund	2.21	89,000	30/01/2015	31/03/2044
Barclays (LOBO)	General Fund	3.98	10,000	30/05/2008	30/05/2008
Dexia (LOBO)	General Fund	3.97	10,000	30/06/2008	30/05/2008
RBS (LOBO)	General Fund	4.05	10,000	26/03/2010	30/05/2008
RBS B (LOBO)	General Fund	4.07	10,000	26/03/2010	30/05/2008
Short-term Loan	General Fund	0.36	54,810	Various	Various
Total		2.90	449,722		

- 4.2 The Council holds sufficient cash balances to allow a large portion of its overall borrowing requirements to be funded internally. This approach has provided the Council with savings as the cost to borrow is significantly higher than the return achieved by investing the cash. While interest rates remain higher than investment rates, the Council will seek to delay new loans as long as possible. Where borrowing is considered, officers will base any decision on the Council's cash flow requirements and at the most appropriate and cost effective interest rate available.

4.3 Low Energy Street Light Replacement Programme

- 4.3.1 At its meeting on 24 March 2015, Cabinet approved the commitment of £250,000 to support detailed business planning of an initial renewable energy investment programme and the establishment of an Energy Services Company.
- 4.3.2 At its meeting on 10 November 2015, the Cabinet approved proposals to procure the replacement of the borough's existing street lights with low energy Light Emitting Diode (LEDs) lanterns and to enter into an agreement with the Green Investment Bank (GIB) to finance the procurement and replacement on an 'invest to save' basis. The proposals set out in the "Low Energy Street Light Replacement Programme" report will deliver immediate and long-term financial savings through lower energy use and will also help to reduce carbon emissions as part of the Council's commitment to tackle climate change.

- 4.3.3 It was agreed to fund the project using £7.5m of GIB borrowing using the Green Loan model which has been specifically developed to fund local authority LED street light replacement programmes. Although more expensive in overall financing costs, this option generates savings throughout the installation period and the operational period of the project and therefore shows better value for money for the project.
- 4.3.4 This option generates a net saving in the first five years of an estimated £1.0m compared to a net cost of £0.5m if funded using the PWLB borrowing. In addition the GIB team provides additional assistance by working alongside the project team to support project execution.
- 4.3.5 In view of the Cabinet's decision, it is necessary to increase the Capital Financing Requirement by £7.5m to accommodate this additional borrowing. The borrowing, with the accrued interest, shall be repaid using the savings that shall be generated.

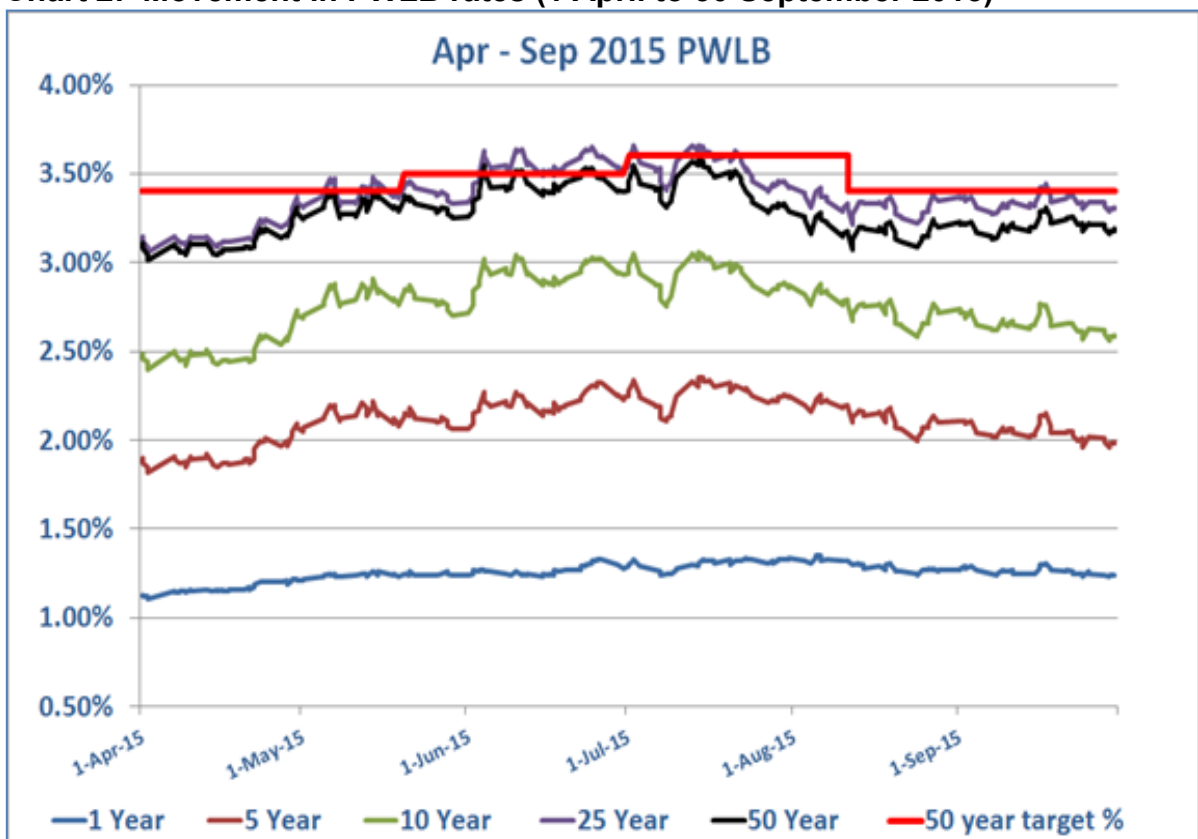
4.4 Debt Repayment and Rescheduling

- 4.4.1 Debt rescheduling opportunities are limited in the current economic climate. No debt rescheduling or repayments were undertaken during the first six months of the financial year.

4.5 PWLB Rates

Chart 2 below shows the movements in PWLB rates for the first six months of the financial year (to 30 September 2015).

Chart 2: Movement in PWLB rates (1 April to 30 September 2015)



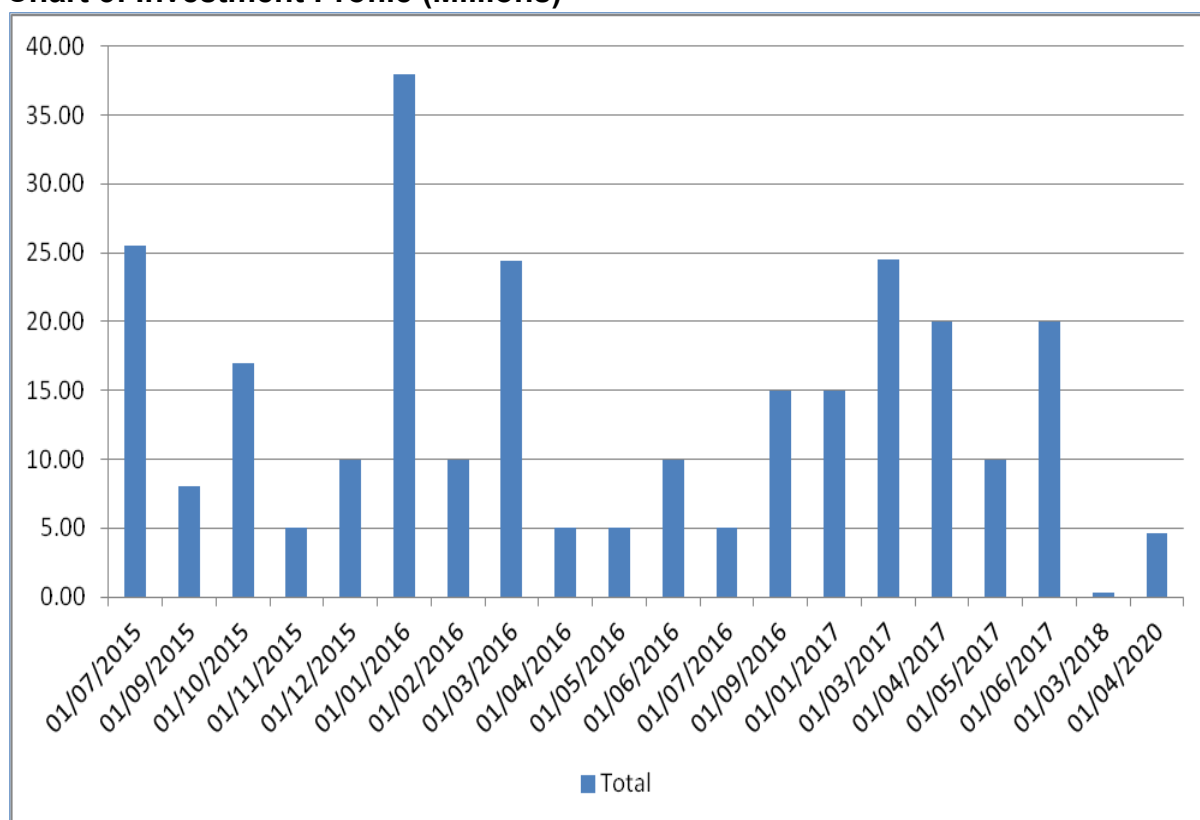
5. Investment Portfolio 2015/16

5.1 It is the Council's priority to ensure security of capital and liquidity before obtaining an appropriate level of return which is consistent with the Council's risk appetite. In the current economic climate the Council's risk appetite remains relatively low. There is an expectation that the base rate, currently at 0.5%, will increase in 2016 if economic indicators improve, which may increase the interest received.

5.2 Investment Profile

5.2.1 The Council's investment maturity profile in Chart 3 below shows that as at 30 September 2015, 12.3% of the Council's investments had a maturity of 60 days or less, with 65.3% having a maturity of one year or less. Spreading out the maturity of longer dated investments allows the Council to take advantage of improved rates of return while ensuring sufficient liquidity.

Chart 3: Investment Profile (Millions)



5.3 Holdings and Return

5.3.1 As at 30 September 2015 the Council held £272.4m of investments, all invested in-house by the Council's treasury section. The SDFI confirms that the approved investment limits within the Annual Investment Strategy were not breached during the first six months of 2015/16. A full list of investments as at 30th September 2015 can be found in appendix 1.

5.3.2 The average return increased over the first six month of the financial year to 1.27% with returns for the remainder of the year likely to average 1.32%. The average return for 2015/16 is forecast to be 1.29%.

6. The Council's Capital Position (Prudential Indicators)

6.1 Prudential Indicator for Capital Expenditure

6.1.1 Table 6 shows the changes to the original capital expenditure budgets. Table 5 also highlights the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure.

6.1.2 The borrowing need increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

Table 6: Revised Estimate to Capital Programme as at 30 September 2015

Capital Expenditure by Service	2015/16 Original Budget £000s	2015/16 Revised Budget £000s
Adult & Community Services	2,682	2,192
Children's Services	32,799	27,111
Housing and Environment	4,215	4,005
Chief Executive	12,437	7,489
HRA	77,987	81,493
Reside 2 (Abbey Road / Gascoigne)	0	9,222
Total	130,120	131,511
Financed by:		
Capital grants & contributions	37,173	31,816
Capital receipts	2,258	2,477
Contributions Revenue / Reserves	2,364	1,477
MRA / HRA funding	74,787	81,493
Total financing	116,582	117,263
Borrowing need	13,538	14,248

6.2 Prudential Indicator – CFR

6.2.1 Table 7 shows that the Council is on target to achieve the original forecast CFR. The SDFI reports that no difficulties are envisaged for the current or future years in complying with this prudential indicator.

6.2.2 The Authorised Limit represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

6.2.3 There is currently a significant difference between the Authorised Limit and the actual borrowing. This difference is made up of internal borrowing, the remaining

£61m which could potentially be borrowed from the EIB and headroom to accommodate any potential new borrowing requirements.

Table 7: Revised Capital Financing Requirement as at 30 September 2015

	2015/16 Original Estimate £000s	2015/16 Revised Estimate £000s
Prudential Indicator – Capital Financing Requirement		
CFR – non housing	149,623	153,547
CFR – housing	267,722	270,922
Reside 1 and 2	102,675	108,531
Alternative Financing (PFI and leases)	55,245	55,245
Total CFR	578,098	588,244
Net movement in CFR	93,355	10,146
Prudential Indicator – External Debt / the Operational Boundary		
Long Term Borrowing	394,912	394,912
Other long term liabilities	53,750	53,750
Total debt 31 March	448,692	448,692
Operational Boundary	751,000	751,000
Authorised Limit	800,000	800,000

6.3 Treasury Indicators: Limits to Borrowing Activity

6.3.1 There are three debt related treasury activity limits. The purpose of these are to restrain the activity of the treasury function within certain limits, thereby managing risk and reducing the impact of any adverse movement in interest rates. However, if these are set to be too restrictive they will impair the opportunities to reduce costs / improve performance. The indicators are:

- Upper limits on variable interest rate exposure: identifies a maximum limit for variable interest rates based upon the debt position net of investments;
- Upper limits on fixed interest rate exposure: is similar to the previous indicator and covers a maximum limit on fixed interest rates; and
- Maturity structure of borrowing: gross limits to reduce the Council's exposure to large fixed rate sums requiring refinancing.

6.3.2 The SDFI reports that there were no breaches in any of the limits outlined below:

Interest rate exposures	2015/16	2016/17	2017/18
	Upper	Upper	Upper
Limits on fixed interest rates based on net debt	100%	100%	100%
Limits on variable interest rates based on net debt	70%	70%	70%
Limits on fixed interest rates:			
• Debt only	100%	100%	100%
• Investments only	80%	80%	80%
Limits on variable interest rates			
• Debt only	70%	70%	70%
• Investments only	80%	80%	80%

Maturity structure of fixed interest rate borrowing 2015/16		
	Lower	Upper
Under 12 months	0%	20%
12 months to 2 years	0%	40%
2 years to 5 years	0%	70%
5 years to 10 years	0%	70%
10 years and above	0%	100%

Maturity structure of variable interest rate borrowing 2015/16		
	Lower	Upper
Under 12 months	0%	40%
12 months to 2 years	0%	40%
2 years to 5 years	0%	70%
5 years to 10 years	0%	70%
10 years and above	0%	80%

7. Consultation

- 7.1 The Strategic Director, Finance & Investment, in his role as statutory chief finance officer, has been informed of the approach, data and commentary in this report.
- 7.2 This report was considered and endorsed by the Cabinet at its meeting on 10 November 2015.

8. Financial Implications

Implications completed by: Jonathan Bunt, Strategic Director, Finance & Investment

- 8.1 This report sets out the mid-year position on the Council's treasury management position and is concerned with the returns on the Council's investments as well as its short and long term borrowing positions.

9. Legal Implications

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 9.1 The Local Government Act 2003 (the "Act") requires the Council to set out its treasury strategy for borrowing and to prepare an Annual Investment Strategy which sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.
- 9.2 The Council also has to 'have regard to' the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities when carrying out its functions under the Act.
- 9.3 A report setting out the Council's strategies in accordance with the Act was presented to the Assembly in February 2015. This report is a midyear review of the strategy's application and there are no further legal implications to highlight.

10. Options Appraisal

- 10.1 There is no legal requirement to prepare a Treasury Management Strategy Statement Mid-year Review; however, it is good governance to do so and meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

11. Other Implications

- 11.1 **Risk Management** - The whole report concerns itself with the management of risks relating to the Council's cash flow. The report mostly contains information on how the Treasury Management Strategy has been used to maximise income during the first 6 months of the year.

Background Papers Used in the Preparation of the Report:

- Local Government Act 2003
- CIPFA – Revised Prudential Code for Capital Finance in Local Authorities
- CIPFA – Revised Treasury Management in the Public Services
- HRA Business Plan v7 (16 Jan 2012)
- Treasury Management Strategy Statement - Assembly Report 19 February 2015

List of appendices:

- Appendix 1: Investments as at 30 September 2015

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Appendix 1

Investments as at 30th September 2015

Investments Held	Lowest Long Term Rating	Interest Rate	Call A/C	Principle £000s	Issue Date	Repayment Date
Lloyds Bank	A	0.40%	Variable	1		
Barclays Bank	A	0.05%	Variable	1		
RBS	BBB+	0.40%	Variable	9		
Lloyds Bank	A	1.00%	Fixed	5,000	03/10/2014	02/10/2015
Greater London Authority	AA+ Equivalent	1.03%	Fixed	2,000	06/01/2014	06/10/2015
Doncaster MBC	AA+ Equivalent	1.07%	Fixed	5,000	10/10/2014	09/10/2015
GatesHead Council	AA+ Equivalent	1.05%	Fixed	5,000	09/10/2014	09/10/2015
Lloyds Bank	A	1.00%	Fixed	5,000	28/11/2014	27/11/2015
Aylesbury Vale District	AA+ Equivalent	1.03%	Fixed	5,000	02/12/2013	02/12/2015
Lloyds Bank	A	1.00%	Fixed	5,000	09/12/2014	09/12/2015
Santander UK	A	0.92%	95d Notice	20,000	09/09/2015	31/12/2015
Lloyds Bank	A	1.00%	Fixed	5,000	08/01/2015	08/01/2016
Staffordshire Moorlands	AA+ Equivalent	1.10%	Fixed	3,000	24/01/2014	22/01/2016
Lloyds Bank	A	1.00%	Fixed	30,000	30/01/2015	29/01/2016
Lloyds Bank	A	1.00%	Fixed	5,000	03/03/2015	01/03/2016
Standard Chartered Bank	A+	0.73%	Fixed	10,000	21/08/2015	19/02/2016
Elevate East London	Partnership Prepayment	1.40%	Fixed	8,476	01/10/2014	31/03/2016
LBBP Pension Fund	AA Equivalent	4.70%	Fixed	2,419	01/04/2015	31/03/2016
Lloyds Bank	A	1.00%	Fixed	5,000	13/04/2015	13/04/2016
Elevate East London	Partnership Prepayment	0.89%	Fixed	8,552	01/10/2014	31/03/2016
Lloyds Bank	A	1.00%	Fixed	5,000	03/05/2015	03/05/2016
Standard Chartered Bank	A+	0.90%	Fixed	5,000	28/05/2015	27/05/2016
Lloyds Bank	A	1.00%	Fixed	5,000	04/06/2015	04/06/2016
Lloyds Bank	A	1.00%	Fixed	5,000	05/06/2015	05/06/2016
RBS	BBB+	1.85%	Fixed	15,000	19/09/2014	19/09/2016
RBS	BBB+	1.32%	Fixed	15,000	30/01/2015	30/01/2017
Lloyds Bank	A/F1	1.15%	Fixed	4,500	31/03/2015	31/03/2017
RBS	BBB+	1.45%	Fixed	20,000	30/04/2015	28/04/2017
Newport City Council	AA+ Equivalent	1.50%	Fixed	2,000	10/11/2014	11/05/2017
Dudley MBC	AA+ Equivalent	1.05%	Fixed	10,000	15/05/2015	15/05/2017
RBS	BBB+	1.45%	Fixed	20,000	26/06/2015	26/06/2017
Newport City Council	AA+ Equivalent	1.10%	Fixed	2,000	09/02/2015	10/07/2017
Newport City Council	AA+ Equivalent	1.10%	Fixed	1,500	09/03/2015	10/07/2017
RBS	BBB+	1.80%	Fixed	20,000	26/06/2015	26/06/2017
Wolverhampton City Council	AA+ Equivalent	0.94%	Fixed	8,000	28/09/2015	28/09/2017
Valence School	Not on Credit List	3.00%	Variable	300	12/02/2015	31/03/2018
BRL	Not on Credit List	3.50%	Variable	4,626	15/10/2014	01/04/2020
	Total			272,383		
	Total Excluding Short Term Investments			220,373		
			Average Return	1.27%		
			Average Return Excluding Short Term Investments	1.34%		

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ASSEMBLY

2 December 2015

Title: Motions	
Report of the Chief Executive	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Leanna McPherson, Democratic Services Officer	Contact Details: Tel: 020 8227 2852 E-mail: leanna.mcpherson@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Head of Legal & Democratic Services	
Accountable Director: Chris Naylor, Chief Executive	
<p>Summary</p> <p>In accordance with paragraph 10 of Part 2, Chapter 4 of the Council Constitution, motions and amendments to motions on issues directly affecting the borough may be submitted to the Assembly to be debated and voted on.</p> <p>The following motion has been received:</p> <p>Housing and Planning Bill (To be moved by Councillor Twomey)</p> <p>“This Council notes, with regret, that the Housing and Planning Bill currently being debated in Parliament will have a negative impact on residents in Barking and Dagenham.</p> <p>If passed in its current form, the Bill would threaten this Council’s ability to provide truly affordable homes to rent and buy. It does nothing to help families and young people on average incomes in our borough and fails to address the recent rise in homelessness.</p> <p>This Council resolves to make our concerns public and support the Leader in writing to the Secretary of State to outline the negative impact that this Bill will have on residents in Barking and Dagenham.”</p> <p>The deadline for amendments to the motion is noon on Friday 27 November 2015.</p> <p>For information, attached at Appendix A is the relevant extract from the Council's Constitution relating to the procedure for dealing with Motions With Notice.</p> <p>In accordance with paragraph 10.11 of the Motions With Notice procedure, the Chief Finance Officer and the Head of Legal and Democratic Services have confirmed that there are no specific financial or legal implications to highlight in terms of the motion.</p>	

Recommendation(s)

The Assembly is asked to debate and vote on the above motion and any amendments proposed.

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

List of appendices:

Appendix A – Extract from the Council Constitution, Paragraphs 10, 11 and 12 of Part 2, Chapter 4 – The Assembly

10. Motions With Notice

- 10.1 Written notice of any motions must be received by the Chief Executive by no later than 4.00pm on the Wednesday two weeks before the meeting, except in respect of a vote of no confidence in the Leader of the Council for which the process in paragraph 13 applies.
- 10.2 A notice of motion must relate to a matter which affects the Council or its area and must relate to a matter in respect of which the Council has a relevant function.
- 10.3 A notice of motion may be in more than one part and contain more than one recommendation, but must all relate to the same subject matter.
- 10.4 The Chief Executive may reject a notice of motion if, in his/her opinion:
 - (a) it is of a vexatious or derogatory nature or otherwise considered improper or inappropriate;
 - (b) is contrary to any provision of any code, protocol, legal requirement or rule of the Council;
 - (c) it does not relate to the business of the Council;
 - (d) is substantially the same as another motion already considered at the Assembly within the previous twelve months.
- 10.5 Where the Chief Executive rejects a notice of motion on any of the above grounds, he/she shall inform the Chair and the Councillor who submitted the notice of motion as soon as possible.
- 10.6 In the event that the Councillor who submitted the motion is not present at the Assembly meeting, the motion will be withdrawn.
- 10.7 Any motions withdrawn as indicated above, or withdrawn at the request of the Councillor who submitted the motion, either before or during the meeting, may not be resubmitted to the Assembly within a period of six months. This condition will be waived where the Councillor, or a colleague on their behalf, has notified the Chief Executive by 5.00 pm on the day of the meeting of their inability to attend due to their ill health or other reason accepted by the Chief Executive.
- 10.8 Motions will be listed on the agenda in the order in which they are received, save that:
 - (a) where two or more notices of motion are received from a particular Member for the same meeting, that Member's second notice of motion shall be included after all other Members' first notices of motion, that Member's third notice of motion shall be included after all other Members' second notices of motion, and so on.
 - (b) where he/she considers that the notice of motion, statement or consideration of the notice of motion is likely to result in the disclosure of confidential or exempt information, in which case

he/she may group such notices of motion together with other items of business which are, in his/her opinion, likely to involve the exclusion of press and public during their consideration.

- 10.9 Written notice of any amendments to motions must be received by the Chief Executive by no later than 12 noon on the Friday before the meeting. The same criteria and actions as described in paragraphs 10.2 - 10.8 will apply in relation to any amendments received.
- 10.10 Any amendments proposed after the time specified in paragraph 10.9 will only be considered for exceptional reasons such as a change in circumstances appertaining to the original motion, in which case the consent of the Chair will be required.
- 10.11 The Assembly shall not debate any motion which could give rise to a significant change to the income or expenditure of the Council or to contract terms unless, in the opinion of the Chief Executive acting on advice from the Chief Finance Officer and Monitoring Officer as appropriate, the motion is accompanied by a report from the Chief Finance Officer or the Monitoring Officer, as appropriate, setting out the financial or legal effect of the motion.
- 10.12 Where a motion which would require an accompanying report under Rule 10.11 falls to be moved without such accompanying report being made available to all Councillors, the motion shall stand adjourned without debate to the next available meeting of the Assembly.
- 10.13 Subject to Rule 10.14, if there are other motions or recommendations on the agenda that have not been dealt with by the close of the meeting, they are deemed formally moved and seconded and shall be put to the vote by the Chair without debate.
- 10.14 Where a notice of motion submitted under Rule 10 falls to be dealt with under Rule 10.13, the Member giving the notice may either:
 - (a) speak to the motion for not more than three minutes before the motion is put by the Chair without debate; or
 - (b) require that the motion is deferred to the next available meeting.

11. Motion to rescind a previous decision

- 11.1 A motion or amendment to rescind, or which has the effect of rescinding, a decision made at a meeting of the Assembly within the past six months, may not be moved except upon a recommendation from the Cabinet for a variation of the approved Budget or Policy Framework, or where the Monitoring Officer confirms that it is appropriate for the Assembly to reconsider the matter to comply with law, as a result of a change of law or material change of circumstances.

12. Rules of Debate

- 12.1 The following order / rules of debate shall apply:

- (a) Except with the Chair's consent, the debate on each motion shall last no longer than 10 minutes and no individual speech shall exceed two minutes.
- (b) The mover will move the motion and explain its purpose.
- (c) The Chair will invite another Member to second the motion.
- (d) If any amendment(s) has been accepted in accordance with paragraphs 10.9 or 10.10, the Chair will invite the relevant Member to move the amendment(s) and explain the purpose.
- (e) The Chair will invite another Member(s) to second the amendment(s).
- (f) The Chair will then invite Members to speak on the motion and any amendments.
- (g) Once all Members who wish to speak have done so, or the time limit has elapsed, the Chair will allow the mover(s) of the amendment(s) a right of reply followed by the mover of the original motion.
- (h) At the end of the debate, any amendments will be voted on in the order in which they were proposed.
- (i) If an amendment is carried, the motion as amended becomes the substantive motion to which any further amendments are moved and voted upon.
- (j) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.
- (k) If all amendments are lost, a vote will be taken on the original motion.

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