

# London Borough of Barking and Dagenham

## Notice of Meeting

### ASSEMBLY

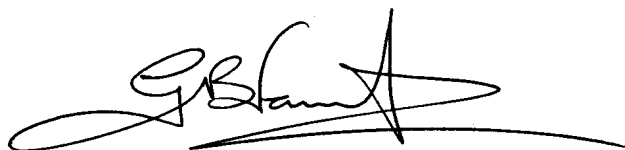
**Wednesday, 7 April 2004 - Civic Centre, Dagenham, 7:00 pm**

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

**Chair:** Councillor J Davis  
**Deputy-Chair:** Councillor D F Best

#### Declaration of Members Interest

In accordance with Article 1, paragraph 12 of the Council's Constitution, Members are asked to declare any direct/indirect financial or other interest they may have in any matter which is to be considered at this meeting



Graham Farrant  
Chief Executive

30.03.04

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#### AGENDA

1. **Apologies for Absence**
2. **To confirm as correct the minutes for the Assembly meeting held on 3 March 2004 (Pages 1 - 5)**
3. **Presentation by young people from the Marks Gate area**
4. **Report of the BAD Youth Forum (for information) (Pages 7 - 10)**
5. **Presentation by Jim Ripley, Head of Landlord Services, on Housing - Improvement and Change: Housing Bylaws (report attached - for decision) (Pages 11 - 38)**

6. **Final Report of the Health and Social Care Partnership Arrangements Scrutiny Panel (for decision) (Pages 39 - 50)**
7. **Final Report of the Housing Associations Scrutiny Panel (for decision) (Pages 51 - 58)**
8. **Leader's Question Time (for response)**
9. **General Question Time (for response)**
10. **Report of the Executive (for decision) (Pages 59 - 78)**
11. **Report of the Scrutiny Management Board (for information) (Pages 79 - 80)**
12. **Report of the Development Control Board (for information) (Page 81)**
13. **Report of the Personnel Board (for information) (Page 83)**
14. **Report of the Standards Committee (for information) (Pages 85 - 86)**
15. **Any other public items which the Chair decides are urgent**
16. **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). ***There are no such items at the time of preparing this agenda.***

17. **Any other confidential or exempt items which the Chairman decides are urgent**

## ASSEMBLY

Wednesday, 3 March 2004  
(7:00 - 8:15 pm)

### PRESENT

Councillor J Davis (Chair)  
Councillor D F Best (Deputy Chair)

Councillor J L Alexander	Councillor Ms M G Baker
Councillor W F L Barns	Councillor Mrs J E Bruce
Councillor Mrs D Challis	Councillor A C Clark
Councillor L A Collins	Councillor Mrs J Conyard
Councillor B Cook	Councillor A H G Cooper
Councillor Mrs J E Cooper	Councillor R J Curtis
Councillor W C Dale	Councillor J R Denyer
Councillor C J Fairbrass	Councillor M A R Fani
Councillor Mrs K J Flint	Councillor C Geddes
Councillor A Gibbs	Councillor Mrs D Hunt
Councillor I S Jamu	Councillor F C Jones
Councillor T J Justice	Councillor S Kallar
Councillor R C Little	Councillor M A McCarthy
Councillor M E McKenzie	Councillor D S Miles
Councillor D O'Brien	Councillor B M Osborn
Councillor Mrs C T Osborn	Councillor R B Parkin
Councillor J W Porter	Councillor Mrs J E Rawlinson
Councillor Mrs V M Rush	Councillor L A Smith
Councillor A G Thomas	Councillor Mrs P A Twomey
Councillor T G W Wade	Councillor L R Waker
Councillor Mrs M M West	

### APOLOGIES FOR ABSENCE

Councillor Mrs J Blake	Councillor Mrs E E Bradley
Councillor G J Bramley	Councillor H J Collins
Councillor Mrs V W Cridland	Councillor M W Huggins
Councillor R J E Jeyes	Councillor J P Wainwright

#### 98. Tributes to Former Councillors

Tributes were paid to former Councillors John O'Shea and Bill Milne, who had recently died, and a minute's silence was held in their memory.

#### 99. Minutes (4 February 2004)

Agreed.

#### 100. Member Appointment

Councillor W F L Barns was appointed to serve on the Registered Social Landlord Forum.

**101. Petition requesting additional security at Kidd House, Maxey Road and Humphries Close**

Endorsed the actions taken to improve security as requested by the petitioners.

**102. Petition calling for action to address anti-social behaviour in Bushgrove Road, Groveway and Valence Avenue**

Noted and endorsed the actions already taken/proposed by the Council and the Police to address the issues raised by the petitioners.

**103. Local Issue: Drugs and Alcohol Action Team**

Received a presentation on the work of the Drugs and Alcohol Action Team, which highlighted the fact that services are now more accessible and successful and outlined the work being undertaken with young people.

**104. Report of the Executive**

Noted the findings of the Procurement Best Value Review and agreed the Improvement Plan.

**105. Leader's Question Time**

Councillor Justice raised issues regarding the sound system and seating in the Chamber in relation to the Assembly meeting. Councillor Fairbrass responded that the difficulties with the sound system were being addressed and emphasised that this was only a temporary arrangement until the refurbishment of the Town Hall in Barking was completed.

**106. Report of the Scrutiny Management Board**

Noted.

**107. Report of the Development Control Board**

Noted

**108. Report of the Personnel Board**

Noted.

**109. Report of the Community Forums**

Noted.

**110. Report of the Director of Finance: Council Budget and setting of the Council Tax 2004 / 2005**

Received the report of the Director of Finance advising on the Council's budget position and Council Tax for 2004 / 2005, the adoption of a medium Term Financial Strategy and a Capital Programme.

**Agreed:**

A The Budget 2004 / 2005

1. That it be noted that at its meeting on 13 January 2004 the Executive calculated the amount of 51,055.3 as its Council Tax Base for the year 2004 / 2005 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992.

2. That the following amounts be now calculated by the Council for the year 2004/2005 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992:

- (a) £463,630,617 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act.
- (b) £243,462,617 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.
- (c) £220,168,000 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
- (d) £175,817,282 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant reduced by the amount of the sums which the Council estimates will be transferred in the year from its General Fund to its Collection Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 and further increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the directions under Section 98(4) of the Local Government Finance Act 1988 made on the 7th February 1994.
- (e) £868.68 being the amount at 2(c) above less the amount at 2(d) above, all divided by the amount at 1 above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

(f) Valuation Bands

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£	£	£	£	£
579.12	675.64	772.16	868.68	1,061.72	1,254.76	1,447.80	1,737.36

being the amounts given by multiplying the amount at 2(e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band 'D' calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. That it be noted that for the year 2004 / 2005 the Greater London Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown below:

#### **Precepting Authority - Greater London Authority**

##### Valuation Bands

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£	£	£	£	£
160.89	187.70	214.52	241.33	294.96	348.59	402.22	482.66

4. That, having calculated the aggregate in each case of the amounts at 2(f) and 3 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2004 / 2005 for each of the categories of dwellings shown below:

##### Valuation Bands

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£	£	£	£	£
740.01	863.34	986.68	1,110.01	1,356.68	1,603.35	1,850.02	2,220.02

- B To adopt the Medium Term Financial Strategy for the future years as set out in Appendix 4 of the report;
- C The Capital Programme for 2004 / 2005 to 2007 / 2008 in accordance with the recommendations approved by the Executive on 24 February 2004 as set out in Appendix 3 of the report; and
- D The position of the Council's Reserves as set out in paragraph 3.1 of the report.

### **111. Report of the Director of Finance: Treasury Management Annual Strategy Statement**

Received the report of the Director of Finance seeking to set the authorised borrowing limit for 2004 / 2005 and the Annual Treasury Management Strategy and Prudential Indicators.

#### **Agreed:**

1. An authorised borrowing limit of £5 million for 2004 / 2005;
2. The annual Treasury Strategy Statement for 2004 / 05;
3. The annual Investment Strategy for 2004 / 05 (sections 5 and 6 of the report and
4. The Prudential Indicators for 2004 / 2005.

### **112. Report of the Director of Corporate Strategy: Calendar of meetings 2004/05**

Approved the content of the draft Calendar.

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**THE ASSEMBLY**  
**7 APRIL 2004**  
**REPORT OF THE BAD YOUTH FORUM**

<b>UPDATE REPORT</b>	<b>FOR INFORMATION</b>	
<p><i>This is the regular report on the work of the BAD Youth Forum submitted under Article 2, paragraph 9.2 of the Constitution.</i></p> <p><b>Summary</b></p> <p>The report summarises the activities of the BAD Youth Forum's meeting held in February 2004 as well as reflecting on the outcome of the meeting held at the House of Commons on 29 March 2004. The main points arising are:-:</p> <ul style="list-style-type: none"> <li>• Selection of Chair;</li> <li>• Work of the Sub-Groups;</li> <li>• Connexions UK;</li> <li>• Local Government Conference;</li> <li>• Question Time;</li> <li>• Living Spaces- Government grant scheme;</li> </ul> <p>Meeting at the House of Commons.</p>		
<p>Contact: John Dawe</p>	<p>Democratic &amp; Electoral Services Manager</p>	<p>Tel: 020 8227 2135            Fax: 020 8227 2171            Textlink: 020 8227 2594            Email: john.dawe@lbbd.gov.uk</p>

**1. Selection of Chair**

A number of young people put forward their names as Chair for the Youth Forum, explaining why they felt they would make a good Forum Chair.

A secret vote followed as a result of which Louise Hill was elected as Chair with Sarah Deamer as Deputy Chair.

**2. Connexions UK**

At the meeting in December, a representative of Connexions UK outlined the function of the organisation, particularly in relation to issues of inclusion for getting more young people involved in shaping services. A number of young people put forward their names to sit on the Board of Connexions UK and, as a result of a random selection; Lee Giles and Katie Pearce were appointed as the Forum's representatives with Ernest Qordja and Louise Hill acting as their deputies.

### 3. Sub-Groups

Reports of the various meetings of the Sub-Groups set up under the Forum are reported as a regular item. Unfortunately, due to a number of staff shortages in the Youth and Development Service, some of the Sub-Groups have been a little slow to get off the ground, although, more recently, there has been recruitment to a number of posts to give more support to the Groups.

The outcome of meetings to-date, are set out below:-

#### ➤ Crime and Safety

The Sub-Group is undertaking a piece of work on producing cards for young people in relation to knowing their rights re: stop and search. The Group are also talking to Transport for London regarding Citizen's Cards and safety on buses.

#### ➤ Education

Justin Donovan, Head of Lifelong Learning in the Education, Arts and Libraries Department, agreed to set up a meeting between the Sub-Group and Careers Advisers.

The Group also discussed pupil/teacher relationships and how these can be improved, as well as overpricing of canteen food in schools. They also felt there could be better provision of bike sheds/water fountains in schools as a result of which the Youth and Development Service will be writing to Head Teachers as there seems to be no set policy on these matters.

#### ➤ Leisure

This being the first meeting of the Leisure Sub-Group, a number of ideas for improving leisure facilities in the Borough for young people were considered including:

- A Skate park. Feedback was given on the recent petition submitted to the Assembly regarding the provision of skate parks;
- Ideas for the redevelopment of the former petrol station in Becontree Avenue ;
- A group known as Alcohol Concern have set up a bus project on the Gascoigne Estate and are proposing to consult the Sub-Group in due course.

#### ➤ Health/Social Services

In the short term, the Group have been looking at disabled toilets, access to Social Services in general and issues around the environment.

In the longer term, projects include better provision of bins as part of a recycling initiative, cleaner public toilets, healthy food in schools and improvements in sex education (both linked to the Education Sub-Group work), and more support for vulnerable children.

In respect of the recycling proposals within the schools, it has been suggested that Abdul Jallow, the Council's Recycling Manager, should be invited to attend a future meeting.

Work was done last year on the content of sex education within the PSHE curriculum. It is important that pupils do have an input into the teaching of this sensitive subject.

Opening up the debate to the Group as a whole, ideas being put forward include training of peers in schools and invites to "outsiders" say, from local hospitals, to give talks to young people about sex education.

There is clearly a considerable interest of young people in the way sex education is taught in schools, and to that extent, it is proposed that Lynn Jones the Council's PSHE Advisor and representatives from the local hospitals be invited to discuss the issue at a future Forum.

On the question of accessibility, it was noted that a Consultant has been appointed by the Youth & Development Service to undertake a piece of work around how to get more young people involved in the Youth Forum, particularly, disabled and vulnerable groups. The proposal is that the Consultant be invited to attend a future meeting of the Health Group to discuss the ideas.

#### **4. Local Government Conference**

The Local Government Association arranged a Conference on 10 March 2004 following on from the Local Democracy Week 2003, the theme being "Making the Case – Young People and Democracy". The Conference was attended by officers and two young people from the Borough and reflected on the outcomes of Local Democracy Week, exploring events of best practice and how everybody can work effectively together to develop positive campaigns to increase young people's awareness of democracy and, in the longer term, make a positive impact on Election turnout.

#### **5. Question Time**

With reference to Local Democracy Week, which was held in October 2003, the BAD Youth Forum organised a successful Question Time session with local and national decision makers, including Councillors and the local MP and GLA representative. In view of the success of the event, it was agreed to host a further session in 2004. Taking into account school commitments, it is proposed that an event be held in late June/early July this year and that invites to opened up to both the Forum and schools, the session to be chaired by Louise Hill.

In terms of participants, the Forum would like invites to be sent to Margaret Hodge MP, the London Mayor, and their advisor on young people's issues, Council Executive Portfolio holders, the Borough's Police Commander and representatives from Transport for London.

## **6. Living Spaces**

A letter has been received from Margaret Hodge MP referring to Living Spaces, a Government grant-aid scheme open to local groups which provides people with the opportunity to make improvements to open spaces in their neighbourhood and create available spaces for the whole community to enjoy. This matter has been referred to the Leisure Group for consideration including, the possibility of providing a skate park, although it is recognised that this would be subject to a site being made available.

## **7. Meeting at the House of Commons**

One of the purposes of the Youth Forum is to increase young people's awareness of issues of democracy. To that extent, a meeting is held annually at the House of Commons, which, this year, Jon Cruddas MP kindly hosted on 29 March 2004. The normal Forum meeting was held in a committee room in Westminster, where the main items discussed included:

- Lively question and answer session with the MP which covered the following topics:
  - Top-up Fees, the process of legislation through Parliament, voting at 16, gay and lesbian marriage, the lack of affordable housing and BME representation in Parliament
- Feedback from the Sub-Groups
- Update on the development of the Beacon Youth Centre
- Information around the GLA/Euro elections on 10 June and how the Youth Forum can get involved
- Feedback on the recent Local Government Association Conference referred to under item 4

## THE ASSEMBLY

7 APRIL 2004

## REPORT OF THE DIRECTOR OF HOUSING AND HEALTH

<b>HOUSING – IMPROVEMENT AND CHANGE: - HOUSING BYLAWS</b>	<b>FOR DECISION</b>	
<p><i>The Introduction of Housing Bylaws is part of a raft of measures approved by the Executive on 14 January 2004 to fundamentally tackle anti social behaviour, including New Tenancy Conditions and Anti Social Behaviour Orders under the Crime and Disorder Act 1998</i></p> <p><b>Summary</b></p> <p>This report seeks the Assembly's authority to adopt Bylaws under the Housing Act 1985.</p> <p><b>Recommendation</b></p> <p>The Assembly is asked to agree that:</p> <ol style="list-style-type: none"> <li>1. The Housing Bylaws attached to the Director of Housing and Health's Report be adopted;</li> <li>2. The said Bylaws be forwarded to the Secretary of State for confirmation;</li> <li>3. In the event that the Secretary of State should require amendment, the Director of Housing and Health shall further report back to the Assembly and refer the Bylaws as amended for decision.</li> </ol> <p><b>Reason</b></p> <p>To enable improvements in the management of Council owned homes and to ensure the delivery of the Council's housing management objectives.</p>		
<p><b>Contact Officers:</b> Jim Ripley</p> <p>Paul Feild</p>	<p>Job Title: Head of Landlord Services</p> <p>Corporate Lawyer</p>	<p>020 8227 3738 (Tel:) 020 8227 5705 (Fax:) 0208 227 5755 (Minicom:) Email: <a href="mailto:jim.ripley@lbbd.gov.uk">jim.ripley@lbbd.gov.uk</a></p> <p>020 8227 3133 (Tel:) 020 8227 3698 (Fax:) 020 8227 3034 (Minicom:) Email: <a href="mailto:paul.feild@lbbd.gov.uk">paul.feild@lbbd.gov.uk</a></p>

**1 Background - The Need for Change**

- 1.1 In January 2003 a major report on the future of Housing Estate Management was presented. It proposed the radical revision of the Tenancy Conditions, the use of Anti Social Behaviour Orders and the introduction of Housing Bylaws.
- 1.2 Excellent progress has been made with a fundamentally re-drafted tenancy agreement which better reflects the Council's community priorities particularly issues

of equalities and diversity and at the same time re-enforces the communities concern about such issues as anti-social behaviour. The agreement will be such to a further report to members later this spring following the competition of the consultation process.

- 1.3 We have seen a successful introduction of Anti Social Behaviour Orders closing last year with a headline making Order which covered the whole borough.

## **2 The Use of Bylaws**

- 2.1 The additional element in the Change process is to utilise the Council's power to make bylaws for its property and Housing land. The work has been overseen by the Member and Officer Tenancy Conditions and Bylaws Working Party Chaired by Council Milton Mackenzie.
- 2.2 The Bylaws proposed are all of those which have Home Office approval as model bylaws, these are attached as Appendix 1. This will enable Bylaws to be implemented quickly.
- 2.3 The bylaws have been subject to consultation and the feed back from the Community Housing Partnerships has been of broad and widespread support.
- 2.4 The Local Government Act 1972 and the Housing Act 1985 section 23 gives Housing Authorities the power to make Housing Bylaws. Breach of the Bylaws is a criminal offence. There maybe occasions where the use of proceedings in the Civil Courts under the tenancy agreement will not be the most effective, where for example problems of an anti-social nature are caused by visitors to a tenancy. In those circumstances action under the Tenancy agreement will be effective against the tenant but the visitor gets away Scott-free. Bylaws will enable us to prosecute the perpetrator.
- 2.5 The new Bylaws raise issues about enforcement. We intend that we will use our new powers with discretion. Not all the Bylaws will need to be enforced in all areas. In most cases the Area Housing Office will determine the appropriate action. Additional planned spending on Estate Management will provide the capacity to carry out enforcement effectively.
- 2.6 The Bylaws are subject to Ministerial approval and to avoid unnecessary delay we are using suggested model bylaws. In the meantime we intend to raise awareness of their imminent introduction in the run up to the formal implementation.

## **3 The Process**

### **Timescales**

- 3.1 The Local Government Act 1972 requires that the Councils intention to apply to the Minister for confirmation of the Bylaws must be advertised in a local newspaper at least one month prior to application.
- 3.2 It is difficult to predict the time the Minister will take to carry out the confirmation process, however by using recommended form the process time will be shortened.

3.3 Because of the statutory requirement and the need to address observations the likely time scale for implementation will be of the order of 4 to 6 months post confirmation as printing and publishing cannot occur until ministerial approval. It is our intention to pay considerable attention to the need of communication of the changes to all our tenants and tenants to be. A short induction is being prepared for new tenants.

3.4 In accordance with the E-Government Agenda we plan that the Bylaws will be downloadable from the Councils Housing Website.

#### **4 Costs**

4.1 The cost of the work is difficult to predict with certainty, as we are subject to response costs following consultation, however we estimate the likely cost will be:

Drafting of Bylaws	£3,500
Developing of Documents	£3,000
Signage	£15,000
Development of Web Site	£2,000
<b>Total</b>	<b>£23,500</b>

These costs can be met from existing HRA estimates.

#### **Background Papers**

- Local Government Act 1972
- Housing Act 1985

## **BARKING AND DAGENHAM LONDON BOROUGH COUNCIL**

### **BYELAWS IN RESPECT OF HOUSING AMENITY LAND AND OPEN SPACES**

Bylaws made by the Barking and Dagenham London Borough Council under section 23 Housing Act 1985 with respect to housing amenity land within the Borough of Barking and Dagenham as more particularly defined in Schedule A to these bylaws.

#### **Interpretation**

1. In these bylaws:

"the Council" means the London Borough of Barking and Dagenham;

"the ground" means the areas of housing amenity land but not land forming part of a highway within the Borough of Barking and Dagenham as listed defined in Schedule A to these bylaws.

#### **Vehicles**

2. (1) No person shall, without reasonable excuse, bring or cause to be brought into the ground a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle) except in any part of the ground where there is a right of way for that class of vehicle.

(2) These bylaws shall not extend to invalid carriages.

(3) In these bylaws:

"cycle" means a unicycle, bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle;

"invalid carriage" means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

"motor cycle" means a mechanically propelled vehicle, whether or not intended or adapted for use on roads, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

"motor vehicle" means a mechanically propelled vehicle, whether or not intended or adapted for use on roads, not being an invalid carriage.

"trailer" means a vehicle drawn by a motor vehicle, and includes a caravan.



### **Horses**

3. (1) No person shall, except in the exercise of any lawful right or privilege, ride a horse in the ground.
- (2) In any part of the ground where by any lawful right or privilege horseriding is permitted, no person shall intentionally or negligently ride a horse to the danger of any other person using the ground.
- (3) Where any part of the ground has, by notices placed in conspicuous positions in the ground, been set apart by the Council as an area where horse-riding is permitted, no person shall, except in the exercise of any lawful right or privilege, ride a horse in any other part of the ground.

### **Climbing**

4. No person shall, without reasonable excuse, climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

### **Removal of structures**

5. No person shall, without reasonable excuse, remove from or displace in the ground any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the ground.

### **Fires**

6. (1) No person shall in the ground intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- (2) Byelaw 11(1) shall not apply to any event held with the consent of the Council.

### **Children's play areas**

7. (1) No person who has attained the age of 14 years shall enter or remain in the children's play area in any of the grounds listed in the Schedule to these bylaws.
- (2) This byelaw shall not apply to any person who is bona fide in charge of a child under the age of 14 years.

### **Children's play apparatus**

8. No person who has attained the age of 14 years shall use any apparatus in the ground which, by a notice placed on or near thereto, has been set apart by the Council for the exclusive use of persons under the age of 14 years.

### **Ball games**

9. (1) Where the Council has, by a notice placed in a conspicuous position in the ground, set apart an area in the ground for the playing of such games as may be specified in the notice, no person shall play in such an area any game other than the game for which it has been set apart;

- (2) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or
  - (3) play any game so specified in any other part of the ground in such a manner as to exclude any person not playing the game from the use of that part.
10. (1) No person shall in the ground play any game:
- (a) so as to give reasonable grounds for annoyance to any other person in the ground; or
  - (b) which is likely to cause damage to any tree, shrub or plant in the ground.
- (2) Byelaw 10(1) shall not extend to any area set apart by the Council for the playing of any game.

### **Golf**

11. No person shall in the ground drive, chip or pitch a hard golf ball

### **Cricket**

12. No person shall use any cricket ball, except in any part of the ground which, by a notice placed in a conspicuous position in the ground, has been set aside as an area where a cricket ball may be used.

### **Skateboarding and roller skating**

13. No person shall in the ground skate, slide or ride on rollers, skateboards, wheels, mechanical contrivances or other equipment, except on any part of the ground which has been set apart by the Council for that purpose and indicated by a notice conspicuously displayed.
14. No person shall in the ground skate, slide or ride on rollers, skateboards, wheels, mechanical contrivances or other equipment in such a manner as to cause danger or nuisance or give reasonable grounds for annoyance to other persons in the ground.

### **Noise**

15. (1) No person shall in the ground, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by any person acting on his behalf:
- (a) by shouting or singing;
  - (b) by playing on a musical instrument; or
  - (c) by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument;

- (d) cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground.
- (2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

### **Vehicles**

- 16. No person shall, without lawful authority drive, park or leave a vehicle (other than a heavy commercial vehicle as defined by section 20 of the Road Traffic Act 1988) or cause such a vehicle to be driven or placed upon any road margin or verge in the ground.

### **Urinating, etc.**

- 17. No person shall urinate or defecate in any public place in the ground.

### **Savings**

- 18. (1) An act necessary to the proper execution of his duty in the ground by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these bylaws.
- (2) Nothing in or done under any of the provisions of these bylaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the ground or any part thereof.

### **Penalty**

- 19. Any person offending against any of these bylaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

### **Schedule**

The grounds referred to in bylaws 1 to 18 are as follows:

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Reference Number	ESTATE OR BLOCK NAME / STREET ADDRESS
<b>CHP1.1</b>	<b>Becontree Heath Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Laburnum House</li> <li>▪ Peverel House</li> <li>▪ Althorne Way</li> </ul>
<b>CHP1.2</b>	<b>Heath Park Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Blatchford House</li> <li>▪ Clynes House</li> <li>▪ Ellen Wilkinson House</li> <li>▪ Henderson House</li> <li>▪ Hyndman House</li> <li>▪ Mary McArthur House</li> <li>▪ Preston House</li> <li>▪ Rogers House</li> <li>▪ Steadman House</li> <li>▪ Sylvia Pankhurst House</li> </ul>
<b>CHP1.3</b>	<b>Hunsdon Close Estate</b>
<b>CHP1.4</b>	<b>Dagenam Road Estate</b>
<b>CHP1.5</b>	<b>Park Drive Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Parkside House</li> <li>▪ 8, Park Drive</li> </ul>
<b>CHP1.6</b>	Markham House
<b>CHP1.7</b>	Hawkwell House
<b>CHP1.8</b>	Sparrow Green
<b>CHP1.9</b>	Tannery House
<b>CHP1.10</b>	Webb House
<b>CHP1.11</b>	Alibon Road (13-127)
<b>CHP1.12</b>	Beverley Road (41-63)
<b>CHP1.13</b>	Boxoll Road (1a-5a)
<b>CHP1.14</b>	Bradwell Avenue (1-87)

<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP1.15</b>	Braintree Road (1a- 24b)
<b>CHP1.16</b>	Durham Road (30-58)
<b>CHP1.17</b>	Five Elms Road (2-10)
<b>CHP1.18</b>	Foxlands Crescent (2-8)
<b>CHP1.19</b>	Frizlands Lane
<b>CHP1.20</b>	Gosfield Road (1-143)
<b>CHP1.21</b>	Halbutt Street (various)
<b>CHP1.22</b>	Heathway (various)
<b>CHP1.23</b>	Hooks Hall Drive (26a-52a)
<b>CHP1.24</b>	Humphries Close (17-57)
<b>CHP1.25</b>	Hunters Square (31-61)
<b>CHP1.26</b>	Ivyhouse Road (17-31)
<b>CHP1.27</b>	Jordans Close (1-12)
<b>CHP1.28</b>	Maxey Road (172-244)
<b>CHP1.29</b>	Oglethorpe Road (29-51)
<b>CHP1.30</b>	Osborne Square (120-128)
<b>CHP1.31</b>	Oxlow Lane (various)
<b>CHP1.32</b>	Rainham Road South (various)
<b>CHP1.33</b>	Rogers Road (various)
<b>CHP1.34</b>	Stansgate Road (various)
<b>CHP1.35</b>	Stour Road (1-82)
<b>CHP1.36</b>	Terling Road (1-63)
<b>CHP1.37</b>	Trefgarne Road (50-156)
<b>CHP1.38</b>	Wood Lane (various)
<b>CHP1.39</b>	Woodshire Road (various)

<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP1.SH1</b>	Kidd House
<b>CHP1.SH2</b>	The George Crouch Centre
<b>CHP1.SH3</b>	Birch Gardens
<b>CHP1.SH4</b>	Ely Gardens
<b>CHP1.SH5</b>	Hooks Hall Drive (25-39)
<b>CHP1.SH6</b>	Park Drive (26-40)
<b>CHP1.SH7</b>	Rainham Road South (146-160)
<b>CHP1.SH8</b>	Ted Hennem Court
<b>CHP1.SH9</b>	Turner Court

Reference Number	ESTATE OR BLOCK NAME / STREET ADDRESS
<b>CHP2.1</b>	<b>Harts Lane Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Colne House</li> <li>▪ Mersea House</li> <li>▪ Cape Close</li> <li>▪ Cowbridge Lane</li> <li>▪ Harts Lane</li> <li>▪ North Street</li> </ul>
<b>CHP2.2</b>	<b>The Lintons Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ London Road</li> <li>▪ Harvey House</li> <li>▪ North Street</li> </ul>
<b>CHP2.3</b>	<b>West House Estate</b> <ul style="list-style-type: none"> <li>▪ London Road</li> <li>▪ Aveley Mansions</li> <li>▪ Bowers House</li> <li>▪ Collins House</li> <li>▪ Danbury Mansions</li> <li>▪ Gower House</li> <li>▪ Harlow Mansions</li> <li>▪ Jack Cook House</li> <li>▪ Mayland Mansions</li> <li>▪ Poulson House</li> <li>▪ Webber House</li> <li>▪ North Street</li> </ul>
<b>CHP2.4</b>	<b>Gascoigne Estate</b> <ul style="list-style-type: none"> <li>▪ Dovehouse Mead</li> <li>▪ Hardwicke Street</li> <li>▪ Linsdell Road</li> <li>▪ St Ann's</li> <li>▪ St Margarets</li> <li>▪ St Marys</li> <li>▪ The Clarksons</li> </ul>



	<ul style="list-style-type: none"> <li>▪ The Colvedales</li> <li>▪ The Shaftesburys</li> <li>▪ Tomlins Orchard</li> <li>▪ Wheelers Cross</li> </ul>
<b>CHP2.5</b>	<b>Westbury Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Mayflower House</li> <li>▪ Westbury Court</li> <li>▪ Ripple Road (13)</li> </ul>
<b>CHP2.6</b>	<b>Howard Court Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Howard Court</li> <li>▪ Morley Road</li> </ul>
<b>CHP2.7</b>	<b>Ripple Road Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Waldegrave Court</li> <li>▪ Ripple Court</li> </ul>
<b>CHP2.8</b>	<b>Sutton/Felton Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Sparsholt Coyrt</li> <li>▪ Felton Road</li> <li>▪ Movers Lane</li> <li>▪ Sutton Gardens</li> </ul>
<b>CHP2.9</b>	<b>Goresbrook Village Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Basset House</li> <li>▪ Ingrave House</li> <li>▪ Dunmow House</li> </ul>
<b>CHP2.10</b>	<b>Thamesview Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Stanford House</li> <li>▪ Bredo House</li> <li>▪ Enterprise House</li> <li>▪ Triumph House</li> <li>▪ Abridge Way</li> <li>▪ Alderman Avenue</li> <li>▪ Alfreds Gardens</li> <li>▪ Bastable Avenue</li> <li>▪ Charlton Crescent</li> <li>▪ Chelmer Crescent</li> <li>▪ Crouch Avenue</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Curxon Crescent</li> <li>▪ Endeavour Way</li> <li>▪ Farr Avenue</li> <li>▪ Glenmore Avenue</li> <li>▪ Maybury Road</li> <li>▪ Rowe Gardens</li> <li>▪ Roxwell Road</li> <li>▪ Roycroft Avenue</li> <li>▪ Stanley Avenue (Barking)</li> <li>▪ Stebbing Way</li> <li>▪ Sugden Way</li> <li>▪ Gilstead House</li> <li>▪ Law House</li> <li>▪ Navestock House</li> </ul>
<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP2.SH1</b>	Maud Gardens
<b>CHP2.SH2</b>	Millicent Preston House
<b>CHP2.SH3</b>	St Mary's

<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP3.1</b>	Areways Avenue (36-48)
<b>CHP3.2</b>	Areways Avenue (48-58)
<b>CHP3.3</b>	Areways Avneue (60-70)
<b>CHP3.4</b>	Areways Avenue (72-94)
<b>CHP3.5</b>	Bagleys Spring (1-23)
<b>CHP3.6</b>	Bagleys Spring (14-32)
<b>CHP3.7</b>	Bagleys Spring (25-63)
<b>CHP3.8</b>	Bath Road (13-27)
<b>CHP3.9</b>	Bath Road (1-7)
<b>CHP3.10</b>	Beansland Grove (10-16)
<b>CHP3.11</b>	Beansland Grove (18-24)
<b>CHP3.12</b>	Beansland Grove (25-31)
<b>CHP3.13</b>	Beansland Grove (9-23)
<b>CHP3.14</b>	Billet Road (122-128)
<b>CHP3.15</b>	Billet Road (130-136)
<b>CHP3.16</b>	Billet Road (240-254)
<b>CHP3.17</b>	Billet Road (256-270)
<b>CHP3.18</b>	Cavalier Close (1-12)
<b>CHP3.19</b>	Cavalier Close (23,25, 42 – 54)
<b>CHP3.20</b>	Eagle Avenue (1-23)
<b>CHP3.21</b>	Eagle Avenue (25-39)
<b>CHP3.22</b>	Eagle Avenue (10-24)
<b>CHP3.23</b>	Eagle Avenue (26-40)
<b>CHP3.24</b>	Eagle Avenue (2-8)
<b>CHP3.25</b>	Eastern Avenue (43-113)

<b>CHP3.26</b>	Grantham Court (1-24)
<b>CHP3.27</b>	Gregory Road (17-22)
<b>CHP3.28</b>	Gregory Road (26-31)
<b>CHP3.29</b>	Gregory Road (3, 5-12)
<b>CHP3.30</b>	Gregory Road (50-58)
<b>CHP3.31</b>	Harvey House (1-18)
<b>CHP3.32</b>	Hatch Grove (6-28)
<b>CHP3.33</b>	High Road (136-142)
<b>CHP3.34</b>	Highview House (1-96)
<b>CHP3.35</b>	Hutchinson Court (1-42)
<b>CHP3.36</b>	James Avenue (2-24)
<b>CHP3.37</b>	Kingston Hill Avenue (117-131)
<b>CHP3.38</b>	Kingston Hill Avenue (61-67)
<b>CHP3.39</b>	Kingston Hill Avenue (69-83)
<b>CHP3.40</b>	Kingston Hill Avenue (74-96)
<b>CHP3.41</b>	Kingston Hill Avenue (85-99)
<b>CHP3.42</b>	Laneside Avenue (2-8, 10-16)
<b>CHP3.43</b>	Laneside Avenue (22-28)
<b>CHP3.44</b>	Limbourne Avenue (39-61)
<b>CHP3.45</b>	Limbourne Avenue (52-74)
<b>CHP3.46</b>	Limbourne Avenue (63-85)
<b>CHP3.47</b>	Limbourne Avenue (76-114)
<b>CHP3.48</b>	Longhayes Avenue (38-60)
<b>CHP3.49</b>	Longhayes Avenue (62-72)
<b>CHP3.50</b>	Longhayes Court (1-42)
<b>CHP3.51</b>	Nash Road (7-12)
<b>CHP3.52</b>	Nash Road (13,14, 18-20)

<b>CHP3.53</b>	Nash Road (40-42, 53-56)
<b>CHP3.54</b>	Nash Road (59, 60, 66-70)
<b>CHP3.55</b>	Padnall Court (1-72)
<b>CHP3.56</b>	Padnall Road (118-164)
<b>CHP3.57</b>	Padnall Road (166-212)
<b>CHP3.58</b>	Padnall Road (214-236)
<b>CHP3.59</b>	Padnall Road (238-260)
<b>CHP3.60</b>	Padnall Road (262-284)
<b>CHP3.61</b>	Padnall Road (286-308)
<b>CHP3.62</b>	Padnall Road (310-328)
<b>CHP3.63</b>	Padnall Road (330-348 inc 342a)
<b>CHP3.64</b>	Rams Grove (1-19)
<b>CHP3.65</b>	Rams Grove (2-24)
<b>CHP3.66</b>	Reynolds Court (1-72)
<b>CHP3.67</b>	Rolls Grove (20-42)
<b>CHP3.68</b>	Rolls Grove (44-66)
<b>CHP3.69</b>	Rose Lane (82-104)
<b>CHP3.70</b>	Rose Lane (106-116)
<b>CHP3.71</b>	Rose Lane (118, 122 140)
<b>CHP3.72</b>	Rose Lane (133 163)
<b>CHP3.73</b>	Rose Lane (2-24)
<b>CHP3.74</b>	Rose Lane (50-56)
<b>CHP3.75</b>	Rose Lane (66, 68, 72)
<b>CHP3.76</b>	Rosslyn Avenue (2-8)
<b>CHP3.77</b>	Rosslyn Avenue (10-16)
<b>CHP3.78</b>	Rosslyn Avenue (22-28)
<b>CHP3.79</b>	Rosslyn Avenue (34-40)

<b>CHP3.80</b>	Rosslyn Avenue (46-52)
<b>CHP3.81</b>	Rosslyn Avenue (49-55)
<b>CHP3.82</b>	Rosslyn Avenue (61-67)
<b>CHP3.83</b>	Stanley Avenue (53-59)
<b>CHP3.84</b>	Thatches Grove (2-24)
<b>CHP3.85</b>	Thatches Grove (26-48)
<b>CHP3.86</b>	Thatches Grove (78-88)
<b>CHP3.87</b>	Thatches Grove (90-100)
<b>CHP3.88</b>	Turnage Road (57-71)
<b>CHP3.89</b>	Turnage Road (85-99)
<b>CHP3.90</b>	Whalebone Lane South (80-114)
<b>CHP3.91</b>	Whalebone Lane South (116-138)
<b>CHP3.92</b>	Whalebone Lane South (140-162)
<b>CHP3.93</b>	Whalebone Lane South (164-186)
<b>CHP3.94</b>	Whalebone Lane South (17-23)
<b>CHP3.95</b>	Whalebone Lane South (20A, B-28A, B)
<b>CHP3.96</b>	Woodlands Avenue (2, 2A, 2B, 2C)

<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP3.SH1</b>	Fews Lodge (1-6, 8-9 27-35 75)
<b>CHP3.SH2</b>	Forsters Close (2-19)
<b>CHP3.SH3</b>	Forsters Close (29-46)
<b>CHP3.SH4</b>	Forsters Close (47-64)
<b>CHP3.SH5</b>	Limbourne Avenue (14-18, 28-32)
<b>CHP3.SH6</b>	Limbourne Avenue (6-12, 20-26)
<b>CHP1.SH9</b>	Turner Court

Reference Number	ESTATE OR BLOCK NAME / STREET ADDRESS
<b>CHP4.1</b>	<b>Kier Hardie Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Bristol House</li> <li>▪ Canterbury House</li> <li>▪ Durham House</li> <li>▪ Exeter House</li> <li>▪ Graham Mansions</li> <li>▪ Greenwood Mansions</li> <li>▪ Portia Court</li> <li>▪ Rosalind Court</li> <li>▪ Wells House</li> <li>▪ Wheatley Mansions</li> <li>▪ Winchester House</li> </ul>
<b>CHP4.2</b>	<b>Upney Mansions Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Clarke Mansions</li> <li>▪ Edwards Mansions</li> <li>▪ Loveland Mansions</li> <li>▪ Westone Mansions</li> </ul>
<b>CHP4.3</b>	<b>Eastbury Court</b>
<b>CHP4.4</b>	<b>Fyfield House</b>
<b>CHP4.5</b>	<b>Hepworth / Southwold Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Hepworth Court</li> <li>▪ Hepworth Gardens (32-70)</li> </ul>
<b>CHP4.6</b>	<b>Longbridge Road Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Lewis Burt House</li> <li>▪ Upney House</li> <li>▪ Longbridge Road (212 -480)</li> </ul>
<b>CHP4.7</b>	<b>Sebastian Court</b>
<b>CHP4.8</b>	<b>Basedale Road (21- 35)</b>
<b>CHP4.9</b>	<b>Blake Avenue (Various)</b>
<b>CHP4.10</b>	<b>Blithbury Road (34-48)</b>

<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
CHP4.11	Bradfield Drive (1 - 122)
CHP4.12	Brewood Road (22 - 36)
CHP4.13	Cannington Road (130 - 144)
CHP4.14	Clementhorpe Road (46 - 60)
CHP4.15	Easebourne Road (21- 51)
CHP4.16	Ellerton Road (2 - 16)
CHP4.17	Flamstead Road (1- 134)
CHP4.18	Hedingham Road (10 - 24)
CHP4.19	Ilchester Road (221-259)
CHP4.20	John Burns Drive (1-92)
CHP4.21	Keir Hardie Way (148 – 182)
CHP4.22	Lambourne Gardens (6-25)
CHP4.23	Lambourne Road (73 – 149)
CHP4.24	Lillechurch Road (56-70 & 86-92)
CHP4.25	Lodge Avenue (294 – 316)
CHP4.26	Markyate Road (54-68)
CHP4.27	Moore Crescent (3-38)
CHP4.28	Rugby Gardens (12 - 47)
CHP4.29	Southwold Drive (38 – 64)
CHP4.30	Thornhill Gardens (49 – 119)
CHP4.31	Tudor Road (9-19)
CHP4.32	Woodbridge Road (95- 119)



<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP4.SH1</b>	Kilsby Walk (1 – 42)
<b>CHP4.SH2</b>	Lovelace Gardens (1 – 16)

<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP5.1</b>	Aidan Close (1-73)
<b>CHP5.2</b>	Aidan Close (2-42)
<b>CHP5.3</b>	Baron Road (166-172)
<b>CHP5.4</b>	Becontree Avenue (159, 161, 161a, 163, 163a, 165)
<b>CHP5.5</b>	Becontree Avenue (173, 175, 175a, 177, 177a, 179)
<b>CHP5.6</b>	Bennetts Castle Lane (180-198a)
<b>CHP5.7</b>	Bentry Close (4-19)
<b>CHP5.8</b>	Berryman Close (1-12)
<b>CHP5.9</b>	Burford Close (1-16)
<b>CHP5.10</b>	Bushgrove Road (50-56)
<b>CHP5.11</b>	Bushgrove Road (61-67)
<b>CHP5.12</b>	Bushway (34-40)
<b>CHP5.13</b>	Bushway (33-39)
<b>CHP5.14</b>	Chittys Lane (81-87)
<b>CHP5.15</b>	Chittys Lane (96-102)
<b>CHP5.16</b>	Durell Road (36-42)
<b>CHP5.17</b>	Fanshawe Crescent (116-130)
<b>CHP5.18</b>	Grafton Road (173-179)
<b>CHP5.19</b>	Grafton Road (215-221)
<b>CHP5.20</b>	Grand Court (1-12)
<b>CHP5.21</b>	Grovelway (101-107)
<b>CHP5.22</b>	Grovelway (68-74)
<b>CHP5.23</b>	Grovelway (85-91)
<b>CHP5.24</b>	Haskard Road (36-42)
<b>CHP5.25</b>	Haydon Road (37-53a)

<b>CHP5.26</b>	Haydon Road (55, 55a, 55b)
<b>CHP5.27</b>	Keppel Road (100-106)
<b>CHP5.28</b>	Lindisfarne Road (92-98)
<b>CHP5.29</b>	Longbridge Road (568a-574a)
<b>CHP5.30</b>	Longbridge Road (686-724)
<b>CHP5.31</b>	Longbridge Road (717-769)
<b>CHP5.32</b>	Longbridge Road (771-805)
<b>CHP5.33</b>	Maxey Road (15-21, 23-29)
<b>CHP5.34</b>	Manor Square (114-120)
<b>CHP5.35</b>	Manor Square (138-144)
<b>CHP5.36</b>	Manor Square (170-176)
<b>CHP5.37</b>	Manor Square (25-31)
<b>CHP5.38</b>	Manor Square (6-12)
<b>CHP5.39</b>	Margery Road (29-35)
<b>CHP5.40</b>	Parsoles Avenue (361-383)
<b>CHP5.41</b>	Porters Avenue (13-35)
<b>CHP5.42</b>	Raydons Gardens (8-11)
<b>CHP5.43</b>	Raydons Gardens (84-90)
<b>CHP5.44</b>	Seabrook Road (2-20)
<b>CHP5.45</b>	Shipton Close (1-15)
<b>CHP5.46</b>	Shipton Close (2-20)
<b>CHP5.47</b>	Stonard Road (15-21)
<b>CHP5.48</b>	Valence Circus (202-216)
<b>CHP5.49</b>	Valence Circus (24-38)
<b>CHP5.50</b>	Valence Wood Road (155-161)
<b>CHP5.51</b>	Winding Way (72-80)
<b>CHP5.52</b>	Shipton Close (17-27)

<b>CHP5.53</b>	Valence Avenue (90-100)
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<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP5.SH1</b>	Earls Walk (1-20)
<b>CHP5.SH2</b>	Inskip Road (1-37) (no 25)
<b>CHP5.SH3</b>	Stone Close (9-38)
<b>CHP5.SH4</b>	Vicar's Walk (1-25)

Reference Number	ESTATE OR BLOCK NAME / STREET ADDRESS
CHP6.1	<b>Bartletts House Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Vicarage Road</li> </ul>
CHP6.2	<b>Cadiz Court Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Rainham Road South</li> </ul>
CHP6.3	<b>Oldmead Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Exeter Road</li> </ul>
CHP6.4	<b>Thaxted House Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Siviter Way</li> </ul>
CHP6.5	Millard Terrace Estate
CHP6.6	<b>Peter Bradley Court</b> comprising: <ul style="list-style-type: none"> <li>▪ Dagenham Avenue</li> </ul>
CHP6.7	<b>Royal Parade</b> comprising: <ul style="list-style-type: none"> <li>▪ Church Street</li> </ul>
CHP6.8	Arden Crescent (18-32)
CHP6.9	Armstead Walk (27-57)
CHP6.10	Armstead Walk (83-113)
CHP6.11	Birdbrook Close (1-4, 21-27)
CHP6.12	Birdbrook Close (14-20, 28-34)
CHP6.13	Birdbrook Close (5-13)
CHP6.14	Birdbrook Close (35-41, 51-64)
CHP6.15	Birdbrook Close (42-50)
CHP6.16	Birdbrook Close (65-82)
CHP6.17	Birdbrook Close (83-98)
CHP6.18	Blackbourne Road (141-155)
CHP6.19	Blackbourne Road (148-162)
CHP6.20	Blackbourne Road (164-178)
CHP6.21	Blackbourne Road (73-87)

<b>CHP6.22</b>	Butterfield Close (1, 3, 9, 11, 17, 19)
<b>CHP6.23</b>	Butterfield Close (5, 7, 13, 15, 21, 23)
<b>CHP6.24</b>	Butterfield Close (14-24)
<b>CHP6.25</b>	Butterfield Close (25-35)
<b>CHP6.26</b>	Cadiz Road (1-7)
<b>CHP6.27</b>	Charlotte Road (5a, b, c, d,-11a, b, c, d)
<b>CHP6.28</b>	Church Street (49-59)
<b>CHP6.29</b>	Church Street (61-71)
<b>CHP6.30</b>	Church Street (73-83)
<b>CHP6.31</b>	Church Street (85-95)
<b>CHP6.32</b>	Church Street (97-113)
<b>CHP6.33</b>	Darcy Gardens (29-51)
<b>CHP6.34</b>	Darcy Gardens (30-44)
<b>CHP6.35</b>	Exeter Road (25-71)
<b>CHP6.36</b>	Exeter Road (73-89)
<b>CHP6.37</b>	Exeter Road (91-107)
<b>CHP6.38</b>	Gale Street (595-601)
<b>CHP6.39</b>	Hedgemans Way (53-60)
<b>CHP6.40</b>	<b>Ibscott Close Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Hollidge Way</li> <li>▪ Ibscott Close</li> </ul>
<b>CHP6.41</b>	Lansbury Avenue
<b>CHP6.42</b>	Manor Close (1-23)
<b>CHP6.43</b>	Manor Road (111-133)
<b>CHP6.44</b>	Manor Road (135-157)
<b>CHP6.45</b>	Norton Road (14-36)
<b>CHP6.46</b>	Polesworth Road (9-23)
<b>CHP6.47</b>	Rainham Road South (600-604)

<b>CHP6.48</b>	Rainham Road South (632-654)
<b>CHP6.49</b>	Rainham Road South (656-666)
<b>CHP6.50</b>	Rainham Road South (680a-690a)
<b>CHP6.51</b>	Rainham Road South (708-714, 722-728)
<b>CHP6.52</b>	Rainham Road South (716-720, 730-734)
<b>CHP6.53</b>	Rainham Road South (832-870)
<b>CHP6.54</b>	Rainham Road South (872-910)
<b>CHP6.55</b>	Rectory Road (5-10)
<b>CHP6.56</b>	Roosevelt Way (13-27)
<b>CHP6.57</b>	Roosevelt Way (69-75)
<b>CHP6.58</b>	Roosevelt Way (77-91)
<b>CHP6.59</b>	Sheldon Road (12-34)
<b>CHP6.60</b>	Stamford Road (60-74)
<b>CHP6.61</b>	Tilney Road (68-90)
<b>CHP6.62</b>	Vicarage Road (5-21)
<b>CHP6.63</b>	Vicarage Road (23-33)
<b>CHP6.64</b>	Vicarage Road (8-18)
<b>CHP6.65</b>	Walfrey Gardens (9-12)
<b>CHP6.66</b>	Walfrey Gardens (29-32)
<b>CHP6.67</b>	Wellington Drive (61-87)
<b>CHP6.68</b>	Wellington Drive (89-109)
<b>CHP6.69</b>	Wellington Drive (111-127)
<b>CHP6.70</b>	Wellington Drive (129-155)
<b>CHP6.71</b>	Wellington Drive (157-183)
<b>CHP6.72</b>	Wellington Drive (185-211)
<b>CHP6.73</b>	Wellington Drive (62-96)
<b>CHP6.74</b>	Wellington Drive ( 98-110)

<b>CHP6.75</b>	Wellington Drive (116)
<b>CHP6.76</b>	Wellington Drive (120-150)
<b>CHP6.77</b>	Whitebarn Lane (144-166)
<b>CHP6.78</b>	Whitebarn Lane ( 168-178)
<b>CHP6.79</b>	<b>Jarvis Court Estate</b> comprising: <ul style="list-style-type: none"> <li>▪ Church Elm Lane</li> </ul>
<b>CHP6.80</b>	Salisbury Road (1-11)
<b>CHP6.81</b>	Salisbury Road (13-47)
<b>CHP6.82</b>	Salisbury Rpad (49-59)

<b>Reference Number</b>	<b>ESTATE OR BLOCK NAME / STREET ADDRESS</b>
<b>CHP6.SH1</b>	Catherine Godfrey House Estate comprising: <ul style="list-style-type: none"> <li>▪ Goresbrook Road</li> </ul>
<b>CHP6.SH2</b>	Dunchurch House Estate comprising <ul style="list-style-type: none"> <li>▪ Ford Road</li> </ul>
<b>CHP6.SH3</b>	Church Elm Lane (146-188)
<b>CHP6.SH4</b>	Dewey Road (84-130)
<b>CHP6.SH5</b>	Dewey Road (134-180)
<b>CHP6.SH6</b>	Rectory Road (29-55)
<b>CHP6.SH7</b>	Wyhill Walk (1-8)
<b>CHP6.SH8</b>	Wyhill Walk (9-16) (no no 14)
<b>CHP6.SH9</b>	Wyhill Walk (17-24)



**THE ASSEMBLY**

**7 APRIL 2004**

**REPORT OF THE HEALTH AND SOCIAL CARE  
PARTNERSHIP ARRANGEMENTS SCRUTINY PANEL**

<b>HEALTH AND SOCIAL CARE PARTNERSHIP ARRANGEMENTS SCRUTINY PANEL</b>	<b>FOR DECISION</b>
<p><i>Final reports of Scrutiny Panels are submitted to relevant parts of the political structure as set out in paragraph 11 of Article 5B of the Council Constitution.</i></p> <p><b><u>Summary</u></b></p> <p>This report covers the Panel's investigation into the termination last August of the joint top management arrangements between the Council and the Barking and Dagenham Primary Care Trust (PCT), and the current status of the partnership. Unfortunately, the Panel was unable to take evidence from all parties concerned but nevertheless it has reached some general conclusions and feels able to offer some useful pointers for any future partnerships or joint working that the Council may consider entering into.</p> <p>The partnership between the Council and the PCT, and in particular the creation in 2001 of a joint post combining the role of Director of Social Services on the Council side and the Chief Executive post on the PCT's, was a ground breaking initiative. It was new and exciting, and there was an eagerness to get things moving quickly. With hindsight, whilst intentions by all concerned at the time were good, this possibly resulted in a lack of attention to detail at the outset in terms of formalising joint agreements to cover all eventualities. Similarly, in relation to employment contracts being properly completed, and everyone being clear about which protocols and so on would apply if needed. These factors did not help situations as they arose later on.</p> <p>There were also cultural differences between the parties, and a lack of detailed understanding about the roles, responsibilities and priorities of all parties, including the North East London Strategic Health Authority (SHA) which performance manages the PCT against national targets. Better communications and shared debate about problems, as and when they arose, would also have helped.</p> <p>Importantly though, from the beginning and throughout, all parties have stated their commitment to the continuation of the partnership and joint working. The formal status and structures surrounding the partnership are sound, and the Panel hopes that any outstanding issues can soon be resolved and confidences restored.</p> <p><b><u>Recommendations</u></b></p> <p>To accept that the Panel has been unable to fully complete its task but, nevertheless, to have regard to the check list of issues/good practice which it has raised in Section 7 of the report.</p>	

## **Reasons**

To try to make sure that any existing or future partnerships function as efficiently and effectively as possible.

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## **1. Introduction**

- 1.1 At its meeting on 26 November 2003 the Scrutiny Management Board (SMB) agreed to establish this Panel as a result of concerns about the breakdown in the top management arrangements between the Council and the PCT and what had led to this.
- 1.2 The two organisations had entered into a partnership in 2001 and were the first in the country to bring together primary healthcare and social services. This was done in a bid to improve the health and well-being of the Borough's residents in a more effective way than with two separate organisations.
- 1.3 With the exception of Section 7, any reference in this report to "the partners" should be taken to mean the Council and the PCT. Any reference to "all parties" or "the parties" should be taken to mean the Council, the PCT and the SHA. In the National Health Service (NHS) hierarchy the SHA is the next tier up to the PCT and is responsible for setting the PCT's objectives and monitoring its performance.

## **2. Membership**

- 2.1 The Panel Members were Councillor Mrs Rush (Lead Member), Councillors Barns, L Collins, Denyer and Mrs West.
- 2.2 Nina Clark and Alan Russell provided independent officer support, and Val Dowdell provided administrative/secretarial support to the Panel.

## **3. Terms of Reference**

3.1 These were:

- (1) To establish the course of events leading up to and the reasons for the termination of the joint top management arrangements between the Council and the PCT
- (2) To clarify the current status of the partnership
- (3) To examine the implications of the situation and consider any improvements for future partnership working
- (4) To have regard to any equalities and diversity issues
- (5) To report back with findings and any recommendations

## **4. Work Programme/Evidence Gathering**

- 4.1 The Panel held its first meeting on 26 November and met on a further nine occasions during December and January.
- 4.2 It was clear from the outset that in order to determine the course of events that led to the termination of the top management arrangements it would be necessary to interview key postholders within the Council, the PCT and the SHA , and possibly others.
- 4.3 Initially, like all the Council's Scrutiny Panels, the Panel had hoped to conduct its inquiries in the open. However, comments were made by individuals from some of the parties that whilst they would be happy to speak in public about general issues, matters concerning any individual employees and related contractual issues should be discussed in private. The Panel acknowledged that discussions were likely to touch on matters concerning individuals and that it would be difficult to separate these. It was therefore agreed that it would be best to conduct all interviews in private. It was, however, still the Panel's intention to publish an open report at the end of the investigation and this was made known to those who were interviewed.
- 4.4 The Panel interviewed and took evidence from the following people during December:

From the Council -

Councillor Charles Fairbrass, Leader of the Council

Councillor Bryan Osborn, Executive Member and portfolio holder for Housing, Health and Social Care

Councillors Ron Curtis and Cameron Geddes, Members of the Council (written evidence only)

Graham Farrant, Chief Executive

Julia Ross, Director of Social Services (formerly Executive Director of Health and Social Care for the Council and the PCT).

William Ssempala , Corporate Legal Manager and Hayley Miller, Senior HR Advisor – both in the Corporate Strategy Department of the Council (written evidence only)

From the SHA -

Professor Elaine Murphy, Chair

Carolyn Regan, Chief Executive

From the PCT -

Rebecca Scott, Acting Chief Executive (written evidence only - see 4.7)

- 4.5 It also extended invitations to the following individuals but did not get the opportunity to interview them, nor to receive any written evidence from them (see 4.7) -

Ray Parkin, Chair, PCT

Lesley Hawes, Deputy Chair, PCT

Graham Bramley, Sukhinder Gill, Lesley Harrison, and Barry Welch, Non-Executive Directors, PCT

Dr Arun Sharma, Joint Chair of the Professional Executive Committee, and member of the PCT

Surinder Singh Kalsi, Professional Executive Committee nominee to the PCT

Tony Graham, previously Interim Director of Finance to the PCT

From the National Health Service -

Sir Nigel Crisp, Chief Executive

4.6 The Panel also inspected a number of documents:

Various press cuttings relating to the breakdown of the joint top management arrangements

London Borough of Barking and Dagenham (LBBD) Disciplinary Rules for Employees

LBBD Interim Provisions relating to Disciplinary, Warning, Ill Health and Appeals Procedures for Officers

Disciplinary Procedure for the PCT

PCT Annual Report 2002/3

Minutes of the Joint Health and Social Care Board meetings held on 15 April, 17 June and 29 July 2003, and the Board's Constitution

Memorandum of Agreement relating to the provision of health care and social services within the LBBD

Extracts from Pricewaterhouse Coopers Annual Management Letter to the Council for 2001/02

Competency Framework for PCT Leadership

Performance and Development Review Scheme for NHS Chief Executives: Guidance

Report and Minute – Council's Executive 28 October 2003 - relating to the Future Arrangements for the Management of Integrated Health and Social Care Services

LBBD Protocol re Member and Employee Relations

Code of Conduct for NHS Managers

Employment Contracts and related correspondence for the then titled joint post of Director of Social Services and Chief Executive of the Primary Care Trust

Information pack for applicants relating to the appointment of Chairs and Non-Executives of PCTs.

4.7 Unfortunately, during the course of the Panel's investigation and following her own interview, the Chair of the SHA wrote to the Lead Member of the Panel saying that she had concerns and had advised the Chair of the PCT and PCT staff not to attend further meetings. Also, that she did not think it was sensible for NHS staff or Non-Executive Directors of the PCT to be drawn into the process.

Despite several attempts by both the Chair of the SMB and the lead officer for the Panel to clarify mistaken understandings by the Chair of the SHA about the remit and basis of the Panel, she was not prepared to change her stance. However, she has since suggested, in a letter to the Chair of the SMB dated 6 January 2004, that, rather than pursue the scrutiny, the Council and its NHS partners should consider together how to rebuild trust and renewal of joint working. Also, that if external independent support were thought to be helpful in facilitating this, they would be pleased to support such an initiative.

- 4.8 In the light of this letter which the Chair of the SMB reported to the SMB on 14 January 2004, the SMB decided that the Panel should conclude its investigation without taking further evidence or obtaining further information, and produce a short open report based on their knowledge to date. Whilst disappointing for the Panel, the SMB was, however, encouraged by the willingness of the Chair of the SHA to now suggest a joint approach to resolving matters, with external independent support if necessary. The Council had previously, in September 2003, muted the idea of an independent review. The SMB referred the letter from the Chair of the SHA to the Chief Executive of the Council on 15 January 2004 so that he, in liaison with the Leader of the Council, could consider how best to take the matter forward.

## **5. The events which led to the termination of the joint top management arrangements between the Council and the PCT**

- 5.1 It is clear from the evidence taken and the publicity at the time that it was the Council who made the decision on 27 August 2003 to “dismantle the joint top management arrangements” through moving the then Executive Director of Health and Social Care back to her previous position as Director of Social Services with the Council.
- 5.2 Various reasons were given by the Council including (a) differences in cultures between the NHS and the Council, and different accountabilities, which made management across the boundaries complex; (b) different approaches between the Council and the SHA to tackling key improvements highlighted by the then recently announced PCT Star rating; (c) the need for dedicated management resources to accelerate progress which the Council felt should be faster; and (d) the Council’s view that the reorganisation of the NHS had made the PCT a larger organisation than had originally been envisaged.
- 5.3 At the time, the SHA and PCT jointly publicly expressed their surprise and disappointment at the Council’s decision, particularly as they then alleged there had been no consultation with them. These comments were slightly modified during the Panel’s interviews with representatives from the SHA.
- 5.4 The evidence provided to the Panel suggests that the fundamental reasons for the joint top management arrangements breaking down stem from problems which arose due to a number of issues:

- a lack of clarity around employment contracts and related protocols
- inadequate written agreements from the outset around how the partnership would work and how any problems would be resolved
- cultural differences
- poor/inadequate communications
- a lack of understanding about each others' organisations, priorities and pressures.

The initiative was new and exciting and the Panel believes that insufficient attention was given to formalising working protocols to enable both partners to be clear how contentious issues were to be identified and resolved. The employment contracting framework for joint working was inconsistent and misunderstood, and there was no explicit role identified for the SHA in either the partnership or in the working arrangements between the Council and the PCT. The original partnership agreement had been drawn up at the time of the existence of the Barking, Dagenham and Havering Health Authority in 2001. When this body was replaced by the SHA in 2002, the PCT's role was expanding well beyond that originally envisaged by the partnership. The Council did not fully appreciate the potential impact of the SHA's role in performance managing and objective setting for the PCT, nor was it aware of the wider agenda of the SHA. There was no mechanism for discussing competing agendas between all parties and how they related to each other.

Also, there proved to be a lack of formal communication between all parties, and poor recording of meetings and conversations, particularly around serious issues. Too much reliance was placed on trust and assumptions that messages would be relayed to others. The organisational cultures of all the parties are very different and the impact this was to have on the partnership was underestimated.

The culmination of all these issues led to difficulties affecting an individual employee. When matters came to a head during August, the Panel can understand, given the evidence available, why the Council chose to act as it did. The action clearly reflected the Council's caring attitude for its employees but also, in the circumstances, it offered what seems to have been the best way of enabling the partnership to continue.

All parties had been involved in related discussions during the weeks immediately leading up to 27 August 2003.

- 5.5 Conscious that the Panel has not had the opportunity to interview all parties, it is inappropriate to comment in greater detail on the series of events. To do so would be unprofessional and unfair. In any case, the Panel is not prepared to make public any information which relates to the employment of individuals or holders of key positions. There are, however, a number of areas where the Panel can confidently

draw conclusions to assist the formulation of recommendations for general future learning and these are referred to in Section 7 below.

## **6. The current status of the Partnership**

6.1 The current status of the partnership between the Council and the PCT can be summarised by the following:

- (a) there is no longer a joint top management post of Executive Director of Health and Social Care combining the positions of Director of Social Services on the Council's side and Chief Executive of the PCT.
- (b) in deciding to separate the management functions at the end of August 2003 the Council did, however, publicly emphasise that this did not mean the end of joint working between the Council and the PCT, and that it recognised that partnership was essential for the long term future. This continues to be evidenced.
- (c) in response to the Council's statement at that time, the Sha also publicly stated that they remained wholly committed to joint working as the logical way forward to deliver services efficiently. This continues to be their wish.
- (d) in October 2003, the Council's Executive received a report on proposals for future management arrangements of integrated services between the Council and the PCT, clarifying accountability and reporting lines.

It agreed

- (i) to reaffirm the commitment of the Council to integrated working with the PCT, integrated posts and service delivery on health and social care services for the benefit of the local community
  - (ii) the clarifications and new accountabilities outlined in the report, subject to reexamining all titles so that the Council does not have Directors reporting to Directors in future, and
  - (iii) that Council officers will not be accountable to the PCT Board for the delivery of services but that they will be accountable through the acting Chief Executive of the PCT on health matters and may attend Board meetings to deliver and discuss appropriate reports.
- e) in the spring of 2003 the Council and the PCT had formed the Barking and Dagenham Joint Health & Social Care (HSC) Board comprising the Council's Executive and the PCT's Board. A Memorandum of Agreement between the partners formally established the Board and a Constitution governs its operation.



The main purpose of the Board is to manage the integrated provision of health care and social services so as to:

- provide an effective and seamless service for people in need of community based health and social care
- improve the health and social care needs of the local population
- provide a single point of access for people in need of health and social care
- improve the performance, quality and accessibility of social care and health care
- reduce inequalities for people in Barking and Dagenham compared with the wider London and national picture.

In entering into the arrangement both sides agreed to adopt certain principles:

- (i) mutual trust
- (ii) mutual openness and transparency
- (iii) to treat each other equitably and with respect and courtesy
- (iv) a coordinated approach to common problems and objectives
- (v) recognition that each side needs to take account of issues faced by the other and work in partnership to progress and resolve them
- (vi) each to provide early notice in relation to concerns or problems
- (vii) regard for related policies and so on, and to the Board Constitution
- (viii) agreement to be open to challenge and change
- (ix) to act in accordance with the principles of best value.

The Joint HSC Board met in April, June and July 2003 but following the events in August there was a lull and meetings did not resume until 13 January 2004. There appears to have been no formal agreement to abandon meetings temporarily, rather a more unspoken consideration by both sides that it might, in the circumstances of August, be best to put on hold the next joint meeting.

At the 13 January 2004 meeting, the Board agreed minor amendments to their Constitution principally to bring it up to date in terms of the change in the top management arrangements and the role of officers at meetings.

(f) unfortunately this Panel has not been able to conclude its work as completely as it would have liked to. The Panel had hoped that it could make a valuable contribution to any outstanding bridge-building which might be necessary between the parties. It is disappointing to the Panel that it has been unable to do this.

(g) importantly, however, a way forward in terms of rebuilding confidence and renewal of joint working is now being explored as mentioned earlier.

6.2 In conclusion, the formal status of the partnership between the Council and the PCT and related structures appear to be sound, and all parties continue to state their commitment to joint working. The Panel hopes that a joint meeting between all concerned, perhaps facilitated by an independent person of recognised standing, will resolve any outstanding issues and help to restore confidences and strengthen relationships.

## **7. Implications of the current situation and suggested improvements for future Partnership working**

7.1 The implications of the current situation are referred to in the previous sections.

7.2 Due to the fact that the Panel has not had the benefit of detailed input by all parties it would be inappropriate to make specific suggestions related directly to the partnership in question. The investigation has, however, highlighted a number of general issues from which the Panel has formulated a check list of useful pointers for consideration in connection with any current or future partnerships or joint working arrangements that the Council may consider entering into. The list is not in any particular order of importance or priority:

- jointly agree and set clear, measurable, objectives from the outset and be sure about responsibilities and accountabilities
- before making commitments on objectives, joint working and finances, carry out a formal risk assessment to identify any doubt or conflict between each partner's position; update risk assessments at appropriate intervals during the partnership, particularly at times of change
- be aware of, and jointly discuss, the performance frameworks within which the partners operate, both locally and nationally, and assess any related impact on their ability to deliver partnership priorities
- contractual frameworks need to be clear and consistent from the outset with agreed accountabilities and reporting lines
- HR protocols for all posts involved in joint working need to be robust and agreed by all partners
- the arrangements and responsibilities for funding pooled budgets should be clear

- arrangements for subsequently terminating the partnership, if necessary, need to be explicit from the outset
- relevant lead Executive Members should take a prominent role in the personal performance monitoring or appraisal of senior staff involved in partnership or joint working
- any personal performance monitoring or appraisal processes should afford the opportunity for all parties involved to raise issues and to contribute to setting objectives
- protocols need to be documented and agreed to allow potential problems and disputes between partners to be identified early, and resolved; where resolution is not possible there should be clearly defined procedures for involving senior postholders and arbitration arrangements
- corporate governance arrangements for partnerships should be documented to establish required standards of conduct and provide a steer on how business should be conducted. Formal arrangements should be in place from the beginning and all partners should subsequently conform with agreed principles and commitments to each other
- Members and lead officers need to be familiar with the organisational structure, culture and challenges facing their partners, and vice versa. Appropriate training should be considered (e.g. PCT training in local government and social care; Council training in NHS structures and performance frameworks)
- be cautious about entering into partnerships with new organisations or organisations that are experiencing significant organisational change – keep abreast of developments and external influences
- where senior management or Member level changes occur, make sure that new postholders are fully briefed and arrangements made for introductions, induction, and meetings as necessary
- make sure that, as well as other matters, any joint board arrangements are used as a forum for discussing contentious issues and for raising any problems; meetings should be held regularly.
- all meetings between partners and other parties should be supported by an agenda and a list of the individuals involved; records/minutes/notes of formal and informal meetings must be kept and copies forwarded to all relevant parties

- establish from the outset whether there are any parent or umbrella organisations who may have influence over the partnership, and make sure that the relationship is fully understood. Make appropriate contact and/or communication with any such organisation from the beginning, and at appropriate intervals afterwards, to promote good relations and check that there are no concerns or issues which might affect the partnership's ability to be effective
- explore joint campaigning issues for the overall benefit of the partnership (e.g. PCT funding shortfall)
- proactively identify where Council initiatives offer opportunities for partners (e.g. Customer First).

7.3 The Panel has also commented that in fairness to, and for the protection of, Members of the Council, the possible conflict and uncertainty around roles, responsibilities and loyalties that might arise when a Member holds a position on an outside body, either in a Council or private capacity, should be looked into. The lead officers to this Panel, who also lead in relation to standards and ethical issues for the Council, have undertaken to seek advice from the Standards Board for England and to issue guidance to all Members.

## **8. Equalities and Diversity**

- 8.1 There are no specific equalities and diversity issues which have been relevant to the work of this Panel. The Panel's intention was to treat all parties equally and fairly.
- 8.2 One issue which has, however, featured during the process is the vast difference between the organisational cultures. The Panel has recognised this diversity in trying to understand some of the actions and events leading up to the events in the Summer of 2003.

### **Background Papers:**

- Minutes of the Scrutiny Panel held on 26 November, 5, 8, 10, 12 15 and 18 December 2003, and 7, 20 and 26 January 2004.
- Documents listed in para 4.6

(All evidence taken by the Panel during its investigation is strictly confidential but was used in compiling this report).

## THE ASSEMBLY

7 APRIL 2004

### FINAL REPORT OF THE HOUSING ASSOCIATIONS SCRUTINY PANEL

HOUSING ASSOCIATIONS SCRUTINY PANEL	FOR DECISION
<p><i>Final Reports of Scrutiny Panels are submitted to the following parts of the Political Structure as set out in paragraph 11 of Article 5B of the Constitution:</i></p>	
<p><i>i) Scrutiny Management Board - for any advice or suggestions prior to finalisation and formal presentation to the Assembly.</i></p>	
<p><i>ii) The Executive - for consideration and, if necessary, response in a separate report or verbally to the Assembly.</i></p>	
<p><i>iii) The Assembly - for adoption of the report, its findings and recommendations.</i></p>	
<p><b><u>Summary</u></b></p>	
<p>This report outlines the work of the Housing Associations Scrutiny Panel, for comment by the Scrutiny Management Board and The Executive and for decision by Assembly. Having regard to the terms of reference, the report raises the following key points:</p>	
<ul style="list-style-type: none"> <li>• Trickle Transfer Programme - in its current state this programme is no longer a viable option for the Council because the Local Authority Social Housing Grant has ended.</li> <li>• Right to Buy and Right to Acquire Schemes - there is considerable disparity between these.</li> <li>• Registered Social Landlords (RSLs) - <ul style="list-style-type: none"> <li>➤ differing levels of customer satisfaction.</li> <li>➤ regeneration benefits through closer working with RSLs.</li> <li>➤ recently developed mechanisms to ensure RSLs will be held accountable for their services.</li> <li>➤ an ongoing restructuring of housing rents for a convergence of rents between RSL and Council properties.</li> <li>➤ comparison of standard response times and the complaints procedures between RSL and the Council.</li> <li>➤ consultation with RSLs and RSL tenants.</li> </ul> </li> </ul>	

## **Recommendations**

This Panel makes the following recommendations and observations:

- (i) That the Trickle Transfer Programme in its current state is no longer a viable option for the Council because the Local Authority Social Housing Grant has ended. In the unlikely event that the Director of Housing and Health's further investigations might prove there to be a positive and tenable case for continuing the Trickle Transfer Programme, the Director should submit a report to the Executive and the Assembly for consideration, as this would be a major policy issue for the Council.
- (ii) That RSLs will be held accountable for services through four key channels:
- the new Housing Strategy Officer will monitor compliance of RSLs in terms of management performance, nomination rights, and community development, and will also make sure tenant satisfaction surveys are undertaken and reported.
  - the RSL Forum, through the Barking and Dagenham Partnership Housing Sub Group, will address regeneration and new developments, management services to tenants, nominations, anti-social behaviour, community safety, community development and tenant participation.
  - the Barking and Dagenham Housing Association will have responsibility for all the homes transferred to Stort Valley Housing Association from the Council plus all of its new build (some 500 homes in the Borough);
  - under current arrangements, the RSL Preferred Partner Panel members will undertake all new affordable housing developments in the Borough and the ultimate sanction of being removed from it will encourage RSLs to deliver satisfactory services.
- (iii) That, in order to monitor the success of the mechanisms designed to ensure accountability of Housing Associations' management services, this Panel should reconvene at a period no later than a year after completion of its investigations to consider an evaluation report, particularly on RSLs.

<b>Lead Member:</b> Councillor F Barns		Tel: 020 8594 1509 Email: <a href="mailto:fred.barns@lbbd.gov.uk">fred.barns@lbbd.gov.uk</a>
<b>Contact Officer:</b> John Barry	<b>Democratic and Electoral Services</b>	Tel: 020 8227 2352 Fax: 020 8227 2171 Minicom: 020 8227 2685 E-mail: <a href="mailto:john.barry@lbbd.gov.uk">john.barry@lbbd.gov.uk</a>

## **1. Introduction**

- 1.1 At its meeting of 18 December 2002, the Scrutiny Management Board (SMB) received a report from the Director of Housing and Health in response to a suggestion by Councillor Liam Smith that the policy of trickle transfer of void houses to Stort Valley Housing Association should be reviewed in light of the Government's proposed changes to the housing capital finance rules.
- 1.2 The SMB agreed to set up a Scrutiny Panel to consider issues relevant to the trickle transfer programme of houses to RSLs and, following a request from Councillor Mick McCarthy, the management services provided by RSLs to their tenants and estates.

## **2. Membership**

- 2.1 The membership of the Panel originally comprised Councillors W F L Barns (Lead Member), Ms M G Baker, A H G Cooper, M A McCarthy and L A Smith. Following Councillor Smith's appointment to the Executive his place on the Scrutiny Panel was taken by Councillor R C Little.
- 2.2 After some initial difficulty finding a candidate, Mr J McDermott was appointed as the Panel's external representative.
- 2.3 Ken Jones, Interim Head of Housing Strategy, was the Lead Client Officer, Jeremy Grint, Head of Regeneration, was the Independent Scrutiny Support Officer and John Barry, Democratic and Electoral Services, supported the Panel.

## **3. Terms of Reference**

- 3.1 The terms of reference of the Panel were:
  1. To examine the Trickle Transfer Programme under which the Council transfers stock to a Housing Association and to comment on the appropriateness of the Programme in the light of the Government's proposals on Housing and Finance. In doing so, to consider (a) possible alternative ways of property disposal, and (b) apparent delays in the transfer process and resultant void periods.
  2. To look also at various aspects related to the housing services provided by Housing Associations including:
    - Comparisons of rent levels and rent convergence, and of repairs policies;
    - The Management services provided by Housing Associations and how to ensure accountability for properties that have been transferred and any future new build;
    - Matters associated with complaints about non or poor service delivery by Housing Associations and how to access their service point contacts;
    - The Right to Acquire Scheme, its take up and how it compares with the Council's Right to Buy Scheme.

3. To have regard to any Equalities and Diversity issues.
4. To report back with findings and any recommendations.

#### **4 Work Programme**

4.1 The Panel's work can be divided into three main areas- Trickle Transfer Programme, RSLs, and consultation/evidence. Set out below is the work undertaken within each of these areas.

#### **4.2 Trickle Transfer Programme**

As the Panel commenced its work, the Director of Housing and Health was examining the policy of Trickle Transfer of void properties to Housing Associations in light of the Government's proposed changes to housing capital finance rules.

In looking at the Trickle Transfer Programme, the Panel considered the following:

- the Executive's decision of 11 March 2003 to apply a discount of 10% to the final batch of 40 properties in the Trickle Transfer Programme.
- problems with continuing the Trickle Transfer Programme, particularly as this was considered highly unlikely because:
  - ministerial consent would have to be given to increase the maximum number of properties allowed in this scheme; and
  - the imminent cessation of the Local Authority Social Housing Grant (LASHG) which underpins the whole scheme would make the transfer of housing stock considerably less attractive.
- implications of pursuing Trickle Transfer without the LASHG.
- the Office of the Deputy Prime Minister's (ODPM) position on extending the maximum number of properties allowed under Trickle Transfer.
- options and underpinning principles for the continuation of Trickle Transfers, following ministerial approval from the ODPM granting the Local Authority permission to transfer a further 111 Council properties.

#### **4.3 Registered Social Landlords**

The Panel looked at various issues around Housing Association management, including:

- the creation of a post in the Housing Strategy Division specifically created to monitor management performance standards of RSL's and the nomination rights given to the Council for re-lets of properties.



- the creation of the:
  - RSL Preferred Partner Panel
  - the RSL Developer Forum
  - the Local Housing Company (Barking and Dagenham Housing Association)
- RSLs' potential contribution to regeneration programmes in Barking & Dagenham.
- the RSL's 'Right to Acquire' scheme compared with the Council's 'Right to Buy' scheme and their relative impacts.
- comparisons between RSLs and the Local Authority in the areas of rent levels, repairs policies and complaints procedures.
- the issue of ensuring greater accountability from RSLs to the Council and their tenants.

#### 4.4 **Consultation/Evidence**

The Panel consulted with RSL residents and representatives of Housing Associations as follows:

- spoke to three RSL residents.
- made two site visits to RSL properties.
- received a written report from a resident.
- met with John Lefever, Thames Gateway Manager, and Mike Ward, Business Growth Manager, representing Stort Valley Housing Association.
- met with Dawn Smart, Head of Development, Margaret Wright, Thames Gateway Regional Director, Karl Allison, Social Investment Manager and Tony Hughes, Area Manager representing the Southern Housing Group
- met with Victor daCunha, Managing Director, Jonathan Gregory, Head of Neighbourhood Management and David Anteh, Head of Customer Services representing East Thames Housing Group.
- met with Steve Yianni, North Thames Region Director, and Dianne Hart, Head of Housing representing London & Quadrant Housing Group

## 5 **Equalities, Diversity and Health Issues**

5.1 Considerations around equalities, diversity and health are adequately covered in existing arrangements with RSLs.

## **6. Observations/Conclusions**

**To examine the Trickle Transfer Programme under which the Council transfers stock to a Housing Association and to comment on the appropriateness of the Programme in the light of the Government's proposals on Housing and Finance:**

- 6.1 The Panel was of the view that subsequent to the ending of the LASHG it was highly unlikely that any further properties would be transferred under the Trickle Transfer Programme. In the unlikely event that the Director of Housing and Health's further investigations might prove there to be a positive and tenable case for continuing the Trickle Transfer Programme, the Director should submit a report to the Executive and Assembly for consideration, as this would be a major policy issue for the Council.

**Comparisons of rent levels and rent convergence and of repairs policies:**

- 6.2 Using a formula to be set by the ODPM, housing rents are to be restructured so that within 10 years of April 2002 RSL rents will only be 5-10% higher than the Local Authority rent for an equivalent property. Already efforts have been made in Barking and Dagenham to equalise the rents (for example, rents for the void houses transferred to Stort Valley under the Trickle Transfer Programme are within 5% higher than identical (though un-refurbished) Council properties).
- 6.3 The Panel compared both standard response times and complaint procedures between the Council and some of its RSL partners. In both cases, the differences in times and procedures varies very little between RSL and the Council. There may be questions about how accurately the tables reflect the real situation, but from the Panel's interviews with residents it is clear that there are instances where the RSL procedure is better than the Council's own.

**The Management services provided by Housing Associations and how to ensure accountability for properties that have been transferred and any future new build:**

- 6.4 The establishment of a Local Housing Company, Barking & Dagenham Housing Association, between the Council and Stort Valley Housing Association to take ownership and management of all of Stort Valley's housing in the Borough is a demonstration of practical benefits to be gained from partnerships. The board of the Company includes equal numbers of Councillors and tenant representatives.
- 6.5 RSLs will be held accountable for services through four key channels:
- (i) the new Housing Strategy Officer will monitor compliance of RSLs in terms of management performance, nomination rights, community development and will also ensure tenant satisfaction surveys are undertaken and reported;
  - (ii) the RSL Forum through the Barking and Dagenham Partnership Housing Sub Group will address regeneration and new developments, management services to tenants, nominations, anti-social behaviour, community safety, community development and tenant participation;

- (iii) the Barking and Dagenham Housing Association will have responsibility for all the homes transferred to Stort Valley from the Council plus all of its new build (some 500 homes in the borough);
- (iv) under current arrangements, the RSL Preferred Partner Panel members will undertake new affordable housing developments in the borough and the ultimate sanction of being removed from it will encourage RSLs to deliver satisfactory services.

6.6 The Panel was satisfied that there is a definite link between regeneration and the supply of new houses and therefore a clear reason for working in Partnership with RSLs. Through the use of various sources of funding, the Housing Corporation's Approved Development Programme, the Challenge Fund, private finance sources as well as their own private reserves, RSLs are able to help towards achieving some of the key targets from the Council's Housing Strategy action plan. RSLs will also play a major role in helping the Council achieve the Decent Homes Standards.

**Matters associated with complaints about non or poor service delivery by Housing Associations and how to access their service point contacts:**

6.7 There are a number of Housing Associations operating in the Borough. These and the number of properties managed by each are appended.

6.8 Consultation with RSL residents has shown differing levels of satisfaction with RSL management. Two residents of London & Quadrant properties listed numerous complaints, which included anti-social behaviour, faulty lighting and parking problems. There was evidence that London & Quadrant had made efforts to address some of these issues, but they had thus far failed to remedy the problems. By comparison, the Stort Valley resident commented positively on both the condition of the property when she first moved in and the ease with which she could contact the RSL to report repairs.

**The Right to Acquire Scheme, its take up and how it compares with the Council's Right to Buy Scheme:**

6.9 It was noted that there was a considerable disparity between the take-up of the Council's Right to Buy Scheme (some 18,000 homes have been purchased since the schemes inception in 1980) and the RSL's Right to Acquire (of their 2,500 housing stock, only 3 properties have been sold). It seems probable this difference is in part attributable to the variance in discounts available to potential home-owners (the maximum discount for RSL tenants in Barking and Dagenham being £13,500 compared to £38,000 for Council tenants) and an ongoing ten-year restructuring of rents, which aims to reduce the present 15% difference in sector rents to 5-10%. In effect RSL involvement ensures the continuation of social housing stock.

**Background papers used in the preparation of this report: -**

Minutes of the Housing Associations Scrutiny Panel 18 March, 20 May, 24 June, 22 July, 3 September, 24 September, 15 October, 28 October, 11 November and 10 December 2003.

### Housing Associations/Properties Managed

Housing Association	Number of Properties in the Borough
Swan	11
Estuary	23
Warden	25
Boleyn & Forest	152
Stort Valley	508
Hanover	60
Southern	166
London & Quadrant	142
East Thames	238
Solon	31
Anchor	31
Springboard	372
Circle 33	8
Peabody	no reply yet
Metropolitan	no properties
Ujima	no properties

## THE ASSEMBLY

7 APRIL 2004

### REPORT OF THE EXECUTIVE

THE EXECUTIVE - RECENT BUSINESS	FOR DECISION
<p><i>This regular report on the work of the Executive is submitted under Article 2, Paragraph 9.2 of the Constitution.</i></p>	
<p><b><u>Summary</u></b></p>	
<p>This report summarises the work of the Executive on 17 and 24 February; 9, 16 and 23 March 2004. It includes a recommendations from the Executive on the.</p>	
<ol style="list-style-type: none"> <li>1. Calendar of Meetings</li> <li>2. Council Tax 2004 / 2005 and Medium Term Financial Strategy</li> <li>3. Treasury Management Annual Strategy Statement and the Council's Prudential Indicators</li> <li>4. Capital Programme 2004 / 2005 to 2007 / 2008</li> </ol>	
<p>It also summarises the decisions taken and the other matters considered by the Executive. Key issues have included:</p>	
<ul style="list-style-type: none"> <li>• Replacement of Revenues Systems (A2)</li> <li>• Regenerating the Local Economy - Cross Cutting Best Value Review (A5)</li> <li>• Barking Reach Company Agreement: New Joint Venture Vehicle (A8)</li> <li>• Restructure of the Housing Landlord Services Division (A9 and A34)</li> <li>• Building Schools for the Future (A21)</li> <li>• Modernisation of Disability Day and Residential Services - Options for Improving Service Provision (A31)</li> </ul>	
<p><b><u>Recommendation / Reason</u></b></p>	
<p>Recommendations 1, 2 and 3 below have been considered under separate reports to the Assembly on 3 March 2004.</p>	
<p><b>1. Calendar of Meetings</b></p>	
<p>The Executive received a report setting out the Calendar of Meetings for the coming municipal year.</p>	
<p>The Assembly is recommend to approve the Calendar, subject to a number of amendments.</p>	
<p><b>2. Council Tax 2004 / 2005 and Medium Term Financial Strategy</b></p>	
<p>Received a report, in accordance with the Council's Constitution, seeking approval for the Revenue Budget and setting of Council Tax, prior to submission to the Assembly for its consideration.</p>	

The Assembly is recommend to agree:

1. The Budget, as set out in Appendices A and B of the report;
2. A Council Tax increase of 5.9% (including the Greater London Authority precept of £241.33 for a Band D property), as set out in Appendix C of the report;
3. The three year planning figures arising from this budget proposal indicated within the Medium Term Financial Strategy (attached as Appendix D to the report);
4. The Medium Term Financial Strategy to assist the Council in future decision making on the budget and that it is now reviewed on an annual basis; and
5. The position on reserves as set out in paragraph 2.4 of the report.

**3. Treasury Management Annual Strategy Statement and the Council's Prudential Indicators**

The Executive received a report setting out the Annual Treasury Strategy Statement and Prudential Indicators for the financial year 2004 / 2005 in respect of the Council's Treasury Management functions. The report also set out the Annual Investment Strategy, in order to meet the requirements of guidance issued by the Secretary of State under Section 15(1) of the Local Government Act 2003.

The Assembly is recommend to agree:

1. The Annual Treasury Strategy Statement for 2004 / 2005;
2. The Annual Investment Strategy for 2004 / 2005, which states the investments the Council may use for the prudent management of its treasury balances (set out in sections 5 and 6 of the report);
3. The authorised borrowing limit of £5 million for 2004 / 2005, which will be the statutory limit determined under section 3(1) of the Local Government Act 2003; and
4. The Prudential Indicators for 2004/05 as set out in Appendix A (as amended by Minute 308 - Housing Investment Programme for 2004/5/6) of the report.

**4. Capital Programme 2004 / 2005 to 2007 / 2008 (See A17)**

The Assembly is recommended to agree the Capital Budget for 2004 / 2005 (as amended by Minute 308 - Housing Investment Programme for 2004/5/6) to be met from the Council's usable capital receipts, as set out in Appendices B to E of the report, and in principle for later years subject to review.

**Contact:**  
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## A DECISIONS TAKEN BY THE EXECUTIVE

*17 February 2004*

### 1. Members Telephones

Received a reference from the Scrutiny Management Board (SMB) on its consideration of the Call-In received with respect to the Executive's decision of 25 November 2003 clarifying the issues associated with Members' Telephones.

After weighing up the information presented, the SMB concluded: that:

- (i) All Members should be treated equally in relation to the provision and related costs of telephones for Council business use, and as such **all** costs should be borne by Members from their Members' allowances;
- (ii) There should be no exception to this rule, either now or in the future, and accordingly a) those with mobile telephones provided by the Council should be required to discontinue their use and hand them back, and b) the one remaining Centrex line connection should be disconnected;
- (iii) Should any Member position require a mobile telephone or other similar means of contact or communication, the Member holding that position should personally purchase the necessary equipment and pay for all costs, again making use of their basic or, where appropriate, special responsibility allowance.

The Chief Executive advised that the conclusions of the SMB were subject the Council's Constitution, and on that basis we

**Agreed** to revise the original decision concerning telephones for Members accordingly, that is by reconfirming the original decision number 1 in relation to the telephone handsets provided with the computer equipment, but deleting 2 and 3 and replacing them with i), ii) and iii) above.

The original decision number 4 is unaffected as this relates to IT support for Members and not telephones.

### 2. Replacement of Revenues Systems

Received a report providing an update on progress to date in respect of the replacement of the Revenues' systems approved by the Executive at its Meeting on 29 July 2003 and set out the funding position, which has been clarified following a successful bid to the Department of Works and Pensions for financial support towards the cost of the project.

The report also identified difficulties encountered to date in securing a project manager, with the appropriate skills set, through the usual recruitment channels and the potential impact of this on capital spending for the project.

**Agreed**, in order to ensure that the Revenues' project is managed to a successful conclusion and that exposure to risk throughout the project lifecycle is minimised:

1. To a waiver of the Council's Constitution (Contract Rules section 4.1(d)); and
2. That the Director of Finance be authorised to:
  - a) Approach companies capable of introducing or providing a person with the appropriate skills, knowledge and experience, and
  - b) Engage such a person on contract to the Council.

### **3. Eastbrookend Country Park- Declaration of Local Nature Reserve**

Received a report proposing to designate Eastbrookend Country Park as the Borough's second Local Nature Reserve, in line with the Borough's Local Public Service Agreement with the Office of the Deputy Prime Minister. This follows the designation of The Chase as a Local Nature Reserve in 2001.

**Agreed**, in order to assist the Council in achieving its Community Priorities of 'Making Barking and Dagenham Cleaner, Greener and Safer' and 'Raising General Pride in the Borough', to:

1. Approve the declaration of Eastbrookend Country Park, as marked on the plan attached to the report, as a Local Nature Reserve; and
2. Authorise officers to issue the necessary Notices and enter into the necessary legal arrangements to enable the Declaration to take place.

### **4. Response to Scrutiny Management Board: Call in: Selection of Barking and Dagenham's Panel of Registered Social Landlord Partners**

Received a report responding to the Scrutiny Management Board (SMB) following its consideration of the Call-In received with respect to the Executive's decision of 7 October 2003 to set up a panel of preferred Registered Social Landlords (RSLs) to partner the Council to deliver new affordable homes, excellent housing services and regeneration initiatives.

**Agreed**, in order to strengthen the Council's ability to deliver high quality new affordable homes and bring about regeneration programmes for the community, as well as drive up performance standards ensuring greater accountability, to:

1. Admit London and Quadrant Housing Trust (subject to the condition set out in paragraph 5.1 of the report) and Presentation Housing Association to the preferred RSL partner panel;
2. Continue to monitor the performance of Southern Housing Group, with a further report to be presented to the Executive in March 2004;
3. Adopt the selection criteria for RSL partners as set out in paragraph 5.3 of the report for future assessments;
4. Request the RSL forum which is being established within the Barking and Dagenham Partnership, to monitor on a quarterly basis the performance of the Council's RSL partners; and



5. Receive annual reports reviewing the RSL partner panel and consider any proposals to add or exclude any RSLs.

## 5. Regenerating the Local Economy - Cross Cutting Best Value Review

Received the final report of the cross-cutting Best Value Review of Regeneration, which presents the findings of the review and recommendations for the future.

**Agreed**, in order to achieve significant improvements in the effectiveness of the Council's regeneration role:

1. The improvements and actions detailed in the Improvement Plan;
2. That those actions requiring Neighbourhood Renewal Funding become the priority schemes for the council when submitting applications; and
3. To receive further reports on the implementation of the improvement actions in line with the Report.

## 6. Land Disposal

Received a report seeking authority to dispose of the freehold interests of the property assets identified in the report and to remove two properties from the disposal programme.

**Agreed**, in order to dispose of surplus property as part of a programmed disposal approach to identifying and re-using surplus and under utilised land and property to fund the Capital Programme and assist the Council in achieving its Community Priorities of *"Regenerating the Local Economy"*, *"Improving, Health, Housing and Social Care"* and *"Raising General Pride in the Borough"*, to:

1. The disposal of the freehold interests in the land and vacant sites shown in Appendix 1 (and shown on site plans Appendix 2 to 11) of the report.

The terms of the sales will be undertaken by the Director of Leisure and Environmental Services (as prescribed by the Scheme of Delegation, Section P and Land Acquisitions and Disposals Rules in the Constitution and Legislation); and

2. The removal of the Sterry Road and the Rogers Road Depots from the Land Disposal Programme for the reasons set out in paragraphs 2.6 and 2.7 of the report.

## 7. Local Authority Regeneration Schemes: Bids for Funding from Regional Pot

Received a report providing details of a new Government funding source for Local Authority housing regeneration projects. The report set out proposals for 2 bids to be submitted, in line with the criteria for project bids under this programme, as set out in the report, for outline estate renewal schemes.

**Agreed**, in order to assist the Council to achieve the decent homes target and meet broader regeneration objectives, to support bids under this new funding source for housing regeneration schemes at London Road / North Street and Cadiz Court.

## 8. Barking Reach Company Agreement: New Joint Venture Vehicle

Received a report providing an outline of the history of development on Barking Reach and negotiations with English Partnerships for them to form a new Joint Venture company with Bellway Homes plc to invest in and drive forward the development opportunity at Barking Reach.

**Agreed**, in order to assist the Council in achieving its Community Priorities of “Regenerating the Local Economy” and “Improving, Health, Housing and Social Care”, to:

1. Approve the surrender of the existing Barking Reach company documentation, including shareholders agreements, landowners agreement, development agreements for individual phases and project management agreements;
2. Approve the sale of the Council’s freehold interest in Barking Reach to the new Joint Venture Partnership for £3.75 million (the first payment of £2.75 million would be paid on exchange of documentation, and the balance of £1 million will be paid three years later);
3. Enter into the new Joint Venture with English Partnerships and Bellway Homes plc and receive a 20% share in future profit surpluses generated by the new partnership, after a prior return to English Partnerships / Bellway Homes plc of 25% on sales revenue subject to:
  - a) The Council having no ongoing liability relating to the land they transfer, including any request to provide warranties in respect of Renwick Road tip;
  - b) The Council receiving its’ proper and reasonable profit share proceeds from Phases 1 and 2A, which are outstanding;
  - c) Safeguards to ensure the Council receives £1 million in 3 years time and its 20% share at the end of the development;
  - d) Other contractual terms being acceptable to the Council’s legal, property and financial advisors;
  - e) Receipt of the Council’s proper legal and surveyor’s costs;
4. Approve, in principle, an option agreement with English Partnerships / the London Development Agency (LDA) to acquire lands north of the current junction of Renwick Road with the A13, on Castle Green to facilitate a new junction into Barking Reach. Detailed terms will need to be agreed by Officers, Denton Wilde Sapte and Cluttons;
5. Decline an invitation by the new Joint Venture for a member of the Council to become non-Executive Chair of the new Company in favour of a more informal “Observer” status being enshrined in the new Company Agreements; and,
6. Fees, incurred in work on Barking Reach, be reimbursed to the Planning and Regeneration Cost Centres.

In relation to recommendation 3 a) Members agreed that officers should continue negotiations with the Joint Venture and any variation to this recommendation be delegated to the Director of Leisure and Environmental Services acting in consultation with the Leader of the Council and the Lead member for Regeneration.

## **9. Restructure of the Housing Landlord Services Division**

Received a report proposing changes to the Landlord Services Division in order to facilitate a 2\* service by the end of 2004 and achieve strategic Balance Scorecard targets.

**Agreed**, in order to complete the realignment of the Landlord Service and facilitate achievement of the strategic Balance Scorecard objectives, to:

1. The proposals in principle, which will be subject to detailed consultation with staff, trade unions and tenants;
2. The changes in the JNC posts set out in paragraph 2.1 of the report; and
3. A further report from the Director of Housing and Health on the full impact of the proposals including the full financial implications.

## **10. Award of Contracts for Housing Futures**

Received a report seeking to appoint contractors for two services in connection with the Housing Futures project.

**Agreed**, to appoint the following contractors, who have demonstrated the best value for money for the Council in terms of combined price and quality:

1. Fordham Research Ltd at a cost of £56,315 for the Housing Needs and Affordability Survey for the period 1 March 2004 - 31 August 2004;
2. Beha Williams Norman Ltd. at a cost of £59,270 for the Housing Futures Advisor to the Council for the period 1 March 2004 to 31 July 2005.

## **11. Changes to the Local Agreement in Respect of Occupational Sick Pay for Industrial Injuries**

Received a report outlining issues raised within the Leisure and Environmental Services Department (LESD) regarding Occupational Sick Pay. As a similar situation applies for the Education Catering staff the Education, Arts and Libraries Department is also requesting that the changes are applied to those staff also.

**Agreed** to the changes to the Local Occupational Sick Pay Agreement (which came into force on 1 September 1996) covering staff of the former Contract Services Department (now LESD and DEAL) to enable staff sustaining Industrial Injury to receive sickness pay in accordance with the Council's Occupational and Sick Pay Scheme with effect from 1 April 2003.

**12. A13 Goresbrook Interchange - Authorisation of Funding to meet Contractor's Claim**

Received a report setting out details of the final claim of £707,357 being made against the Council by contractors in relation to the construction of the A13 Goresbrook Interchange and associated Artscape work. An application has been made to the Arts Council England (ACE) to fund the Artscape portion of the settlement figure.

**Agreed**, in order to set funding aside that will enable the settlement of the final claim and report the Final Account in accordance with the Constitution, that:

1. Payment of £375,000 be made against the total claim as follows:
  - (a) £185,000 to be funded from the existing Traffic and Highways Capital expenditure, thereby reducing the Capital Programme.
  - (b) If a further £190,000 is not forthcoming from the ACE, that this portion of the settlement should be met from the Education, Arts and Libraries Department's Capital Programme.
2. The Final Account, including the settlement figure of £375,000, will be £1,777,413.76.

**13. Tender for Provision of a Home Improvement Agency**

Received a report outlining the proposed tendering process to be entered into, nature of the package and anticipated timescales for a Home Improvement Agency.

**Agreed**, in order to develop the contractual provision of Home Improvement Agency services to meet the requirements of 'Staying Put', to:

1. Endorse the proposed tendering process and the key service requirements to enable the tendering exercise to proceed; and
2. Nominate Councillor B Osborn to take part in the tender process.

**24 February 2004**

**14. Comprehensive Performance Assessment 2005 - The Way Ahead**

Received a report summarising the recently published Audit Commission Consultation document 'The CPA 2005 - The Way Ahead', which indicates far reaching changes to the corporate assessment methodology, particularly relating to the role of the shared priorities between central and local government, the Community Strategy and Use of Resources.

**Agreed**, in order to participate in the consultation process, which will determine how the key external assessment of local authority performance will be undertaken from 2005, that:

1. A final response be submitted to the Audit Commission by their deadline of 27 February 2004; and

2. Barking and Dagenham Council applies to be a pilot authority for the new approach, in order to help shape and influence the new process.

## **15. Performance Monitoring**

The Management Team gave a presentation on, and we discussed, performance against a range of key performance indicators for the 3rd quarter and end of year projections 2003 / 2004 in respect of:

- Best Value Performance Indicators in the Corporate Performance Assessment Basket.
- High Risk Performance Indicators that are considered in the Corporate Performance Assessment.
- Council Scorecard Performance Indicators.
- Public Service Agreement targets.

### **Agreed:**

1. That an annual report on monitoring of the Best Value Performance Plan be submitted to the Assembly;
2. That the Barking and Dagenham Primary Care Trust be requested to provide more timely information in order to provide a more accurate picture of performance in respect of CS 5a and CS 5b; and
3. That officers provide for Members the definitions for the following performance indicators: CS 5a, BV 63, BV 68.

## **16. Revised Budget 2003 / 2004 and Base Budget 2004 / 2005**

Received a report setting out the position of the Council's revenue budgets for 2003 / 2004 and a base budget position for 2004 / 2005.

### **Agreed, to:**

1. The revised budget for 2003 / 2004 in order to reflect decisions made during the year and the base budget for 2004 / 2005 as the initial position for deciding the overall 2004 / 2005 budget, as set out in Appendix A (i) of the report; and
2. The budget transfers reflected within the 2003 / 2004 revised budget, as set out at Appendix A (iii) of the report.

## **17. Capital Programme 2004 / 2005 to 2007 / 2008**

Received a report setting out the current position with regards to the Capital Programme and proposals for allocating resources for 2004 / 2005 to 2007 / 2008, prior to submission to the Assembly for its consideration.

**Agreed:**

1. To note the position of the 2003 / 2004 Capital Programme and paragraph 7.4 of the report;
2. The new schemes within the proposed Capital Programme as set out in paragraph 7.1.1 of the report and schemes with additional costs as set out in paragraph 7.1.3 of the report subject to each scheme being reported to the executive before proceeding.;
3. The programme of schemes to be met from external resources as set out in Appendices B to E of the report;
4. That before any scheme proceeds in the Capital Programme that it has all four green indicators arising from the capital appraisal process;
5. That the schemes in Appendices D and E of the report undergo the relevant capital appraisal process and that before any of these schemes proceed they are reported to the Executive for approval for inclusion in the Capital Programme;
6. That the new start schemes identified in paragraph 7.2 of the report only proceed if external funding is obtained;
7. To note the Prudential Indicators for the Authority as set out in Appendix F of the report (as amended by Minute 308 - Housing Investment Programme for 2004/5/6);
8. In principle, and subject to technical resolutions, to the settlement of the outstanding debt to the London Borough of Redbridge arising from the boundary changes in 1994 / 1995 as set out in paragraph 5.6 of the report; and if actioned to substitute the debt repayment to Redbridge for a ring fenced revenue contribution to capital in the Housing Revenue Account.

**18. Housing Investment Programme for 2004/5/6**

Received a report setting out the basis for establishing a programme of investment until such time as the Housing Futures Project is completed in July 2005. The report outlined available resources and proposals for how these can be expended in line with Best Value principles over the next two years.

**Agreed**, in order to enable the necessary design work and procurement to proceed, to:

1. The approach for the Investment Programme for 2004/5/6 as set out in paragraph 1.3 of the report;
2. A further report to be submitted to the Executive once the assessment proposed has been completed;
3. The budget and provisional allocation of resources for 2004/5/6 as set out in paragraph 2 of the report;

4. The extension of the existing Stock Survey to meet the needs of the Housing Futures Study; and
5. Delegate authority to The Director of Housing and Health to negotiate with the surveyors who undertook the 2002 Stock Condition Survey, NBA, to extend the survey to meet the needs of the Housing Futures Study as detailed in paragraph 3.7.2 of the report.

#### **19. Award of Contract for Housing Futures**

Received a report seeking to award the third contract for the Housing Futures project, to provide an Independent Tenants Advisor.

**Agreed**, to appoint PPCR Associates at a cost of £65,000 for the period 1 March 2004 to 31 July 2005 for the provision of an Independent Tenants' Advisor, as the proposed contractor has demonstrated the best value for money for the Council in terms of combined price and quality.

#### **20. Land in Abbey Road - Relocation of the Canoe Club**

Received a report detailing proposals for the development of land in Abbey Road owned by both Furlong Homes and the Council. The report sets out proposals for the Canoe Club to be relocated within the development scheme, as it has not been possible to identify an alternative suitable location.

**Agreed**, in order to facilitate the early conclusion of negotiations for the sale of the Council's land in Abbey Road, Barking to Furlong Homes, thus meeting the Council's needs for affordable housing and also for capital receipts to fund the Capital Programme, to:

1. Approve the re-provision of the Canoe Club within the development;
2. Accept the offer set out in the report for the Council's property in Abbey Road. The capital receipt available to the Council, as land owner, will be reduced to reflect the cost of re-providing the Canoe Club within the scheme; and
3. Delegate the authority to agree the specific terms of the disposal including any amendment to the value to the Director of Leisure and Environmental Services.

Officers in the Leisure and Environmental Services Department will work with the Canoe Club to ensure the implementation of their business plan as a part of the Department's Sports Development activity.

**9 March 2004**

#### **21. Building Schools for the Future**

Received a report outlining details of an Expression of Interest, submitted to the Department for Education and Skills, seeking resources to support development of the secondary school building stock as part of a national scheme to ensure that secondary education has facilities of 21st century standards.

**Agreed** to support the content of the report and the main body of the bid, in order to secure significant funds for further improvements at existing secondary schools and the Trinity Special School, with the exception of the Jo Richardson Community School.

## **22. Transfer of the Passenger Transport Service**

Received a report proposing that Revenue savings could be forthcoming from an amalgamation of transport management, in accordance with budget reductions for 2004 / 2005 onwards and that from 1 April 2004 the responsibility for this service should be transferred from the Director of Education, Arts and Libraries (DEAL) to the Director of Leisure and Environmental Services (DLES).

**Agreed**, in order to improve the management structure, improve efficiency and achieve the required budgetary savings, to the amalgamation of the Passenger Transport Services (DEAL) with Transport and Waste Services (DLES) with effect from 1 April 2004 and the responsibility for the management of the amalgamated service being transferred to DLES.

## **23. Review of Charges for the Collection of Trade and Other Waste, Emptying of Cesspools, Vehicle Crossings and MOT's**

Received a report proposing increases in the charges for the collection of trade and other waste, emptying of cesspools, the construction of vehicle crossings, the carrying out of MoT vehicle tests and other services.

**Agreed:**

1. To the increased charges as set out in the report, with effect from 1 April 2004, in line with the Charging Policy for Council services, in order to reflect the current costs of the services provided and increases in costs made to the Authority; and
2. That officers should ensure that all Members are aware of proposed new charges from an early stage.

## **24. Fees and Charges 2004 / 2005: Leisure Activities, Cemeteries and Community Halls**

Received a report regarding charges for Leisure Activities, Cemeteries and Community Halls for 2004 / 2005.

**Agreed**, in order to set the Leisure Activities, Cemeteries and Community Halls Charges for the forthcoming year in accordance with the principles of the Charging Policy Commission and pending the recommendations of the Leisure Facilities Scrutiny Panel and to assist with the Community Priority of "Improving Health, Housing and Social Care", to:

1. A simplification of the number and type of memberships available, not only to offer good value for money to regular and frequent users but also to encourage more people to make regular and more frequent use of facilities, including the removal of the category of 'Off-Peak Membership';



2. In principle, the introduction of a category of 'Staff Membership' in replacement of the long-established concession of free swimming for certain categories of staff, subject to negotiations through the staff negotiating procedure;
3. The removal of the concept of 'Day Membership' in the majority of cases, by showing standard activity prices, from which 'Members' will be entitled to a discount every time they use facilities;
4. Officers negotiating with specific sports clubs regarding Delegated Management Agreements for certain pavilions in parks, subject to further reports being presented for approval;
5. The reduction of categories for charging of Community Halls from three to two as detailed in the report;
6. Give delegated authority to officers in the Leisure and Environmental Services Department to negotiate with users of Mayesbrook Arena and agree the charges for 2004 / 2005 to get the best available return to the Council; and
7. Note the position with regard to Cemeteries Charges.

## **25. Barking Town Centre Market Charges: Fees and Charges**

Received a report setting out proposals to increase the rental charges levied on the Barking Town Centre market traders.

**Agreed**, the increases in the level of charges for trading at the Barking Town Centre Market from 1 April 2004, as set out in paragraph 1.2 of the report, in accordance with the principles of the Charging Policy Commission.

## **26. Term Contract for Electrical Repairs and Minor works in Public Buildings and Schools**

Received a report outlining the contract for the electrical repairs and minor works in public buildings and schools, which is due to expire at the end of June 2004.

**Agreed**, to seek tenders for a five-year term contract for the electrical repairs and minor works in public buildings and schools using the Restricted Procedure in accordance with European Procurement Directives, with a further report to be presented in June 2004 advising of the results of the tender evaluation process and requesting approval to appoint the successful contractor.

## **27. Future of Leisure Centres**

Received a report providing information with regard to indicative redevelopment costs and funding options for a new leisure centre and options with regard to the future management of all the leisure centres directly managed by the Council.

**Agreed**, in order to assist the Council in achieving the Community Priorities of "Promoting Equal Opportunities and Celebrating Diversity", "Better Education and Learning for All", "Improving Health, Housing and Social Care", "Raising General Pride in the Borough" and "Regenerating the Local Economy", that:

1. Consideration be given to enable a new Leisure Centre to be built within the Borough through the Council's Capital Management Programme, subject to a proper evaluation and appraisal to be undertaken in due course. Paragraph 6.4 of the report sets out an assumption that the capital finance will be secured, but currently the policy is not to ring-fence any capital receipts to any specific projects.
2. Officers continue to investigate the future Management of the Council's Leisure Centres through either:
  - a. An external Trust organisation, whether it be an existing Trust, or one established by the Council;
  - b. Managed Direct by the Council; or
  - c. Through a Private Public Partnership (PPP); and
3. Officers continue to work on plans to develop a new Leisure Centre on the existing Wood Lane Sports Centre site. The preferred option is for an eight-lane swimming pool and teaching pool.

## **28. Management of Customer First**

Received a report proposing the long-term location of Customer First within the Corporate Strategy Department.

**Agreed**, in order to facilitate the effective management of the Council, to the relocation of Customer First from the Housing and Health Department into the Corporate Strategy Department with immediate effect.

## **29. Procurement of Capital Projects**

Received a report setting out a brief description of the procurement routes of a number of new-build and refurbishment projects within the Council's Capital Programme.

**Agreed**, in order to ensure that capital projects are procured in accordance with the Council's constitution, that:

1. Officers proceed with the procurement of projects as set out in the report; and
2. The requirement for competitive tendering, set out in Contract Rules, Part D paragraph 6.2 of the Council Constitution, be waived and that officers enter into negotiations with a sole supplier as detailed in paragraph 3.3 of the report.

## **30. Term Contract for Street Lighting Maintenance and Replacement Contract 2000 - 2004 - Proposed Extension to Existing Contract and Packaging of Future Tender 2004 - 2008**

Received a report proposing the extension of the current Term Contract for six-months to cover the period between the expiry of the current contract (March 2004) and start of a new Term Contract; for which tenders will be sought shortly.

**Agreed**, in order to continue to provide an efficient and cost effective service for street lighting maintenance and replacement, to:

1. Approve the extension of the Term Contract for Street Lighting Maintenance and Replacement 2000 - 2004 with T. Cartledge Ltd up to 30 September 2004; and
2. A further report to be presented in July 2004 advising of the results of the tender evaluation process and requesting approval to appoint the successful contractor.

**31. Modernisation of Disability Day and Residential Services - Options for Improving Service Provision**

Received a report exploring options for the commissioning of Disability Day and Residential Services in new facilities in order to provide the best quality service and value for money.

**Agreed**, in order to ensure high quality of care provision for Service Users and carers, and ensure resources are utilised to their optimum, to:

1. Re-design the in-house service (Option C, paragraph 5.3 of the report), with a further report to be submitted to the Executive in 6 months on the long term future; and
2. Note the intended timetable for service re-design as set out in the report, which will use the agreement between the Council and trade unions "Workforce Matters in Best Value and Contracting" as a basis for the process to be followed.

**32. Application For Discretionary Rate Relief**

Received a report providing details of two applications for discretionary non-domestic rates relief.

**Agreed**, that the applications for Discretionary Non-domestic Rate Relief should be granted for 2003 / 2004, for the reasons set out in the report.

**33. Delivery of Housing Services - Community Housing Partnership**

Received a report setting out details of the latest round of recruitment in the community for Board Members to sit on the Community Housing Partnerships.

**Agreed** to the placement of the following residents on their appropriate local Community Housing Partnership Boards, in order to continue to empower the community in matters relating to the Council's housing services:

- Mr Clement Adekoyojo Heath, Alibon and Eastbrook
- Ms Zeynep Callaghan Abbey, Gascoigne and Thames
- Mr Michael Lincoln Abbey, Gascoigne and Thames
- Mr David Cooper ELM (Eastbury, Longbridge and Mayesbrook)
- Mr Daniel Jakens ELM (Eastbury, Longbridge and Mayesbrook)

- Mr Gerard Magherini           Becontree, Parsloes and Valence
- Ms Jackie Randall               Becontree, Parsloes and Valence

We did not agree to the placement of the other applicant referred to in the report. Whilst we understand that the individual has been through the selection process some Members of the Executive were aware of previous comments that he/she had made which we feel are not appropriate for a representative on a Council body.

**34. Restructure of the Housing Landlord Services Division**

**Agreed** to appoint Councillors Alexander, Fairbrass, and B Osborn in order to enable the recruitment to the post of Head of Housing Business Support.

**16 March 2004**

**35. Funding for a Member to Attend the Leadership Academy**

Received a report seeking approval for the attendance of one Member at The Leadership Academy during 2004 / 2005.

**Agreed** that Councillor McCarthy attends The Leadership Academy during 2004 / 2005, the cost of which is to be met from the Members' training budget.

**36. People Matter: Annual Report on Learning and Development**

Received a report outlining feedback on, and evaluation of, the Council's learning and development initiatives. The report also proposed a programme of action to improve the leadership and management capability and achieve the corporate Investors in People status.

**Agreed**, in order to improve the leadership and management capability and achieve the corporate Investors in People status, to:

1. The Management Team's proposed priorities, objectives and action plans, as well as the commitments and resourcing as set out in paragraphs 6 and 7 plus Appendices 1 and 2 of the report; and
2. Note the statistics set out in Appendices 3 and 4, the details of other initiatives across the Council, and the departmental chapters at the back of this report, which will be standardised and monitored on a quarterly basis by Departmental Management Teams.

**37. Award of MRA Security Improvements Package**

Received a report seeking approval for the award of the Major Repairs Allowance (MRA) Security Improvements contract. The works consist of the installation of controlled entry systems to a number of low and high-rise residential blocks in the Borough.

**Agreed**, in order to improve security to a number of low and high-rise residential blocks in the Borough, to:

1. Award the MRA Security Improvements Package to Cartel Security Systems Ltd;
2. Waive an element of Leaseholder charges associated with these works as set out in the report; and
3. Retain the services of Thames Accord to provide Contract Administration, programme and budget control and Planning Supervision in accordance with CDM regulations and Health and Safety requirements.

### **38. Consultancy Support for Pilot Call Centre Implementation Report**

Received a report seeking a waiver of the tendering requirements in order to appoint consultants to assist with the implementation of a Pilot Call Centre as part of the Customer First Programme.

**Agreed**, in order to provide continuity, joined up working and meet the challenging deadline for the implementation of the Call Centre, to:

1. Waive the Council's Contract Rules (Section 4.1 (e)); and
2. Commission Deloitte Consultancy for up to seven months to support the work required to implement the Pilot Call Centre.

### **39. Procurement of Security Dog Handling Services**

Received a report seeking permission to tender for the provision of a security dog service to assist the in-house service in times of high demand. The report also outlined details of a monthly renewable contract with TAG K-9 Security Dogs which have been assigned to patrols specific areas of the Borough.

**Agreed**, in order to provide a safe and cost effective security dog-handling service to all sections of the Council on an as required basis, to:

1. Appoint Councillor McKenzie to be involved with the packaging and specification of the above mentioned contract;
2. A further report to be presented in September 2004 advising of the findings of the review and results of the tender evaluation process and seeking approval to appoint the successful contractor;
3. Note the urgent action taken by Officers in appointing TAG-K9 and in accordance with Contract Rules paragraph 1 (e) to waive tendering requirements and give Delegated Authority to the Director of Leisure and Environmental Services to negotiate and accept a monthly renewable contract with TAG K-9 to cover the period 1 April to 1 November 2004, for a sum not exceeding £120,000.

### **40. Urban Planning and Design Conference - 19 and 20 May 2004**

**Agreed** representation by the Lead Member for Regeneration and the Group Manager Urban Design at the Planning and Urban Design Conference on the 19 and 20 of May 2004, in order to assist the Lead Member for Regeneration and the new

Urban Design Group in promoting urban design in the planning and regeneration of the Borough.

**42. Improving Social Services: Review of the Finance and Commissioning Framework**

Received a report reviewing performance in the Social Services Department, the commissioning of services and the financial framework.

**Agreed**, in order to continue to achieve improvements in the performance of Social Services, to:

1. Endorse the Finance and Commissioning Framework; and
2. Note the additional spending to Formula Spending Share (FSS) as set out in Table 4 of the report.

**43. Social Services Charging and Benchmark Prices for 2004 / 2005**

Received a report reviewing the level of charging for social care services for 2004 / 2005 and proposing benchmark prices for care placements.

**Agreed**, in order to implement the required changes to the charges for social care services from 12th April 2004 (the date at which state benefits are increased), except for Nurseries from 1 May, to:

1. Endorse an increase of approximately 5% for the level and range of non-residential charging as set out in paragraph 4.3 of the report;
2. Endorse Supporting People charging as outlined in paragraph 6.3 of the report;
3. Endorse the level of charge for Welfare Meals as set out in paragraph 8.4 of the report;
4. The Residential and Day Care charges for other Local Authorities (and full payers) together with benchmark prices alluded to in paragraphs 10.5 , 10.6 , and 10.7 of the report; and
5. The level of charges for Nursery Places set out in paragraph 9.1 of the report.

**44. Contaminated Land Inspection Programme**

Received a report outlining a proposal to invest in a five year soil investigation programme.

**Agreed**, in order to meet the Council's statutory responsibility, to:

1. A five-year Soil Investigation Programme, at a cost of £2.79 million, which is provided for from capital receipts in the Capital Programme as agreed by the Assembly on the 3<sup>rd</sup> March 2004;

2. The difference of £290,000, between the resources allocated and the current estimate of costs, be used to reduce the extent of the over-programming within the overall Capital Programme;
3. A sum of £573,000 for 2004 / 2005 and that future year's expenditure is reviewed as part of the relevant year's budget setting process; and
4. An application for Capital Support from the Department for Environment, Food and Rural Affairs to be made in due course.

#### **45. Rents and Benefits Manager and Service Improvement Manager**

Received a report seeking approval to the ongoing financial arrangements regarding the Interim Rents and Benefits Manager and the arrangements for the retention of an individual as Service Improvement Manager for a fixed period.

**Agreed**, in order to put in place adequate management arrangements and Service Improvements for the Rents and Benefits service, to:

1. Waive the tender process in accordance with the provisions of paragraph 4.1(e) of the Contract Rules; and
2. Establish a post of Service Improvement Manager for up to 2 years, subject to a monthly review as set out in paragraph 5.9 and 5.10 of the report.

#### **46. Professional Services Contracts for the Shape Up and MRA Programmes**

Received a report setting out the findings and opinion of J.R. Knowles Ltd regarding the nature of the contract between Schal and the Council in respect of Schal's involvement in both the Major Repairs Allowance and Shape Up for Homes programmes.

**Agreed**, in order to resolve the dispute between the Council and Schal, to:

1. Note the contents of the report and the current dispute with Schal regarding both remuneration and its responsibilities under the contract; and
2. Delegate authority to the Director of Housing and Health, in conjunction with the Solicitor to the Council, to refer the dispute to adjudication either jointly with Schal or separately as best protects the Council's interest.

### **B BUSINESS ITEMS**

**17 February 2004**

#### **1. Housing Associations Scrutiny Panel**

Noted the report of the above Scrutiny Panel, which will now be submitted to the Assembly on 7 April 2003.

**9 March 2004**

**2. Draft Report of the Health and Social Care Partnership Arrangements Scrutiny Panel**

Noted the contents of the final report of the Health and Social Care Partnership Arrangements Scrutiny Panel, prior to its submission to the Assembly on 7 April 2004.

**23 March 2004**

**3. MORI Presentation - CPA and Staff Performance**

Received a presentation by Ashley Aimes from MORI presenting feedback arising from recent surveys on staff attitudes and the perception of residents of Barking and Dagenham.

**4. Social Inclusion Policy Commission**

Noted the contents of the final report of the Social Inclusion Policy Commission, prior to its submission to the Assembly.

**Background papers used in the preparation of this report:**

Minutes, agenda and public reports for the Executive meeting held on 17 and 24 February; 9, 16 and 23 March 2004.



**THE ASSEMBLY**

**7 APRIL 2004**

**REPORT OF THE SCRUTINY MANAGEMENT BOARD**

<b>REPORT OF MEETING – 18 FEBRUARY 2004</b>		<b>FOR INFORMATION</b>
<p><i>This regular report on the work of the Scrutiny Management Board is submitted under Article 2, Paragraph 9.2 of the Constitution</i></p> <p><b>Summary</b></p> <p>This report summarises the key work of the Scrutiny Management Board at its meeting on 18 February 2004.</p> <p><b>Outcome of the Consultation on Admissions Criteria and Processes</b> – report updating the Board on the work that has been undertaken to produce the draft scheme for co-ordinated admissions required by the Education Act 2002.</p> <p><b>Barking and Dagenham Health Scrutiny Panel</b> – progress report on the ongoing work of this Panel.</p> <p><b>Scheme of Delegation Scrutiny Panel</b> – progress report on actions agreed by the Council following the Panel's report last year.</p> <p><b>Health and Social Care Partnership Arrangements Scrutiny Panel</b> – the Board commended the Panel's draft final report, which can be found elsewhere on the Assembly agenda.</p>		
<p><b>Contacts:</b></p> <p>Councillor Mrs Twomey Councillor H Collins Valerie Dowdell</p>	<p>Chair of Scrutiny Management Board Deputy Chair of Scrutiny Management Board Democratic Services Officer</p>	<p>Tel: 020 8593 3315 E-mail: <a href="mailto:patricia.twomey@lbbd.gov.uk">patricia.twomey@lbbd.gov.uk</a> Tel: 020 8593 8976 E-mail: <a href="mailto:Herbert.collins@lbbd.gov.uk">Herbert.collins@lbbd.gov.uk</a> Tel: 020 8227 2756 Fax: 020 8227 2171 Text Link: 020 8227 2594 E-mail: Valerie.dowdell@lbbd.gov.uk</p>

**Outcome of the Consultation on Admissions Criteria and Processes**

As requested at their meeting on 19 March 2003 (minute 61), the Board received a report on the work underway towards the draft scheme for co-ordinated

admissions required by the Education Act 2002. The report outlined the various consultation processes and related work by representative groups undertaken in 2003 and included the draft schemes for primary and secondary admissions. It also described the changes to the oversubscription criteria for September 2005, as a result of Department for Education and Skills guidance on support for Looked After Children, and outlined the timescales to which the department is working.

The Board was pleased to note the priority to be given to Looked After Children.

### **Scheme of Delegation Scrutiny Panel**

The Board received a report providing an update on the actions agreed by the Council following the Panel's report last year. All the actions had been acted upon but consultation with Members and other comments made suggested that whilst some improvements had been made in terms of keeping Members better informed, the situation was still not 100% satisfactory.

Concerns were expressed by the Board relating to the need for Ward Members to be aware of issues raised by Community Forum Representatives and the lack of follow up information for Members on issues raised, which will be addressed by the Democratic and Electoral Services Manager and the Departmental Champions.

### **Background papers used in preparation of this report**

Minutes of the Scrutiny Management Board – 18 February 2004

**THE ASSEMBLY**

**7 APRIL 2004**

**REPORT OF THE DEVELOPMENT CONTROL BOARD**

<b>REPORT OF MEETINGS OF 18 FEBRUARY 2004, 2 MARCH 2004 and 17 MARCH 2004</b>		<b>FOR INFORMATION</b>
<p><i>This regular report on the work of the Development Control Board is submitted under Article 2, Paragraph 9.2 of the Constitution.</i></p> <p><b>Summary</b></p> <p>The report summarises the business transacted by the Development Control Board since their last report to the Assembly.</p> <ol style="list-style-type: none"> <li>1. The Development Control Board has met three times (18 February 2004, 2 March 2004, and 17 March 2004) since they last reported to the Assembly, a total of 13 planning applications have been presented. From these applications, 12 were decided in accordance with the officers' recommendation. The 1 remaining was deferred.</li> <li>2. The Board noted that 2 Town Planning Appeals had been lodged and 4 had been determined as 2 accepted and 2 dismissed.</li> <li>3. Details of applications determined by the Director of Leisure and Environmental Services under delegated authority were presented covering the period 23 January 2004 to 5 March 2004.</li> </ol>		
<p>Contact:</p> <p>Councillor Mrs Bruce</p> <p>John Dawe</p>	<p>Chair, Development Control Board</p> <p>Democratic Services</p>	<p>Tel: 020 8227 2116 e-mail: <a href="mailto:jean.bruce@lbbd.gov.uk">jean.bruce@lbbd.gov.uk</a></p> <p>Tel: 020-8227 2135 Fax: 020-8227 2171 e-mail: <a href="mailto:john.dawe@lbbd.gov.uk">john.dawe@lbbd.gov.uk</a></p>

**Background papers**

Minutes of the Development Control Board 18 February, 2 March, and 17 March 2004.

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**THE ASSEMBLY**

**7 APRIL 2004**

**REPORT OF THE PERSONNEL BOARD**

REPORT OF RECENT MEETING	FOR INFORMATION	
<p><i>This regular report on the work of the Personnel Board is submitted under Article 2, Paragraph 9.2 of the Constitution.</i></p> <p><b>Summary</b></p> <p>This report summarises the work of the Personnel Board from 14 February 2004 to 19 March 2004.</p> <p>The Board met on 4 March 2004 and agreed to the early retirement of a Part-Time Cook in the Social Services Department, without extending the service to the retirement age.</p>		
<p>Contact:</p> <p>Lopa Sarkar</p>	<p>Democratic Services Officer</p>	<p>Tel: 020-8227 2775                      Fax: 020-8227 2171                      e-mail:  <a href="mailto:lopa.sarkar@lbbd.gov.uk">lopa.sarkar@lbbd.gov.uk</a></p>

**Background papers**

Minutes of the Personnel Board - 4 March 2004

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## THE ASSEMBLY

7 APRIL 2004

## REPORT OF THE STANDARDS COMMITTEE

REPORT OF MEETING 11 MARCH 2004	FOR INFORMATION
<p><i>This regular report on the work of the Standards Committee is submitted under Article 2, Paragraph 9.2 of the Constitution.</i></p> <p><b><u>Summary</u></b></p> <p>The following main business was carried out by the Standards Committee at its last meeting on 11 March 2004:</p> <p><b>The Application and Details of Procedures in Relation to Private Employment</b> – noted the current procedures relating to staff undertaking private employment whilst on sick leave. Having noted that a general review is being undertaken, the Standards Committee was resolute in the view that it should be consulted over any revisions to the Disciplinary Rules.</p> <p><b>Annual Review of the Anti-Fraud and Corruption Policy and Strategy</b> – considered an early revised draft as part of the annual review of this policy pending further wider consultation.</p> <p><b>Annual Review of Standards for Members of the Public (Volunteers) undertaking Council Activities</b> – the Standards Committee reviewed these standards and decided that no amendments were necessary at this time.</p> <p><b>Implementing Standards of Conduct in Public Life</b> – noted that national consultation is being undertaken by the Committee on Standards in Public Life. A collective response on this is being co-ordinated.</p> <p><b>Employees Code of Conduct</b> – noted that the issue of a new model Code is further delayed by Central Government.</p> <p><b>Contractors and Monitoring of Behaviour</b> – received further details enabling the Committee to be sure all departments have in place adequate monitoring arrangements to ensure the appropriate performance and behaviour of Contractors.</p> <p><b>Monitoring report on the application of the Conferences, Visits and Hospitality Rules</b> – noted details of reports to the Executive on ‘events’ totalling more than £1,000. Officers are to be reminded once again of the requirements.</p> <p><b>Web Link with the Standards Board For England</b> – agreed that a web banner linking the Council’s website should be used but in a format appropriate to the Council’s current web layout and format.</p>	

**Annual Review of the Protocol re. Members Allowances and Link with Performance –**  
reviewed the protocol but agreed that no amendments were necessary at this time.

Contact:		
Councillor R Curtis	Chair of the Standards Committee	Tel : 020 8590 9005 E-mail : <a href="mailto:rcurtis@barking.dagenham.gov.uk">rcurtis@barking.dagenham.gov.uk</a>
John Barry	Democratic and Electoral Services	Tel: 020 8227 2352 Fax: 020 8227 2171 Minicom: 020 8227 2685 E-mail: <a href="mailto:john.barry@lbbd.gov.uk">john.barry@lbbd.gov.uk</a>

**Background papers used in the preparation of this report:**  
Minutes of the Standards Committee meeting 11 March 2004