

MINUTES OF ASSEMBLY

Monday, 25 February 2013
(7:00 - 8:21 pm)

PRESENT

Councillor N S S Gill (Chair)
Councillor J Davis (Deputy Chair)

Councillor J L Alexander
Councillor A Gafoor Aziz
Councillor S J Bremner
Councillor L Butt
Councillor J Clee
Councillor R Douglas
Councillor R Gill
Councillor M Hussain
Councillor I S Jamu
Councillor M A McCarthy
Councillor M McKenzie MBE
Councillor E O Obasohan
Councillor B Poulton
Councillor A K Ramsay
Councillor C Rice
Councillor D Rodwell
Councillor A Salam
Councillor S Tarry
Councillor G M Vincent
Councillor L R Waker
Councillor J R White

Councillor S Ashraf
Councillor R Baldwin
Councillor P Burgon
Councillor E Carpenter
Councillor H J Collins
Councillor C Geddes
Councillor D Hunt
Councillor A S Jamu
Councillor E Kangethe
Councillor J E McDermott
Councillor M Mullane
Councillor J Ogungbose
Councillor H S Rai
Councillor L A Reason
Councillor L Rice
Councillor T Saeed
Councillor L A Smith
Councillor D Twomey
Councillor J Wade
Councillor P T Waker
Councillor M M Worby

APOLOGIES FOR ABSENCE

Councillor S Alasia
Councillor J Channer
Councillor G Letchford
Councillor T Perry

Councillor G Barratt
Councillor E Keller
Councillor D S Miles

66. Declaration of Members' Interests

Councillor Carpenter declared a disclosable pecuniary interest in relation to item 6 (Budget Framework 2013/14) in respect to her position as a member of the Governing Bodies of both the Barking and Dagenham FE and Adult Colleges, and that she had received a dispensation granted by the Monitoring Officer in accordance with the Members' Code of Conduct to allow her to take part in the discussion and/or vote on the matter.

Councillors N Gill and White declared a non-pecuniary interest in relation to item 15 (General Questions) in respect to their positions as members of the Governing Body of the Adult College.

67. Minutes (5 December 2012 and 14 January 2013)

The minutes of the meetings held on 5 December 2012 and 14 January 2013 were confirmed as correct.

68. Barking & Dagenham Youth Forum Annual Report 2011/12

The Assembly received and noted the annual report of the Barking & Dagenham Youth Forum (the Forum) introduced by Christine Pryor, Divisional Director of Targeted Support, who introduced the following Forum representatives – Paul Cox, Faraz Hanif, Alex Lau, Danya Lahmami, Florida Docu, Jade Ramsey, Rebecca Casey, Scarlett Ward and William Haggis, who in turn each spoke about the work of the Forum.

The Crime and Community Sub Group:

- Created short video interviews to be used as part of the National Citizens Summer project based on subjects of loitering and public security, poor bus provision and racism and discrimination.
- A filming project with interviews covering stereotyping, music influence, healthy eating and obesity. These films will be uploaded onto the Council's YouTube channel.
- Discussions with the local police about tensions and lasting problems from the riots in 2011. Custody suite tour, fire arms workshop and a stop and search monitoring group with a local Police Inspector
- Arc Theatre workshops looking at girls in gangs and sexual exploitation and domestic and sexual violence.

The Student Voice Sub Group have undertaken research into the support on offer to young people going through the transition from year 11 to 6th form, increased information for young people about to go through transition, as well as speaking to current 6th formers to gain their views.

The research included use of web sites as well as the issue of a questionnaire, the overall findings of which included young people requiring more detailed information on courses on offer to ensure students made the right choices, a better understanding of the changes in workload when moving up to 6th form, better support for independent learning, and the creation of a dedicated website providing a range of information.

The outcomes and findings from the research were presented to Consortium Heads, the Principal Adviser to Secondary Schools and the Divisional Director of Education.

Throughout the year the Young Inspectors Sub Group have carried out the following inspections

- Pharmacies to check on correct condom distribution
- Sydenham Centre over three dates to review sexual health services for young people
- Barking Police station on two occasions exploring the relationship between

- young people and police officers and how effective this relationship is
- Barking Learning Centre including a mystery shopper exercise in the library to identify more appropriate youth books
- Integrated Youth Service - a table top inspection of youth service behaviour, policies and codes of conduct, and
- London and Quadrant Housing Association- a successful bid to carry out in the coming months four inspections in partnership with L&Q. The bid has secured income for the service of £3,300

The following consultations have been carried out by the Forum:

- Seetec (Employment and Skills Training programme) looking at the barriers for young people engaging in employment and training in the Borough
- Completion of an on line survey about young people's perception of the House of Commons
- Community Cohesion Strategy
- Joint Strategic Needs Analysis
- Joint Health and Wellbeing Strategy
- Ofsted – “Have your say on how we inspect services to protect children”
- Borough catering
- Borough transport
- Pharmacies

Faraz Hanif was elected to represent the Forum on the UK Youth Parliament. He has attended two British Youth Council/UK YP conventions as well as the annual debate in the House of Commons in November 2012.

Other events that the Forum members have taken part in:

- Skills 4 Adulthood Day, an event run by Progress Project
- Children's Commissioner National Takeover Day, where young people shadowed the work of senior Council Officers
- A stand at the Town Show
- Team building day at Stubbers Outdoor Activity Centre
- The Chair of the Forum attended the Children's Services Select Committee throughout the year
- Attended the Paralympics
- The Forum, Progress Project and Skittlz (Children in Care) held a Q&A session with national, regional and local political leaders as part of Local Democracy Week in October 2012

Full Forum meetings were held in January 2012 when topics to focus on this year were discussed; in April 2012 when a question time session was held; and in July 2012 when the Forum visited the Houses of Parliament and met with Jon Cruddas MP.

In summing up, the representatives outlined comments made by other Forum members about the positive experiences they had gained from being involved.

Following questions from Members, the Assembly congratulated the representatives on their excellent presentation.

69. Budget Framework 2013/14

The Cabinet Member for Finance introduced the Council's proposed budget framework for 2013/14 which incorporated the following:

- The Medium Term Financial Strategy (MTFS) for 2013/14 to 2014/15
- The proposed General Fund budget for 2013/14
- The proposed level of Council Tax for 2013/14
- The financial outlook for 2014/15 onwards
- The draft Capital Programme for 2012/13 to 2015/16

Providing an overview of the budget the Cabinet Member advised that difficult decisions had again had to be made by Members to ensure that the Council maintained a robust and balanced budget, which protected as far as possible front line services, at a time when local residents are demanding the most from their Council services. Setting a two year budget has meant that it was possible for the Council to keep its Council Tax at the same level for the fifth and, subject to the prevailing financial circumstances at the time, a sixth consecutive year in 2014/15.

This year's budget has been set against the backdrop of the most extensive consultation exercise carried out by the Council including examination by the five Select Committees, Leader and Deputy Leader question times, a separate question time with young people as well as use of Facebook, Twitter and the Council's website. The response to the consultation showed the Council had listened to its residents by withdrawing or amending a range of proposals including support to the voluntary sector, sheltered housing schemes, the reinstatement of green waste collections and the anti-social behaviour team, to name but a few.

The budget has been set in the context of further larger cuts in core government funding, and those cuts are much higher than the misleading headlines announced by the Coalition which, based on the funding formula imposed on local authorities, means that this Council is underfunded by approximately £2.5m. Overall this Council has had to reduce its budgets over the four years 2010/11– 2014/15 to the order of £90m. In addition the changes to benefits such as Council Tax, housing benefit, bedroom tax and UC will remove in the order of £50m from the local economy.

Coalition policies have led to high unemployment with record youth unemployment, the potential for a triple dip recession, downgrading of the triple A credit rating, zero growth, more borrowing and higher energy prices, all of which has led to a reduction in living standards. Add to this the cut in the rate of tax for high earners, the tripling of tuition fees, the cut in EMA, the waste of money spent on electing Police Commissioners, reforming the NHS and the train franchise debacle, means this Government should put its own house in order before attacking local authorities.

The Cabinet Member commented that rather than simply cutting budgets and services, the Council has looked to be innovative in how it provides services to deliver efficiency savings whilst still delivering the things that matter to residents, such as making better use of children's centres, maximising the use of buildings and vehicles and income as well as exploring and implementing shared services

with other Councils. The Council gets excellent value for money by sharing its Chief Executive and Monitoring Officer. It has also continued prioritising savings in its senior management and support functions.

Acknowledging the importance of continuing to grow and invest in the Borough, the Cabinet Member highlighted a number of successes such as achieving the highest number of new homes which had been rewarded with additional grant monies, additional funding to meet the education needs of a growing population, improved financial health of the Borough, allowing for a small injection of cash in 2014/15, as well as the commitment to a freeze in Council Tax in 2013/14, and the intention to do likewise in 2014/15. This is being achieved against the backdrop of other things such as the London Mayor's transport fares and utility prices continuing to increase.

Finally, turning to capital the Cabinet Member explained that building on previous programmes the Council is committed to continue to invest in the infrastructure of the Borough with over £300m of expenditure planned over the next three years. Projects include a new leisure centre in Barking, improving schools and making more school places available, improving the condition of the housing stock and roads, building new affordable homes and developing new ways for residents to access services.

The Cabinet Member paid thanks to Members and officers alike for all their support and hard work to achieve a balanced budget.

The Divisional Director of Finance and Section 151 Officer reported that he has a statutory duty to ensure a balanced budget. To that extent each of the savings proposals had been analysed and he is therefore confident that the budget is sufficiently robust and sustainable to the extent that he is able to commend its adoption to the Assembly.

Accordingly the Assembly **AGREED:**

- (i) A base revenue budget for 2013/14 of £178.1m as detailed in Appendix A to the report;
- (ii) The adjusted Medium Term Financial Strategy (MTFS) position for 2012/13 to 2014/15 allowing for other known pressures and risks, as detailed in Appendix B to the report;
- (iii) The Statutory Budget Determination for 2013/14 as set out in Appendix C to the report, reflecting a freeze on the amount of Council Tax levied by the Council, plus the final precept announced by the Greater London Assembly on 25 February 2013 (1.2% reduction) as detailed in Appendix D to the report;
- (iv) The Council's Capital Programme for 2012/13 - 2015/16 as detailed in Appendix E to the report; and
- (v) Noted the Chief Finance (Section 151) Officer's recommendation to increase the minimum level of balances to £15m and reduce the base budget contingency held.

70. Localising Support for Council Tax in England - Final Scheme Amendment

By Minute 63 the Assembly at an extraordinary meeting held on 14 January 2013 agreed the basis of a local Council Tax Support Scheme (the Scheme) to come into effect from 1 April 2013, a requirement of the Local Government Finance Act 2012. In adopting the Scheme, Assembly agreed to changes to empty property exemptions.

The Divisional Director of Finance and Section 151 Officer reported that since adopting the Scheme it had come to light that the basis of applying the exemptions did not comply with the requirements of the legislation, and therefore in those circumstances:

The Assembly **AGREED** that the discounts applicable to the London Borough of Barking and Dagenham Council Tax Support Scheme to be applied from 1 April 2013 be as follows:

- (i) Class A and B (furnished unoccupied property and second homes) - 10% for up to one month;
- (ii) Class C (unoccupied and unfurnished properties) - 100% discount for up to 1 month;
- (iii) Class D (properties undergoing major repair) - 10% discount for up to 12 months;
- (iv) Long Term Empty Properties - After two years empty a premium of 50% is charged;

To qualify for a discount Class A, B, C or D the property must qualify under the same rules that would have been required to qualify for the relevant exemption or discount prior to 1 April 2013.

71. Treasury Management Investment Strategy Statement 2013/14

The Divisional Director of Finance and Section 151 Officer reported on the Council's draft Treasury Management Investment Strategy Statement for 2013/14 which set out the proposed borrowing limit for the year and a range of other aspects aimed at ensuring that the Council has prudent and robust arrangements in place to meet all of its financial commitments and responsibilities, in line with the requirements of Section 15(1)(a) of the Local Government Act 2003.

The Divisional Director commented on the Minimum Revenue Policy, Investment and Borrowing Strategies which were the key elements of the overall Strategy and advised that the particular changes proposed in these respects would be kept under constant review in the light of the continuing uncertainty in the global economy, including the credit rating downgrades in a number of countries.

Following responses to a number of questions in relation to capital reserves and the effect on investments following the recent announcement in the down grading of the country's triple A rating, the Assembly have:

APPROVED the Treasury Management Strategy Statement for 2013/14 at Appendix 1 to the report and, in doing so **AGREED**:

- (i) The current treasury position for 2012/13 and prospects for interest rates;
- (ii) The revised Authorised Borrowing Limit (General Fund and HRA) of £502m for 2012/13, which includes an estimated £15m borrowing to finance the 2012/13 Capital Programme;
- (iii) The Council's Borrowing Strategy, Debt Rescheduling Strategy and Policy on Borrowing in advance of need for 2013/14, including the effect on treasury management of HRA reform;
- (iv) The Minimum Revenue Policy Statement for 2013/14 setting out the Council's policy on repayment of debt;
- (v) The Authorised Borrowing Limit (General Fund and HRA) of £499m for 2013/14 as the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003;
- (vi) The Treasury Management Indicators and Prudential Indicators for 2013/14; and
- (vii) The Annual Investment Strategy and Creditworthiness Policy for 2013/14, which outlined the investments that the Council may use for the prudent management of its investment balances.

72. Pay Policy Statement 2013/14

The Assembly received a report on the draft Pay Policy Statement for the Council for 2013/14, introduced by the Cabinet Member for Adult Services and Human Resources

In accordance with the requirements of the Localism Act 2011 all local authorities are obliged to publish an annual statement of its pay policy, covering areas such as the level and elements of remuneration for each chief officer and the relationship between the remuneration of chief officers, other officers and its "lowest paid employees".

The Cabinet Member referred to the recent Cabinet decision that no permanent member of the Council's staff or agency worker should be paid less than £9 per hour (excluding those on apprenticeship schemes) in support of the Council's objective of raising average household incomes. In accordance with the "Fairness" provisions of the Policy taking into account both the minimum wage and the fact that the Chief Executive's salary is being shared with Thurrock means that the ratio between the highest and lowest paid employees in the Council has been reduced from 1:10 to 1:8.

Assembly **AGREED** to approve the Pay Policy Statement for the London Borough of Barking and Dagenham for 2013/14 as attached at Appendix A to the report.

73. Constitutional Arrangements for the Health and Wellbeing Board

The Cabinet Member for Health introduced this report explaining that under the Health & Social Care Act 2012 (the Act) there is a requirement for the Council to form a Health and Wellbeing Board, which will be an executive committee of the Council. Regulations have been published that further specify elements of the Board's operation.

The Board has been operating in shadow form since November 2010, during which time the future statutory status of the Board has been discussed on a number of occasions, both at the Board and in other forums.

The Health and Wellbeing Board will be an important new structure, within which the Council and its partners can work jointly on improving local health and social care services, and on improving the health and wellbeing of the local population. It is part of a series of reforms laid out in the Act, which together provide the Council with a central role in co-ordinating local health and social care activity. As a mechanism for democratic leadership of health and wellbeing locally, the new Board sits alongside the commissioning of patient involvement and advocacy services (principally the new 'Healthwatch' service), the Council's new responsibilities for leadership of public health, and the long-standing powers of health scrutiny.

In order to meet the Council's statutory obligations the report proposed a number of changes to the Council's Constitution under Parts B and C to cover the operation of the Health and Wellbeing Board. Looking at the membership of the Board a change has been proposed to the extent that the Cabinet Member for Finance will be replaced by the Cabinet Member for Crime, Justice and Communities.

Councillor McCarthy in reference to his personal circumstances explained that whilst he lived in the Borough, due to his post code his local GP practice falls within the remit of the Havering Health and Wellbeing Board and consequently any issues that he may have would have to be taken up with that Board. The Corporate Director of Adult Services is clear that the membership of the Council's Board accords with the requirements of the Regulations. However she will investigate the point as to the status of such GP practices that operate on the fringes of other surrounding boroughs in relation to which Health and Wellbeing Boards they are answerable to.

Accordingly the Assembly **AGREED:**

- (i) To the inclusion of the sections into the Constitution as set out in appendices A and B to the report.
- (ii) To receive a further report of any subsequent amendments required as part of the report to Annual Assembly in May 2013.
- (iii) Noted the expectation that the Health and Wellbeing Board will be subject to the scrutiny process, principally by the Health and Adult Services Select Committee, and
- (iv) To authorise the Council's Monitoring Officer to make any necessary consequential amendments to other areas of the Constitution, such as the Scheme of Delegation.

74. Community Infrastructure Levy Draft Charging Schedule

The Cabinet Member for Regeneration reported on the latest phase of the process to implement a Community Infrastructure Levy (CIL), which would largely take over from Section 106 planning agreements as the primary means of obtaining a contribution from developers towards new infrastructure requirements as a consequence of new developments.

The Cabinet Member referred to the changes that had been made in the light of responses to the initial, preliminary draft consultation process and advised that the next stage of the statutory process would involve consultation on the draft CIL and then submission for independent examination.

Having regard to both the proposed changes, benchmarking comparisons with other authorities as well as the overall timetable for adopting the CIL,

The Assembly **APPROVED** the Barking and Dagenham Community Infrastructure Levy Draft Charging Schedule as set out in the Appendix to the report for consultation and submission for examination.

75. Management of Complaints relating to Councillors

The Assembly received a report introduced by the Head of Legal and Democratic Services and Monitoring Officer (MO), setting out proposed Complaints Management Rules which would facilitate early resolution by the MO in discharging the duty to investigate and conclude complaints made against Members, particularly where such complaints were incomplete and lacked information.

The rules which require a uniformed presentation of complaints were considered and supported by the Standards Committee, and consequently

The Assembly **AGREED** to the adoption of the Complaints Management Rules as set out in Appendix A to the report for inclusion into the Councillors' Code of Conduct in Part E of the Council Constitution.

76. Motions

None.

77. Leader's Question Time

None.

78. General Question Time

General Question 1 from Councillor Carpenter

“Raising household incomes is one of our top priorities in Barking and Dagenham. To do this, we need to raise the skills levels of our residents. We still fall below national averages for qualifications. Without qualifications it is increasingly difficult

for adults to get jobs or better paid work.

However, the Coalition Government has brought in a new arrangement whereby adults over the age of 24 on Level 3 or 4 courses (equivalent to A levels or advanced apprenticeships) can apply for a loan to fund their courses. Although this sounds a good deal for students, there is a sting in the tail for our Adult College and Barking and Dagenham FE College.

Instead of receiving a grant for these courses, it appears that the Colleges will only receive funding for the courses if students draw down the loans. The College budgets are being reduced as a consequence.

What are the financial implications of this change in funding for our Adult College and Barking and Dagenham FE College?

Are there other implications and, if so, what are they?

What are the two Colleges doing to tackle the problems arising?"

Councillor J White, Cabinet Member for Children's Services responded that:

Councillor Carpenter is right that this new arrangement for funding learning for adults over the age of 24 will have to be watched very carefully. The immediate financial impact of the change is that the Adult College budget has been reduced by almost £99,000 and Barking College by £1.2m for the 2013/14 academic year.

The Government's expectation is that students will either have to pay the fees themselves or take out a loan. Students will not have to pay the fees up front and will only start to pay back if and when they earn over £21k per annum. There is no age limit and for some low paid workers this may mean they will never have to repay the loan.

As was stated in the question this is a new policy and we do not know what the impact will be. We are concerned that there will be fewer students on level 3 courses as a consequence. We are particularly concerned that adults with families to support may not want to burden the family with additional debt.

In a Borough with high levels of NEETs and low levels of adult attainment, this is a very unhelpful approach, which is unlikely to help our work with adults to acquire the skills they need for employment.

So what are the Colleges doing? Both have been supporting the national campaign to make the Government aware of the risks. Both have discussed this with their Governing Bodies and are raising awareness with students. Our focus now has to be giving good and accurate advice to those considering courses to help minimise potential risks and we are putting together a briefing pack for use in colleges, children's centres and by staff supporting adults into employment and training so that they are able to provide appropriate and helpful advice.

In conclusion, this is yet another nasty measure of this coalition Government targeting the poorer members of our community.

General Question 2 from Councillor McKenzie

In view of the disturbing news sweeping the country about horse meat, what measures are being taken by our Trading Standards Officers to ensure that horse meat is not entering the food chain in Barking and Dagenham?

Can you reassure our residents that we are first post the post in tackling this serious food crime problem?"

Councillor J Alexander, Cabinet Member for Crime, Justice and Communities responded that:

Following the announcement about the potential contamination of certain food products with horsemeat the Council took immediate steps to ensure the safety and welfare of children, vulnerable people and customers. Precautionary measures were taken to withdraw meals containing processed beef from menus immediately and check that suppliers could trace and authenticate the sources of their products.

The Council will not be relaxing its controls for the present and will continue to take any further steps we think are necessary to ensure the food served to children, vulnerable people and the general public is free from contamination.

In conclusion the Government has been criticised for being slow to react to the horsemeat scandal and advice to consumers has been limited. The Council has been proactive in taking sensible precautions in the light of the scandal. We would like to reassure residents and customers alike, that we will continue to take all necessary steps to make sure that the food we serve is safe and does not contain horsemeat.

The meeting closed at 8.21 pm.