

MINUTES OF ASSEMBLY

Wednesday, 16 May 2012
(7:00 - 8:29 pm)

PRESENT

Councillor N S S Gill
Councillor S Alasia
Councillor S Ashraf
Councillor R Baldwin
Councillor P Burgon
Councillor E Carpenter
Councillor J Clee
Councillor R Douglas
Councillor R Gill
Councillor A S Jamu
Councillor E Keller
Councillor M A McCarthy
Councillor D S Miles
Councillor E O Obasohan
Councillor T Perry
Councillor H S Rai
Councillor C Rice
Councillor D Rodwell
Councillor A Salam
Councillor S Tarry
Councillor J Wade
Councillor P T Waker
Councillor M M Worby

Councillor E Kangethe
Councillor J L Alexander
Councillor A Gafoor Aziz
Councillor S J Bremner
Councillor L Butt
Councillor J Channer
Councillor J Davis
Councillor C Geddes
Councillor M Hussain
Councillor I S Jamu
Councillor G Letchford
Councillor J E McDermott
Councillor M Mullane
Councillor J Ogungbose
Councillor B Poulton
Councillor A K Ramsay
Councillor L Rice
Councillor T Saeed
Councillor L A Smith
Councillor G M Vincent
Councillor L R Waker
Councillor J R White

APOLOGIES FOR ABSENCE

Councillor G Barratt
Councillor D Hunt
Councillor L A Reason

Councillor H J Collins
Councillor M McKenzie MBE
Councillor D Twomey

1. Appointment of Chair and Deputy Chair

Assembly **agreed** the appointment of Councillor N Gill as Chair and Councillor J Davis as Deputy Chair of the Assembly.

2. Declaration of Members' Interests

There were no declarations of interest.

3. Minutes - To confirm as correct the minutes of the meeting held on 28 March 2012

The minutes of the meeting on 28 March 2012 were confirmed as correct.

4. Appointments to the Political Structure and Other Bodies - 2012/2013

Assembly received a report introduced by the Chief Executive that related to the appointment of Members to the various elements of the political structure and other internal and external bodies.

Assembly noted:

1. the tabled versions of Appendices A, B, C and D which set out the proposed appointments; and
2. that the appointment of the Mayor and the Mayor's Chaplain would be dealt with at the Ceremonial Council meeting on 18 May 2012.

Assembly **agreed:**

1. the membership of the various Council meetings (Appendix A);
2. the appointment of the Chairs and Deputy Chairs and Lead and Deputy Lead Members (Appendix B);
3. the appointment of the representatives on various internal and external bodies (Appendix C); and
4. the appointment of the Trustees of Local Charities (Appendix D)

5. Death of former Councillor Leonard Collins

Assembly noted with deep regret that former Councillor Leonard Collins had passed away on 22 April 2012.

Members paid tribute to Mr Collins and noted that he had been a loyal, true and honest Councillor, who had very strong principles and had been encouraging of all new Councillors. He had been an Eastbrook Ward Councillor for 39 years and had worked hard not only in that Ward but for all the residents of the Borough.

Members recalled Mr Collins' pride in his appearance and the pleasure he had taken in the upkeep of his home and garden.

Members noted that it was during Mr Collins' Mayoralty that the Borough had changed its name.

Members acknowledged the contributions Mr Collins had made to the twinning arrangements between Witten in Germany and the Borough and that he had signed the Twinning Agreement.

Mr Collins had moved to Southend last year to be near to his family, after having been resident in the Borough for over 50 years.

The Assembly stood and observed a minute's silence in memory of former Councillor Leonard Collins.

6. Response to Petition - Introduction of Parking Charges in Broad Street, Dagenham

Assembly received and noted the terms of a petition presented by the Lead

Petitioner, Mr Richard Mackenzie, requesting that the Council halt proposals to implement pay and display parking charges in Broad Street.

Mr Mackenzie thanked the Assembly for the opportunity to present the petition on behalf of the Broad Street businesses and stated that his family had been trading there for over 50 years.

He advised that the business community had been notified of the proposal in December 2011 by way of a letter which had stated that such a scheme would not deter visitors. Mr Mackenzie said that this comment defied the widely held view that when such schemes were introduced, shoppers refused to pay the parking charges and preferred to shop where parking was free.

Mr Mackenzie raised the following points:

- ❖ it had been in the last two years that parking difficulties had arisen in Broad Street
- ❖ local residents had complained to the Council about the lack of parking in Broad Street and the abuse by some drivers of the two hour free parking rule, which had resulted in the Council's proposed Pay and Display Scheme
- ❖ the two hour free parking rule, which when originally introduced and policed by wardens, had resulted in adequate parking for all visitors
- ❖ the parking difficulties coincided with the building of a new school in Morland Road when contractors had parked their vehicles in Broad Street from early morning until the end of the day and this practice had not been challenged by parking wardens
- ❖ when the contractors had left the site in March 2012, parking spaces in Broad Street had returned to the levels of two years earlier and this resulted in there no longer being any parking difficulties
- ❖ the Civil Enforcement Officers (CEOs) should return to the implementation of the two hour free parking rule

In conclusion, Mr Mackenzie stated that:

- the recession was causing severe hardship
- the Council should not implement a scheme which would be detrimental to the local community and speed up the demise of a convenient local shopping centre such as Broad Street
- the Council should utilise monies earmarked for the Pay and Display scheme on regeneration of the area.

Assembly received the response to the petition introduced by the Leader of the Council, Councillor Smith, who stated that houses had been built on two of the large car parks that had been in the area. He understood that Broad Street served the local community but expected that local residents would walk to the shops rather than drive. The Leader stated that it was not this Council's intention to drive businesses out of the area by the proposed parking charge of 20p per hour, but to encourage people to visit Broad Street. He referred to parking charges of 20p per twenty minutes in neighbouring boroughs.

The Leader referred to the enormous strain put on the area by the Walk-in Medical Centre in Broad Street, but also referred to the free car park near Ballards Road.

He concluded by stating that the Pay and Display proposal was not a money making scheme for the Council and gave assurance to Mr Mackenzie that its effect on trading would be monitored over the course of the next year.

The Divisional Director for Environment, Robin Payne, explained the difficulties faced by the CEOs in enforcing the two hour free parking rule and confirmed that the Council would not make money from implementing this scheme.

In debating the matter, Members concurred with the Leader that the scheme should be monitored to ascertain whether or not it had had an effect on trade in the area but raised concerns as to the pressure put on parking by people accessing the Medical Centre and whether the CCTV cameras in the area recorded cars parked on double yellow lines.

In response, the Cabinet Member for Crime, Justice and Communities, Councillor Alexander, stated that the CCTV cameras in the area do record cars parked on double yellow lines. She said that the proposed parking fee was only 20p and that the scheme should get traffic flowing in the area. She noted that the Councillors were accountable to the residents and said that if, after monitoring the scheme as proposed, it was shown not to be successful, then it would be removed.

Assembly **agreed** for the reasons set out in the report that it was unable to support the petition.

The Chair thanked Mr Mackenzie for attending.

7. Response to Petition - Introduction of Parking Charges in Faircross Parade, Barking

The Chair advised Assembly that the Lead Petitioner had presented her apologies due to ill-health.

Assembly received and noted the response to the petition presented by the Divisional Director for Environment, Robin Payne (DDE).

The DDE advised that local residents had been consulted on the proposed Pay and Display scheme (P&D) and that a further meeting had been arranged for 28 May 2012. He went on to say that Faircross Parade was a suitable situation for P&D as drivers from a bus garage opposite it parked at Faircross and a minicab office nearby was also abusing the parking facility. He concluded that a P&D would be of benefit to the traders.

In debating the petition Members raised the following points:

- Faircross Parade was a thriving shopping area but residents had been having difficulties with parking due to some drivers exceeding the free parking time-limit
- petitioners had not been aware that the parking fee would be set at 20p per hour
- consultation letters had been sent out later than they should have to some

residents and traders

In responding to questions from Members, the DDE advised that a methodology would be created with the traders to monitor the effect of the P&D on their businesses. The locality would be surveyed in six months' time, meetings would be held with the traders and a review report would be taken back to Cabinet.

In response, the Cabinet Member for Crime, Justice and Communities, Councillor Alexander, advised that there would be regular meetings with the Councillors, businesses and officers. She considered that the P&D would be a success and would encourage business to the area. She concluded that this was not a money making scheme but would assist the flow of traffic.

Assembly **agreed** for the reasons set out in the report that it was unable to support the petition.

8. The Emerging Private Rented Sector in LBB

Assembly received and noted this report introduced by Councillor Channer, Chair of the Living and Working Select Committee.

Councillor Channer thanked officers, Glen Oldfield – Scrutiny Officer, Darren Henaghan – Director for Housing and Environment, and Ken Jones – Divisional Director for Housing Strategy, for their hard work in formulating the report.

Councillor Channer provided Assembly with the background to the report and advised that Universal Credit would come into force in 2013, which would force many people out of London as they would be unable to afford to rent properties there. Research from the University of Cambridge had predicted that by 2016 this borough would be the only London Borough that would be affordable in terms of rented accommodation.

Councillor Channer gave a PowerPoint presentation in support of the report which included data on:

- ❖ the number of private rented properties in the borough, which had doubled since 2006 – the fastest growing in London in the last five years
- ❖ the average private sector monthly rent in the borough in comparison with that of Tower Hamlets and Newham
- ❖ tenants' experiences
- ❖ tenants' views as to whether or not they would stay in the Borough
- ❖ examples of the poor condition of some properties

Councillor Channer thanked the stakeholders and consultees for their support and in particular Jon Cruddas MP.

She referred Members to the recommendations in the report and in conclusion, condemned the Coalition Government's housing policy which she felt would create nothing more than social segregation.

The Cabinet Member for Housing, Councillor P Waker, commended the report and the PowerPoint presentation stating that it supported the Council's Housing

Strategy.

In response to questions from Members, the Director for Housing and Environment advised that:

- insulation was provided by WarmFront to private owners but it was means tested
- a grant for insulation had been extended to private landlords
- the Government had introduced "Green Deal" which was also means tested, with funding coming from the utility companies
- Colne House had recently been refurbished
- a report had been to Cabinet regarding insulation of more Council stock
- in the private rented sector, landlords were not always able to access funding
- the Private Sector Housing Team, which had been protected by Members in the last budget, comprised five officers

The Cabinet Member for Environment, Councillor McCarthy, concluded that this was an excellent report and felt that John Biggs, our GLA Member would support the recommendation for the creation of a national tenants' consumer rights body.

Assembly **noted** the report and supported the recommendations of the Living and Working Select Committee.

9. Planning for Religious Meeting Places (Amendment to Planning Advice Note 4)

Assembly received this report introduced by the Cabinet Member for Regeneration, Councillor Geddes.

Assembly **agreed** to approve the revised Planning Advice Note on Religious Meeting places as set out at Appendix 1 to the report.

10. Adoption of the Code of Conduct under the Localism Act 2011

Assembly received and noted this report introduced by the Divisional Director for Legal and Democratic Services, Tasnim Shawkat (DDLDS).

The DDLDS referred Assembly to an amendment to paragraph 2.11 of the report in that the term of office of the current Independent Members would expire on **30** June 2012 and not 20 June as stated in the report.

Assembly **agreed** that:

- (i) the current Code of Conduct be adopted as modified by the relevant Regulations under sections 30 and 31 of the Localism Act 2011 to take effect from 1 July 2012 until 12 July 2012.
- (ii) actions being taken to implement the new standards regime under the Localism Act be noted.
- (iii) the Monitoring Officer be delegated authority to take such steps as are required to comply with the Localism Act and the forthcoming Regulations until the matter is brought before the Assembly on 11 July 2012.

11. Update on Constitution Review

Assembly received and noted this report introduced by the Divisional Director for Legal and Democratic Services, Tasnim Shawkat.

Assembly noted the progress with the Constitution review to date and **agreed** the proposed changes to Article 5A – The Call-In Process to take immediate effect.

12. Members' Allowances Scheme - 2012/13

Assembly received and noted this report introduced by the Leader of the Council, Councillor Smith.

The Leader noted that this was the fourth successive year that it had been proposed to freeze allowances and advised Assembly that this borough's Members' allowances were the lowest in London.

Assembly **agreed**:

1. that no increase be applied to Members' basic and special responsibility allowances for the 2012/13 municipal year, representing a freeze in allowance levels for the fourth year in succession;
2. that the draft Members' Allowances Scheme for the 2012/13 municipal year attached at Appendix A to the report take effect from 17 May 2012, and
3. to note that a further report would be presented to the Assembly on 11 July 2012 concerning the new standards regime and specifically a review of those allowances payable to independent members/person of the Standards Committee.

13. Pay Policy Statement Amendment

Assembly received and noted this report introduced by the Chief Executive, Stella Manzie.

The CE stated that this report had been brought to Assembly with her apologies following the discovery of some factual errors in an earlier report that had been before Members on 28 March last.

She said that this report was to update Members and to ensure that the correct information was published.

Assembly **approved** the revised Pay Policy Statement for the London Borough of Barking and Dagenham for 2012/13 attached at Appendix A to the report to enable the appropriate amendments to be made to the policy statement.

14. Annual Reports

Assembly received and noted the following Annual Reports 2011/12:

- (i) The Cabinet introduced by the Leader of the Council, Councillor Smith.
- (ii) The Ceremonial Council introduced by the Leader of the Council, Councillor Smith, in the absence of the Worshipful the Mayor, Councillor McKenzie.
- (iii) The Development Control Board introduced by Councillor I S Jamu. Assembly noted that every ward in the borough had representation on the Board and that all Board Members had a duty to attend training. Councillor Jamu expressed his thanks to Members and officers for their hard work over the last year.
- (iv) The Licensing and Regulatory Board introduced by Councillor L Waker, who advised the Assembly that the Board had dealt with a variety of applications and reviews and that at each meeting updates were requested on applications that had been approved previously. Councillor L Waker emphasised that if Members had any questions on licensing matters they should take them to the Divisional Director for Environment, Robin Payne, rather than to Board Members, to enable Board Members to maintain their independence.
- (v) Overview and Scrutiny introduced by Councillor Rodwell, who thanked the Chairs of the Select Committees. Councillor Rodwell advised Assembly that last year had been very productive. He referred in particular to the Living and Working Select Committee report on the Private Rented Sector that had been presented earlier in this meeting and to the success of the review by the Public Accounts and Audit Select Committee (PAASC) into delayed housing benefits claims, which saw the service become community focused within three months. Compliance had been an issue throughout all of PAASC's work. In conclusion, Councillor Rodwell said that the work of Overview and Scrutiny was a testament to all of the Councillors involved and thanked all officers who had supported this work.
- (vi) Personnel Board introduced by Councillor Burgon, who thanked officers, Masuma Ahmed and Michelle Coleman, for the support they had provided to the Board. Councillor Burgon advised Assembly that the Board had met to consider a total of 14 appeals against dismissal, none of which had been upheld. The Board had heard two appeals against the imposition of final written warnings, both of which had been partially upheld. One of the final warnings had been downgraded to a second written warning and the length of time the other warning would remain on the individual's record had been reduced. Councillor Burgon noted her thanks to the Members of the Board for their help and support.
- (vi) Standards Committee introduced by Kevin Madden, Independent Chair. Mr Madden thanked all officers who had supported the Committee, in particular the Monitoring Officer, Tasnim Shawkat, and the Democratic Services Officer, Margaret Freeman, for her ever-efficient organisation.

Mr Madden highlighted two key issues in the report:

- (1) That only one new complaint had arisen in the last year and that this was a credit to all Members and reflected well on the Council.

- (2) The legislative changes as a result of the Localism Act 2011 which abolished the present Standards regime. Mr Madden advised that the Standards Committee had discussed the new legislation and the new Code of Conduct for Members that would be adopted by Assembly when the Regulations were published. He noted that the general principle of respect for others would no longer be a compulsory element of any new code and stated that the Committee hoped that the Council's new Code would retain the best of the old.

In conclusion, Mr Madden stated that whatever arrangements were put in place, it was important to keep a focus on what had been the main feature of the Standards Committee's terms of reference, namely the promotion and maintenance of high standards of conduct by Members and employees, to retain the trust and respect of the people we serve.

15. Motions

None.

16. Leader's Question Time

Question from Councillor Carpenter:

"What significant impacts will the Olympics have this summer on our roads, transport, health services, local policing, and Council services?"

What arrangements are being put in place to mitigate some of the predicted problems?"

Response from the Leader of the Council:

"A lot of people are worrying about the effects of the Olympics. It's a bit like the Millennium Bug that didn't happen and I think it will be the same with the Olympics – the worries will all come to nothing.

Yes, the A13 will be blocked in the mornings on the way into London and again in the evening on the way back, just as it is now and so will the A12 and the A127.

It is public transport that we are concerned about and we will be discussing this with John Biggs, our GLA Member. I am concerned that people will be leaving their cars at the nearest District Line Station that is not within a Controlled Parking Zone and then travel into London by train. Another issue will be parking. Newham have adopted zero tolerance to this. The Director for Housing and Environment, Darren Henaghan, has got concerns about Barking Town Centre but our parking department are fully aware of the issues.

We have got officers coming in to work during the Olympics and some who will be working from home. My own personal view is that I do not think the roads will be any worse than they are now.

I think that crime rates will drop, particularly if Great Britain is doing well, people

might not have the urge to go out and commit crimes.

Councillors Geddes and R Gill and the Chief Executive and I meet with representatives of other Boroughs regularly to make sure that we are all aware of these issues."

17. General Question Time

None.

18. Councillor Simon Bremner

The Assembly joined the Leader of the Council in congratulating Councillor Bremner on his recent election as a Member for Goresbrook Ward and welcomed him back to the Chamber.