

Notice of Meeting of the

ASSEMBLY

**to be held on Wednesday, 25 May 2022
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: 17 May 2022

Fiona Taylor
Interim Chief Executive

Contact Officer: Leanna McPherson
Tel: 020 8227 2852
E-mail: leanna.mcpherson@lbbd.gov.uk

Please note that this meeting will be webcast via the Council's website. Members of the public wishing to attend the meeting in person can sit in the public gallery on the second floor of the Town Hall, which is not covered by the webcast cameras. To view the webcast online, click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

AGENDA

1. Appointment of Chair and Deputy Chair

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

2. Apologies for Absence

3. Declaration of Members' Interests

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

4. Minutes - To confirm as correct the minutes of the meeting held on 2 March 2022 (Pages 3 - 10)

5. Formation of Groups

The Interim Chief Executive will announce the formation of political groups for the purposes of the Local Government (Committees and Political Groups) Regulations 1990.

6. Election of Leader of the Council

The Chair shall invite nominations for the Leader of the Council.

7. Notification of Appointments by the Leader under the Council's Executive Arrangements

The Leader of the Council will announce the appointment of the Cabinet.

8. Leader's Statement

The Leader will present his statement.

9. Appointments to the Political Structure and Other Bodies 2022/23 (Pages 11 - 13)

10. Members' Allowances Scheme 2022/23 (Pages 15 - 28)

11. Motions

There are no motions.

12. Questions With Notice

There are no 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

Our Vision for Barking and Dagenham

ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND

Our Priorities

Participation and Engagement

- To collaboratively build the foundations, platforms and networks that enable greater participation by:
 - Building capacity in and with the social sector to improve cross-sector collaboration
 - Developing opportunities to meaningfully participate across the Borough to improve individual agency and social networks
 - Facilitating democratic participation to create a more engaged, trusted and responsive democracy
- To design relational practices into the Council's activity and to focus that activity on the root causes of poverty and deprivation by:
 - Embedding our participatory principles across the Council's activity
 - Focusing our participatory activity on some of the root causes of poverty

Prevention, Independence and Resilience

- Working together with partners to deliver improved outcomes for children, families and adults
- Providing safe, innovative, strength-based and sustainable practice in all preventative and statutory services
- Every child gets the best start in life
- All children can attend and achieve in inclusive, good quality local schools
- More young people are supported to achieve success in adulthood through higher, further education and access to employment
- More children and young people in care find permanent, safe and stable homes
- All care leavers can access a good, enhanced local offer that meets their health, education, housing and employment needs
- Young people and vulnerable adults are safeguarded in the context of their families, peers, schools and communities

- Our children, young people, and their communities' benefit from a whole systems approach to tackling the impact of knife crime
- Zero tolerance to domestic abuse drives local action that tackles underlying causes, challenges perpetrators and empowers survivors
- All residents with a disability can access from birth, transition to, and in adulthood support that is seamless, personalised and enables them to thrive and contribute to their communities. Families with children who have Special Educational Needs or Disabilities (SEND) can access a good local offer in their communities that enables them independence and to live their lives to the full
- Children, young people and adults can better access social, emotional and mental wellbeing support - including loneliness reduction - in their communities
- All vulnerable adults are supported to access good quality, sustainable care that enables safety, independence, choice and control
- All vulnerable older people can access timely, purposeful integrated care in their communities that helps keep them safe and independent for longer, and in their own homes
- Effective use of public health interventions to reduce health inequalities

Inclusive Growth

- Homes: For local people and other working Londoners
- Jobs: A thriving and inclusive local economy
- Places: Aspirational and resilient places
- Environment: Becoming the green capital of the capital

Well Run Organisation

- Delivers value for money for the taxpayer
- Employs capable and values-driven staff, demonstrating excellent people management
- Enables democratic participation, works relationally and is transparent
- Puts the customer at the heart of what it does
- Is equipped and has the capability to deliver its vision

MINUTES OF ASSEMBLY

Wednesday, 2 March 2022
(7:00 - 8:20 pm)

PRESENT

Cllr Toni Bankole (Chair)
Cllr Faruk Choudhury (Deputy Chair)

Cllr Dorothy Akwaboah	Cllr Saima Ashraf	Cllr Abdul Aziz
Cllr Simon Bremner	Cllr Princess Bright	Cllr Sade Bright
Cllr Laila M. Butt	Cllr Evelyn Carpenter	Cllr Josie Channer
Cllr John Dulwich	Cllr Irma Freeborn	Cllr Cameron Geddes
Cllr Syed Ghani	Cllr Kashif Haroon	Cllr Amardeep Singh Jamu
Cllr Jane Jones	Cllr Elizabeth Kangethe	Cllr Mohammed Khan
Cllr Olawale Martins	Cllr Giasuddin Miah	Cllr Dave Miles
Cllr Fatuma Nalule	Cllr Adegboyega Oluwole	Cllr Glenda Paddle
Cllr Moin Quadri	Cllr Foyzur Rahman	Cllr Tony Ramsay
Cllr Chris Rice	Cllr Ingrid Robinson	Cllr Paul Robinson
Cllr Emily Rodwell	Cllr Muhammad Saleem	Cllr Faraaz Shaukat
Cllr Dominic Twomey	Cllr Maureen Worby	

APOLOGIES FOR ABSENCE

Cllr Peter Chand	Cllr Rocky Gill	Cllr Eileen Keller
Cllr Donna Lumsden	Cllr Mick McCarthy	Cllr Margaret Mullane
Cllr Simon Perry	Cllr Lynda Rice	Cllr Darren Rodwell
Cllr Lee Waker	Cllr Phil Waker	

64. Declaration of Members' Interests

There were no declarations of interest.

65. Minutes (26 January 2022)

The minutes of the meeting held on 26th January 2022 were confirmed as correct.

66. Minutes of Sub-Committees

The Assembly received and noted the minutes of the JNC Appointments, Salaries and Structures Panel held on 28 February 2022.

The minutes were tabled at the meeting and set out the interim arrangements that would be in place when the current interim Chief Executive left the Council.

Arising from the recommendations of that meeting, the Assembly **resolved** that:

- (i) Fiona Taylor be appointed as the Council's interim Head of Paid Service, in accordance with Section 4 of the Local Government and Housing Act 1989;

and

- (ii) Alison Stuart be appointed as the Council's interim Monitoring Officer, in accordance with Section 5 of the Local Government and Housing Act 1989.

67. Leader's Statement

The Deputy Leader and Cabinet Member for Community Leadership and Engagement presented a verbal statement updating the Assembly on a range of matters since the last meeting including:

Situation in Ukraine - The Deputy Leader strongly condemned the actions of Russia in Ukraine and sent a message of hope and solidarity to the people of Ukraine in such devastating times.

The impact of the pandemic - The last four years had been difficult with the impact of Brexit, the pandemic and the cost-of-living crisis. For every 100 families, the pandemic had added an extra 11 to the poverty line, and the impact was felt heavily in London Boroughs. Before the pandemic there were long waiting times for the NHS and now over six million people were waiting for operations. The cost of food was now rising by 5% and energy bills rising by as much as 50%. Despite this, the Council would continue to support its residents during these tough times.

The Last Four Years - The Council has met many of its promises since 2018 including the building of the Youth Zone and delivering more than 2,000 council-built homes with 80% going to local families. Transport links to the Borough would be improved going forward with a new overground station in Barking Riverside and a boat service linking Barking to London along the Thames. Going forward, employment opportunities for local people would increase with the film studios and three London markets moving to the Borough. The investment in the Borough over the last four years added up to circa £4 billion and had the potential for 1,000s of new jobs.

Women's Empowerment Month - The Council had a great line-up of events for Women's Empowerment Month, details of which could be found on the Council's website.

Claire Symonds – The Acting Chief Executive would be leaving the Council in April and the Deputy Leader paid tribute for the way she had steered the Council through Covid and been at the heart of the Council's modernising agenda which had changed the way services looked and felt.

68. Appointments

There were no appointments.

69. Budget Framework 2022/23 and Medium Term Financial Strategy 2022/23 - 2025/26

The Cabinet Member for Finance, Performance and Core Services introduced the Council's proposed budget framework for 2022/23 which incorporated the following:

- Proposed General Fund revenue budget for 2022/23;
- Proposed level of Council Tax for 2022/23;
- Medium Term Financial Strategy (MTFS) 2022/23 to 2025/26;
- Draft capital investment programme 2022/23 to 2025/26; and
- Update on the Dedicated Schools Grant and Local Funding Formula for Schools.

The Cabinet Member reminded Assembly that the budget framework for 2022/23 was prepared in the context of consistent reductions in the grant provided by the Government and the cumulative impact of austerity measures since 2010. For every £1 the Council received a decade ago, the Council received just 63p today.

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

For: Councillors Akwaboah, Ashraf, Aziz, Bankole, Bremner, P Bright, S Bright, Carpenter, Channer, Choudhury, Dulwich, Freeborn, Geddes, Ghani, Haroon, Jamu, Jones, Kangethe, Khan, Martins, Miah, Miles, Nalule, Oluwole, Paddle, Quadri, Rahman, Ramsay, C Rice, I Robinson, P Robinson, E Rodwell, Saleem, Shaukat, Twomey and Worby (36)

Against: None (0)

Abstain: None (0)

(Note: Councillor Butt was not present during the vote having left the chamber prior to the vote and returning thereafter.)

The Assembly **resolved** to:

- (i) Approve a base revenue budget for 2022-23 of £181.895m, as detailed in Appendix A to the report;
- (ii) Approve the adjusted Medium Term Financial Strategy (MTFS) position for 2022- 23 to 2025-26 allowing for other known pressures and risks at this time, as detailed in Appendix B to the report, including the revised cost of borrowing to accommodate the capital costs associated with the implementation of the MTFS;
- (iii) Delegate authority to the Finance Director, in consultation with the Cabinet Member for Finance, Performance and Core Services, to finalise any contribution required to or from reserves in respect of the 2022-23 budget, pending confirmation of levies and further changes to Government grants prior to 1 April 2022;
- (iv) Delegate authority to the Finance Director, in consultation with the Cabinet Member for Finance, Performance and Core Services, to make arrangements for one-off £150 Council Tax energy rebate payments to be made to all households in Bands A – D and establish a discretionary fund for households in need who would not otherwise be eligible;

- (v) Approve the Statutory Budget Determination for 2022-23 as set out at Appendix D to the report, which reflects an increase of 1.99% on the amount of Council Tax levied by the Council, an Adult Social Care precept of 1.00% and the final Council Tax proposed by the Greater London Assembly (8.8% increase), as detailed in Appendix E to the report;
- (vi) Note the update on the current projects, issues and risks in relation to Council services, as detailed in sections 8-10 of the report;
- (vii) Approve the proposed projects/allocations of funding as set out in paragraphs 9.5 and 9.6 of the report and delegate authority to the Strategic Director, Community Solutions, in consultation with the Cabinet Member for Community Leadership and Engagement, to approve and enter into all necessary contracts, agreements and other documents in order to implement such arrangements;
- (viii) Approve the Council's draft Capital Programme for 2022-23 totalling £522.625m, of which £66.813m are General Fund schemes, as detailed in Appendix F to the report;
- (ix) Approve the Flexible Use of Capital Receipts Strategy as set out in section 12 of the report;
- (x) Note the update on Dedicated Schools Funding and approve the Local Funding Formula factors as set out in section 13 and Appendix G to the report;
- (xi) Approve the increased rates for Early Years Education as set out in section 13 of the report; and
- (xii) Note the Chief Financial Officer's Statutory Finance Report as set out in section 15 of the report, which included a recommended minimum level of reserves of £12m.

70. Treasury Management Strategy Statement 2022/23

The Cabinet Member for Finance, Performance and Core Services presented the draft Treasury Management Strategy Statement (TMSS) for 2022/23 which, in accordance with the requirements of the Local Government Act 2003, set out the Council's borrowing, investment and funding plans for the year ahead. The report was considered and endorsed by the Cabinet at its meeting on 21 February 2022.

The Cabinet Member summarised the report, highlighting the excellent work of the Council's Treasury team. The report also underpinned and enabled the Council to deliver on its aspirational development programmes through sound investments and loans.

The Assembly **resolved** to adopt the Treasury Management Strategy Statement for 2022/23 and, in doing so:

- (i) Noted the current treasury position for 2022/23 in section 4 and prospects for interest rates, as referred to in section 8 of the report;

- (ii) Approved the Annual Investment Strategy 2022/23 outlining the investments that the Council may use for the prudent management of its investment balances, as set out in Appendix 1 to the report;
- (iii) Approved the Council's Borrowing Strategy 2022/23 to 2024/25, as set out in Appendix 2 to the report;
- (iv) Noted that the Capital Strategy 2022/23, incorporating the Investment and Acquisitions Strategy, shall be updated and presented for approval in April 2021;
- (v) Approved the Capital Prudential and Treasury Indicators 2021/22 - 2024/25, as set out in Appendix 3 to the report;
- (vi) Approved the Operational Boundary Limit of £1.60bn and the Authorised Borrowing Limit of £1.70bn for 2022/23, representing the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003, as referred to in Appendix 3 to the report;
- (vii) Approved the Minimum Revenue Provision Policy Statement for 2022/23; the Council's policy on repayment of debt, as set out in Appendix 4 to the report;
- (viii) Noted that changes made to the Prudential Code and Treasury Management Code, published in December 2021, would be fully implemented for the 2023/24 TMSS; and
- (ix) Delegated authority to the Finance Director, in consultation with the Cabinet Member for Finance, Performance and Core Services, to proportionally amend the counterparty lending limits agreed within the Treasury Management Strategy Statement to consider the increase in short-term cash held from borrowing.

71. Barking and Dagenham Safeguarding Children Partnership Annual Report 2020/21

The Cabinet Member for Social Care and Health Integration presented a report on the Barking and Dagenham Safeguarding Children Partnership Annual Report 2020/21.

The Cabinet Member advised that the report set out the key achievements, work of the partners, information around the priorities and how the BDSCP had worked to improve the safeguarding and protection of children across Barking and Dagenham from April 2020 to March 2021.

Key achievements included:

- The establishment of the new structure and arrangements in Barking and Dagenham as outlined in *Working Together 2018*;
- A Neglect and Early Help Thematic Subgroup, which met monthly and oversaw the implementation of the Early Help improvement programme;

- Excellent Partnership working to strengthen the Child Death Review procedures in line with guidance; and
- The Safeguarding Children Partnership, alongside the Community Safety Partnership, had continued to work relentlessly to tackle serious youth violence and child exploitation in all its forms.

The Assembly **resolved** to note the Safeguarding Children Partnership Annual Report 2020/21, as set out at Appendix 1 to the report.

72. Audit and Standards Committee Annual Report 2020/21

The Chair of the Audit and Standards Committee presented the Audit and Standards Committee Annual Report 2020/21.

The Chair explained that the report was being presented late owing to a delay in the external audit and, going forward, the Committee's annual report would be presented to the Assembly at the same time as other Committee annual reports.

The Committee had faced numerous challenges resulting from Covid-19 as it had affected both the internal and external audits; however, the Committee had continued to work with officers and auditors to ensure that the Committee's oversight continued to be effective. The Chair stressed the important role of the Committee within the Council and explained that robust local audit systems and transparent local authority financial reporting were key to delivering value for money for taxpayers, and for sustaining public confidence in local democracy.

In relation to Standards, the Committee was responsible for ensuring that the Council discharged its duties under the Localism Act 2011 which requires that the Council promote and maintain high standards of conduct by Members and Co-opted Members of the Authority.

The Chair covered the following areas of interest from over the year:

- Scrutiny of the Internal Audit Report for 2019/20;
- Concern over external audit and delays to the Statement of Accounts, which had been challenged; and
- A report on the outcome of the Redmond Review, led by Sir Tony Redmond who was appointed by the Government to review the local audit market. The Redmond Review concluded that the system was very fragile and in need of reform and made a number of recommendations to the Government.

The Chair spoke briefly about the current municipal year, with Assembly noting that the 2019/20 audit was still outstanding and its completion remained the Committee's priority. The continuing issues in local authority audits, and possible adverse effects, meant that the Committee would continue to closely monitor the actions of officers and external auditors going forward.

The Chair took the opportunity to thank the Committee's Members, the Independent Advisor, Stephen Warren, the officers that had supported the Committee and others who had attended and assisted the Committee in its role or been subject to its scrutiny.

73. External Auditor Appointment for 2023/24 to 2027/28

The Interim Chief Executive introduced a report on the External Auditor Appointment for 2023/24 to 2027/28, which set out the arrangements for the appointment of external auditors and the options available to the Council.

The current contract would run until the completion of the 2022/23 financial year audit. In compliance with the Local Audit and Accountability Act 2014 an external auditor must be appointed for a financial year not later than 31 December in the preceding financial year. For an external auditor to be appointed for the 2023/24 financial year an appointment must be made by 31 December 2022.

The Assembly **resolved** to:

- (i) Note the options appraisal set out in the report for appointing an external auditor for the financial years 2023/24 onwards; and
- (ii) Endorse the recommendation of the Audit and Standards Committee that the Council accepts the Public Sector Audit Appointments Limited (PSAA) invitation to 'opt in' to the sector-led body procurement option, conducted by PSAA, for the appointment of external auditors for the five-year period commencing 1 April 2023.

74. Shareholder Governance Review

The Cabinet Member for Finance, Performance and Core Services introduced a report on the outcome of a review of the end-to-end governance arrangements for the four Council-owned companies of Be First, Reside, Barking and Dagenham Trading Partnership and B&D Energy Ltd.

The Cabinet Member advised that the reviews found no significant concerns regarding the companies' governance, although there were some recommendations for improvements that reflected the maturing relationship between the Shareholder Panel, which oversees the Council's interests as shareholder, and the companies. One of those recommendations related to the non-strategic reserved matters that, currently, required the approval of Cabinet on behalf of the Council. It was proposed that the Shareholder Panel should have the ability to make recommendations to the Council's Chief Executive, in line with existing delegated power parameters, to approve non-strategic matters such as minor changes to business plans, changes of companies' auditors, changes to Shareholder Agreements and the extension of Company Chairs and non-Executive Director appointments.

The Assembly **resolved** to:

- (i) Endorse the proposal that the Chief Executive, in consultation with the Shareholder Panel, be authorised to agree any non-strategic reserved matters requiring the approval of the Council as Shareholder;
- (ii) Note that all strategic reserved matters shall continue to be the responsibility of the Cabinet on behalf of the Council; and

- (iii) Approve the proposed amendment to the Officer Scheme of Delegation (Part 3, Chapter 1 of the Council's Constitution) as shown in paragraph 6.1(q) and (r) in Appendix 1 to the report, in order to implement (i) above.

75. Review of the Council's Procurement Governance Arrangements

The Cabinet Member for Finance, Performance and Core Services introduced a report on the review of the Council's procurement governance arrangements.

Following the return of the Council's procurement service from Elevate East London in 2020, officers had commenced a review of the Council's approach to procurement. Stemming from that work, a range of improvements had been identified which included the simplification of the multi-layered thresholds and multi-service oversight arrangements, particularly for low level spend, as a means of aiding compliance and enhancing procurement outcomes.

The Assembly **resolved** to:

- (i) Approve the new procurement governance arrangements as set out in the report, for implementation with effect from 1 April 2022; and
- (ii) Delegate authority to the Strategic Director, Law and Governance, to implement the appropriate amendments to the Council's Contract Rules and other documents within the Council Constitution to effect the new arrangements.

76. Pay Policy Statement 2022/23

The Cabinet Member for Finance, Performance and Core Services introduced a report on the Council's Pay Policy Statement for 2022/23.

The Cabinet Member advised that, as required by the Localism Act 2011, the Council must agree, before the start of the new financial year, a pay policy statement covering chief officer posts and other prescribed information.

The Assembly **resolved** to approve the Pay Policy Statement for the London Borough of Barking and Dagenham for 2022/23 as set out at Appendix A to the report, for publication on the Council's website with effect from April 2022.

77. Motions

There were no motions.

78. Questions With Notice

There were no questions with notice.

79. Retiring Members

The Chair and other members of the Assembly thanked those members who would be retiring from the Council in May for their service.

ANNUAL ASSEMBLY

25 May 2022

Title: Appointments to the Political Structure and Other Bodies 2022/23	
Report of the Interim Chief Executive	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Alan Dawson, Head of Governance & Electoral Services	Contact Details: E-mail: alan.dawson@lbbd.gov.uk
Accountable Strategic Leadership Director: Fiona Taylor, Interim Chief Executive and Strategic Director of Law & Governance	
Summary	
<p>The Assembly is responsible for appointments to the political structure and various other internal and external bodies, except those reserved to the Leader and/or Cabinet Members.</p> <p>The nominations are due to be considered by the Labour Group at its annual general meeting on Monday 23 May. A schedule of the nominations will, therefore, be tabled at the meeting (and published in advance if possible).</p> <p>The appointment of the Mayor for 2022/23 will be dealt with at the meeting of the Ceremonial Council on Friday 27 May.</p>	
Recommendation(s)	
<p>The Assembly is recommended to:</p> <ul style="list-style-type: none"> (i) Approve the appointments to various Council committees and other internal and external bodies; and (ii) Delegate authority to the Interim Chief Executive, in consultation with the Leader of the Council, to approve the appointment of councillors to fill any vacant positions prior to the next meeting of the Assembly on 27 July 2022. 	
Reason(s)	
<p>To meet the statutory and constitutional requirements and to ensure relevant positions are appointed to.</p>	

1. Introduction and Background

- 1.1 Part 2, Chapter 4 of the Constitution sets out the Assembly's responsibilities in respect of appointments to the political structure and various other internal and external bodies.
- 1.2 The appointments meet statutory and constitutional requirements and ensure the Council is able to proceed with the business reserved to the committees.

2. Proposal and Issues

- 2.1 The nomination process for the various positions to which appointments are required for the municipal year 2022/23 is dealt with through party groups which, for Barking and Dagenham, is just the Labour Group.
- 2.2 The nominations will be considered at the Labour Group AGM on Monday 23 May and will be reported at the meeting.
- 2.3 Bearing in mind that the Local Elections have only recently taken place, it is possible that not all vacant positions are nominated to at that Labour Group meeting. Therefore, to avoid any undue delay in filling vacant positions prior to the next meeting of the Assembly on 27 July, it is proposed that delegated authority be given to the Interim Chief Executive, in consultation with the Leader of the Council, to approve the appointment of councillors to fill any vacant positions in the meantime.

3. Options Appraisal

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

4. Consultation

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

5. Financial Implications

Implications completed by Katherine Heffernan, Head of Service Finance

- 5.1 There are no financial implications associated with this report. This concerns the annual appointment of elected Members to Boards and Committees. Where an appointment carries an allowance the financial impact of this is set out in another report to this meeting.

6. Legal Implications

Implications completed by Dr Paul Feild, Senior Governance Lawyer

- 6.1 The Assembly is a meeting of full Council for the purposes of Section 8 and Schedule 2 of the Local Government Act 1972. This meeting of the Assembly is the annual meeting where the Council decides on the overall political structure and makes the necessary appointments.

- 6.2 Part 2 (the Articles) of the Council's Constitution sets out the membership requirements and terms of reference for the various Council committees. The appointments in this report meet statutory and constitutional requirements and ensure the Council is able to proceed with the business reserved to each committee.
- 6.3 It is further proposed that the Interim Chief Executive, in consultation with the Leader of the Council, be authorised to approve the appointment of councillors to fill any vacant positions that may not be filled at this Assembly meeting. This is permissible pursuant to section 101(1) of the Local Government Act 1972, so as to enable the new Member to take a full part in the Council's business straight away.

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

List of appendices: None

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ANNUAL ASSEMBLY

25 May 2022

Title: Members' Allowances Scheme 2022/23	
Report of the Interim Chief Executive	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Authors: Alan Dawson, Head of Governance & Electoral Services Mike Haywood, Head of Leader's Office	Contact Details: Email: alan.dawson@lbbd.gov.uk mike.haywood@lbbd.gov.uk
Accountable Director: Alison Stuart, Chief Legal Officer and Interim Monitoring Officer	
Accountable Strategic Leadership Director: Fiona Taylor, Interim Chief Executive and Strategic Director, Law and Governance	
<p>Summary:</p> <p>This report sets out proposals in relation to Members' allowances for the 2022/23 municipal year covering both the Basic Allowance payable to all councillors and Special Responsibility Allowances (SRAs) for those councillors appointed to specific positions.</p> <p>The report proposes the first set of changes to the Members' Allowances Scheme in four years (i.e. since 2018). It is proposed that the Basic Allowance be increased to the level recommended by the London Councils Independent Remuneration Panel (LCIRP) in its recently published report for 2022 which, to all intents and purposes, represents an increase to the Basic Allowance equivalent to the local government staff pay awards since 2018.</p> <p>With regard to SRAs and particularly the roles of Leader, Deputy Leader, Cabinet Member and Chair of Overview and Scrutiny Committee, consideration was given to the levels recommended by the LCIRP in its 2022 report and officers also conducted a benchmarking exercise against other London Boroughs' schemes to provide a comparison (based on allowance levels in 2021/22). Stemming from that, although it is not proposed to increase SRAs to the LCIRP recommended levels due to the ongoing pressures on the Council's finances, the report does propose specific increases to some of those posts referred to above as well as an 'inflationary' increase to all SRAs, again equivalent to the local government staff pay awards since 2018.</p> <p>As part of the evolution of the Council's governance arrangements, it is also proposed to create the new role of Deputy Cabinet Member from 2022/23 and the deletion of the role of Member Champion.</p>	

<p>Recommendation(s)</p> <p>The Assembly is recommended to:</p> <ul style="list-style-type: none"> (i) Agree that the annual Basic Allowance paid to all councillors be increased to £12,014 for the 2022/23 municipal year, in line with the recommendation of the London Councils Independent Remuneration Panel; (ii) Agree the increases to Members' Special Responsibility Allowances for the 2022/23 municipal year, as detailed in the report; (iii) Agree the creation of up to three Deputy Cabinet Member posts from the 2022/23 municipal year and the deletion of the role of Member Champion; and (iv) Adopt the Members' Allowances Scheme 2022/23 at Appendix A to the report, to be effective from 26 May 2022.
<p>Reason(s)</p> <p>To accord with the Local Authorities (Members' Allowances) (England) Regulations 2003.</p>

1. Introduction and Background

- 1.1 The Local Authorities (Members Allowances) (England) Regulations 2003 require local authorities to make an annual scheme of allowances.
- 1.2 In setting its annual scheme, the Council must have regard to any recommendations of an independent remuneration panel (IRP). The exceptions to this requirement are where allowances are to be increased in accordance with an approved index or where no increase is proposed, subject to a review every four years.
- 1.3 In June 2014, the Council disbanded its own IRP due to a number of the Panel Members stepping down and the decision was taken that, from that point, the Council would have regard to the London Councils Independent Remuneration Panel (LCIRP) recommendations when considering its annual allowances. The LCIRP was established by London Councils in 2001 to exercise the function on behalf of London Boroughs and produces a report every four years, the latest being its 2022 report.
- 1.4 At the Annual meeting on 23 May 2018, the Assembly agreed an interim Members' Allowances Scheme for 2018/19 which kept the majority of allowances at the same levels since 2008/09. The changes to the Scheme were confined, at that time, to the SRAs relating to those roles that were revised / introduced as a direct result of the new Council governance and committee structure arrangements that had been approved by the Assembly at its 28 February and 23 May 2018 meetings.
- 1.5 It was also noted at the Annual meeting that a further review of allowances would be carried out later that year. The purpose of the review was to properly assess the impact of the new governance arrangements, Members' new responsibilities under

those arrangements and the appropriate level of allowances having regard to the recommendations of the LCIRP Report 2018 and benchmarking against all other London Boroughs' allowances.

- 1.6 That review report was presented to an extraordinary meeting of the Assembly on 18 July 2018. The Assembly acknowledged that the basic allowance paid to all councillors had remained frozen since 2008/09 at £10,006 and SRAs were also at the same levels as they were 10 years previously, except for the interim changes agreed at the 23 May 2018 meeting. With that in mind and having regard to the LCIRP recommendations and the benchmarking data, the Assembly agreed at the July 2018 meeting to increase the basic allowance from £10,006 to £11,000 and to increase the SRAs payable to a range of Chair and Deputy Chair positions, Cabinet Members and the Leader and Deputy Leader positions. Members' Allowances have remained at the 2018 levels since that time.
- 1.7 The Members' Allowances Scheme forms part of the Council Constitution (Part 6).

2. Proposal and Issues

2.1 Basic Allowance

- 2.1.1 In its 2018 report, the LCIRP recommended a Basic Allowance for all councillors of £11,045 – LBBDD set its rate at £11,000.
- 2.1.2 In its latest review, the LCIRP has proposed a Basic Allowance of £12,014 which merely reflects the cumulative application of local government staff pay awards since 2018 (approx. 8.77% across the four-year period).
- 2.1.3 The LCIRP has suggested that, in the wider context of considerable uncertainty and the current financial climate, now is not the right time to recommend major changes beyond annual updating. With that in mind, it is proposed that LBBDD's Basic Allowance be increased to the recommended level for 2022/23.
- 2.1.4 The net effect of the increase from £11,000 to £12,014 for 2022/23 equates to an additional cost of £51,714 per annum (excluding on-costs).

2.2 Special Responsibility Allowances (SRAs)

- 2.2.1 The LCIRP has consistently advocated that the remuneration of the Leader of a Cabinet (which relates to the governance model adopted in LBBDD) should equate to that of a Member of Parliament, due to the synergies between the roles in terms of responsibilities and accountabilities and the full-time nature of the role. Linked to that, the LCIRP established a banding system for other roles such as Deputy Leaders, Cabinet Members and Chairs and Deputy Chairs of committees which were set within a percentage range of the recommended Leaders' allowance.
- 2.2.2 At its meeting on 18 July 2018, the Assembly acknowledged that a strong case could be made for applying the SRA levels recommended by the LCIRP. However, the relatively low levels of SRAs at LBBDD and the financial pressures that continued to be faced by the Council meant that a more pragmatic approach was taken, with SRAs increased to levels considerably lower than those recommended but which were considered appropriate and affordable at the time.

2.2.3 In considering SRAs for 2022/23, officers conducted a benchmarking exercise against other London Boroughs' schemes to provide a comparison of the roles of Leader, Deputy Leader, Cabinet Member and Chair of Overview and Scrutiny Committee.

2.2.4 The outcome of that exercise, as well as the levels recommended by the LCIRP in its 2022 report, are shown below, alongside the recommended levels to be applied to those posts at Barking and Dagenham for 2022/23 – it should be noted that the benchmarking rates shown below are based on allowance levels in 2021/22 and do not including the latest 1.75% staff pay award or other increases that Borough's may make for 2022/23.:

Leader's Allowance

LBBB Current Allowance	2021/22 London Borough benchmarking Average	LCIRP 2022 recommended level	LBBB Proposed Allowance 2022/23
£46,429	£41,407	£62,092	£50,500

Deputy Leader's Allowance

LBBB Current Allowance	2021/22 London Borough benchmarking Average	LCIRP 2022 recommended level	LBBB Proposed Allowance 2022/23
£25,535	£28,170	£39,860-£47,271 (Band 3)	£30,000

Cabinet Member's Allowance

LBBB Current Allowance	2021/22 London Borough benchmarking Average	LCIRP 2022 recommended level	LBBB Proposed Allowance 2022/23
£19,000	£23,981	£39,860-£47,271 (Band 3)	£20,666

Chair of Overview & Select Committee Allowance

LBBB Current Allowance	2021/22 London Borough benchmarking Average	LCIRP 2022 recommended level	LBBB Proposed Allowance 2022/23
£10,000	£13,528	£39,860-£47,271 (Band 3)	£13,000

- 2.2.4 The proposed increase to the Leader's allowance and the Cabinet Member's allowance again only reflects the cumulative application of local government staff pay awards since 2018 (8.77%).
- 2.2.5 The proposed increase to the allowances for the Deputy Leaders and the Chair of the Overview and Scrutiny Committee are above the 8.77% level, which is considered appropriate in view of the significant additional workload and responsibilities of these position. That same principle also applies to the role of Chair of Planning Committee, which is proposed to increase from £8,000 to £10,000. As Deputy Chair positions are remunerated at 50% of the level of the respective Chairs, the SRA for the Deputy Chair of Overview and Scrutiny Committee and Deputy Chair of Planning Committee would also increase above the 8.77% level.
- 2.2.6 All other SRAs are proposed to increase by 8.77%.
- 2.3 Deputy Cabinet Members**
- 2.3.1 As part of the evolution of the Council's governance and committee structure arrangements referred to in paragraph 1.4 above, it is proposed that up to three Deputy Cabinet Member positions be created to support relevant Cabinet Member(s) in developing and implementing policies. This new role will come into effect for the 2022/23 municipal year and it is recommended that the postholders receive an SRA of £7,500 per annum.
- 2.3.2 It is also proposed that the role of Member Champion be subsumed by Cabinet Members and this role be deleted from the Members' Allowance Scheme from 2022/23. As provision was made in the Members' Allowances budget for up to five Member Champions at a remunerated rate of £5,000 per annum, the combined effect of these two proposals represents a budget saving of £2,500 per annum (excluding on-costs).
- 2.4 Other Allowances**
- 2.4.1 The Members' Allowances Scheme also includes allowances in relation to co-opted (and other) members, travelling, subsistence and dependants' carers' allowances.
- 2.4.2 It is proposed that those allowances remain unchanged for 2022/23 with the exception of the dependants' carers' allowance, which may be claimed towards the cost of care for children or other dependants within the household who have a recognised need for care when councillors are undertaking 'approved duties'.
- 2.4.3 The Council's Pay Policy Statement reflects that the Council is committed to pay its staff, including apprentices, no less than the "London Living Wage", which is currently £11.05 per hour. Although the dependants' carers' allowance is not linked to the Council's Pay Policy, it is considered appropriate to bring that allowance (currently £10.20) into line and for it to be increased annually in line with the Pay Policy. The increase to the dependants' carers' allowance would have a minimal impact on the overall Members' Allowances budget and can be contained within the existing provision.
- 2.5 The proposed Members' Allowances Scheme for 2022/23 is set out at **Appendix A**.

3. Options Appraisal

- 3.1 A detailed review of LBBD's Members' Allowances Scheme was last undertaken in 2018. The two most obvious options would be (i) freezing allowances for at least a further year, and (ii) applying the rates recommended by the LCIRP in its 2018 report.
- 3.2 The proposals in this report are largely focussed on bringing Members' Allowances into line with the local government staff pay awards since 2018 and are considered to represent an appropriate balance between the additional workloads and responsibilities attached to certain roles while being mindful of the impact on the Council's finances of any increase to the Members' Allowances budget. A full review of Members' Allowances will be undertaken in the light of the LCIRP's detailed review which is expected to be published in late 2023.

4. Consultation

- 4.1 The proposals in this report have been discussed with relevant Cabinet Members and officers.

5. Financial Implications

Implications completed by: Katherine Heffernan, Head of Service Finance

- 5.1 The Members' Allowances budget for 2022/23 is currently £987,000. The cumulative impact of the proposals in this report amount to an additional £87,000 in payments to members. Together with the increased rate of National Insurance contributions the budget requirement is expected to increase to £1.091m. This increase will be funded from the pay and prices inflation provision included in the budget as part of the MTFS.

6. Legal Implications

Implications completed by: Dr Paul Feild, Senior Governance Lawyer

- 6.1 The legal basis for the payments is section 18 of the Local Government and Housing Act 1989 and regulations made by the Secretary of State being the Local Authorities (Members Allowances) (England) Regulations 2003 require local authorities to make an annual scheme of allowances.
- 6.2 Agreeing the scheme is specifically not a Cabinet function by virtue of paragraph 2(5) of the Local Authorities (Functions and Responsibilities) Regulations 2000 as amended, and so they must be approved by the Assembly.

Public Background Papers Used in the Preparation of the Report:

- London Councils Independent Panel Report "The Remuneration of Councillors in London 2022" (<https://www.londoncouncils.gov.uk/who-we-are/about-us/financial-information/leadership-and-expenses/remuneration-councillors-london>)

- “Members’ Allowances Scheme 2018/19” report to Assembly 23 May 2018 (Minute 10)
(<https://modgov.lbbd.gov.uk/Internet/ieListDocuments.aspx?CId=179&MId=9404&Ver=4>)
- “Revised Members’ Allowances Scheme 2018/19” report to Extraordinary meeting of the Assembly 18 July 2018 (Minute 19)
(<https://modgov.lbbd.gov.uk/Internet/ieListDocuments.aspx?CId=179&MId=10257&Ver=4>)

List of appendices:

- **Appendix A** – Proposed Members’ Allowances Scheme 2022/23

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Members' Allowances Scheme 2022/23

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

1. Introduction

- 1.1 The Members' Allowances Scheme ("the Scheme") is approved each year by the Assembly at its annual meeting. The Assembly shall have regard to any recommendations made by an independent remuneration panel before making or amending the Scheme, except where allowances are to be increased in accordance with an approved index or where no increase is proposed, subject to a review every four years.

2. Types of Allowances

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

3. Effective Date

- 3.1 This Scheme has effect from 26 May 2022.

4. Definitions

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

5. Basic Allowance

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

6. Special Responsibility Allowances

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

7. Travelling and Subsistence Allowances

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

8. Dependants' Carers' Allowances

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

9. Co-opted Members

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

10. School Appeal Panel Members

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

11. National Insurance and Income Tax

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

12. Local Government Pension Scheme (LGPS)

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

13. Renunciation

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

14. Payments and Claims

- 14.1 Payment of Basic and Special Responsibility Allowances shall be made in instalments of one-twelfth of the amounts specified on a monthly basis, unless other arrangements are agreed.
- 14.2 Where an individual takes office part way through a year, a proportionate part of any applicable allowance is payable, unless the allowance is a Special Responsibility Allowance for serving on a committee which is appointed for a period of less than a year.
- 14.3 The Council may determine that an allowance or a rate of allowance will not come into effect until a date other than the effective date of this Scheme. In such circumstances, the alternative date that the allowance shall be payable from shall be specified in Appendix 1 to this Scheme.
- 14.4 Claims for travelling, subsistence and dependants' carers' allowance should be completed monthly and no later than three months from the date that the expenditure was incurred.

15. Councillors who are Members of another Authority

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

16. Record of Allowances Paid

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

17. Publication of Scheme

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

**London Borough of Barking and Dagenham
Schedule of Allowances for 2022/23**

Type	Allowance (per annum unless otherwise stated)
BASIC ALLOWANCE (for all Councillors)	£12,014
SPECIAL RESPONSIBILITY ALLOWANCES	
Leader of the Council	£50,500
Deputy Leader(s) of the Council	£30,000
Other Cabinet Members	£20,666
Deputy Cabinet Members	£7,500
Chair, Overview and Scrutiny Committee	£13,000
Deputy Chair, Overview and Scrutiny Committee	£6,500
Chair, Planning Committee	£10,000
Deputy Chair, Planning Committee	£5,000
Chair, Assembly Chair, Audit and Standards Committee Chair, Health Scrutiny Committee Chair, Licensing and Regulatory Committee Chair, Pensions Committee Chair, Personnel Board Chair, Policy Task Group	£5,438
Deputy Chair, Assembly Deputy Chair, Audit and Standards Committee Deputy Chair, Health Scrutiny Committee Deputy Chair, Licensing and Regulatory Committee Deputy Chair, Pensions Committee Deputy Chair, Personnel Board Deputy Chair, Policy Task Group	£2,719
Leader(s) of the Minority Groups	£372 per seat (with a minimum of £1,207 per Leader)

Type	Allowance (per annum unless otherwise stated)
Mayor's Allowance (payable under section 3(5) of Part I of the Local Government Act 1972)	£13,052
CO-OPTED MEMBERS' AND OTHER ALLOWANCES	
Independent Member (to Audit and Standards Committee for audit functions)	£500 per meeting
Independent Persons (to Audit and Standards Committee for standards functions)	£500
School Appeal Panel Members (Admissions and Exclusions)	£20 per session (up to four hours)
TRAVELLING ALLOWANCES	
Mileage Rates	<ul style="list-style-type: none"> • Car: 45p per mile • Motorcycle: 24p per mile • Bicycle: 20p per mile
SUBSISTENCE ALLOWANCES	
Meal Allowances	<ul style="list-style-type: none"> • Breakfast (away between 7.00am and 11.00am) - £4.92 • Lunch (away between 12.00 noon and 2.00pm) - £6.77 • Tea (away between 3.00pm and 6.00pm) - £2.67 • Evening (away between 7.00pm and 11pm) - £8.35
Overnight (continuous period of 24 hours involving absence overnight)	<ul style="list-style-type: none"> • Normal - £79.82 • Greater London, AMA Annual Conference or other approved Association conferences - £91.04
DEPENDANTS' CARERS' ALLOWANCE	£11.05 per hour (equivalent to minimum London Living Wage)