

Notice of Meeting of the

ASSEMBLY

**to be held on Wednesday, 18 May 2016
commencing at 7:00 pm in the
Council Chamber, Town Hall, Barking**



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

Date of publication: 10 May 2016

Chris Naylor
Chief Executive

Councillors and senior officers are also invited to attend a presentation introduced by the Director of Law and Governance on the subject of Preparation for Webcasting Meetings which will take place in the Council Chamber from 6.00 pm until 6.45 pm

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AGENDA

1. Appointment of Chair and Deputy Chair

2. Apologies for Absence

3. Declaration of Members' Interests

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

4. Minutes - To confirm as correct the minutes of the meeting held on 24 February 2016 (Pages 3 - 22)

5. Death of Former Councillor Rob Douglas (Page 23)

6. Minute's Silence to Remember the Victims of Youth Crime

A request has been received for the Council to hold a minute's silence to remember the victims of youth crime.

7. Presentation of Elected Member Development Charter (Pages 25 - 26)

8. Appointments to the Political Structure and Other Bodies 2016/17 (Pages 27 - 28)

9. Minutes of Sub-Committees - To note the minutes of: (Pages 29 - 44)

- Joint JNC Salaries & Conditions And Appointments Panel held on 9 March 2016
- JNC Appointments Panel held on 20 April 2016
- JNC Appointments Panel held on 25 April 2016

10. Leader's Statement

The Leader will present his statement.

11. Members' Allowances Scheme 2016/17 (Pages 45 - 54)

12. Motions (Pages 55 - 63)

13. Questions With Notice

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

15. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

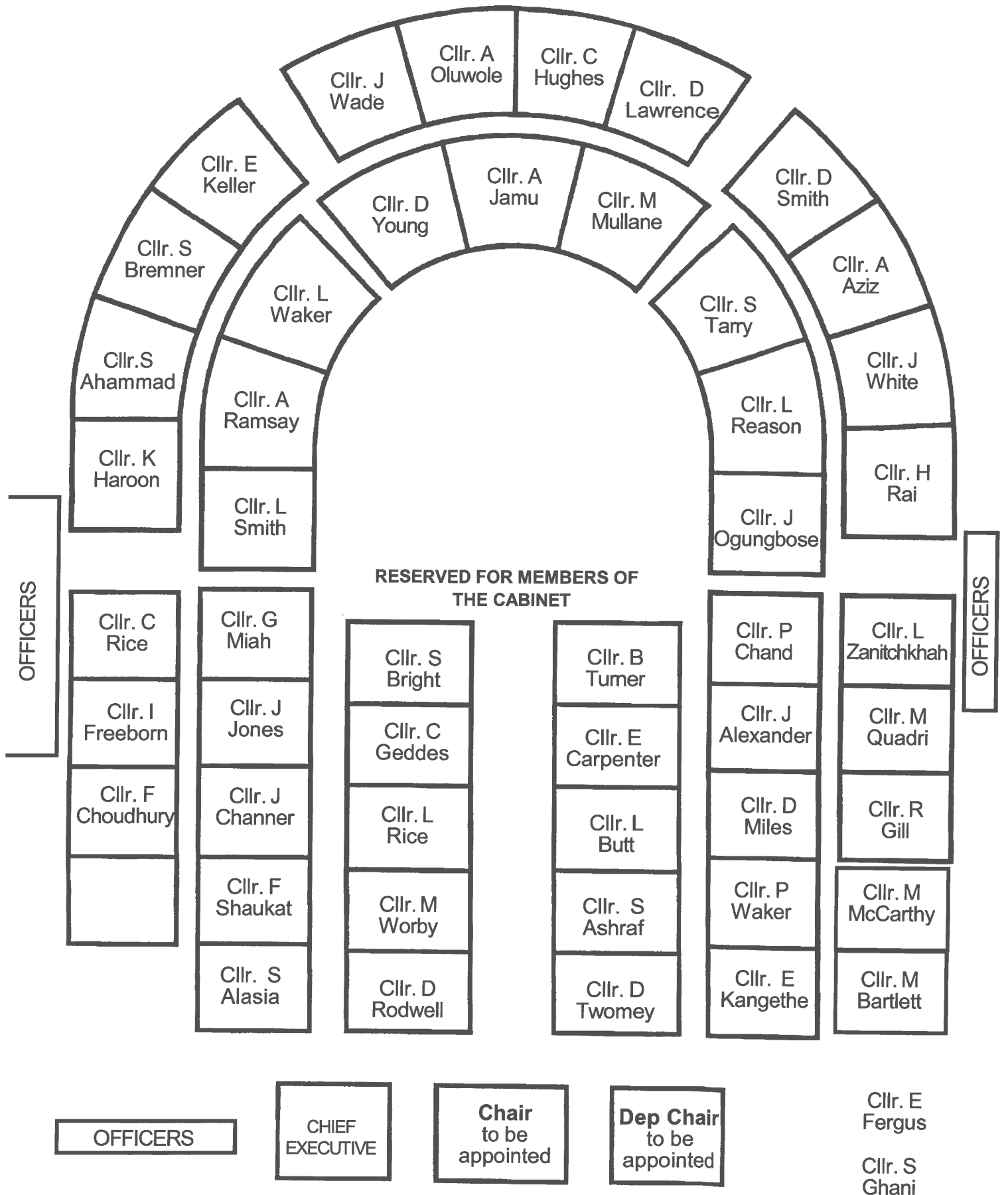
Private Business

The public and press have a legal right to attend Council meetings such as the Assembly, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

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

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BARKING TOWN HALL COUNCIL CHAMBER



SEATING PLAN FOR THE ASSEMBLY

Our Vision for Barking and Dagenham

One borough; one community; London's growth opportunity

Encouraging civic pride

- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

Enabling social responsibility

- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

Growing the borough

- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough's image to attract investment and business growth.

MINUTES OF ASSEMBLY

Wednesday, 24 February 2016
(7:00 - 9:48 pm)

PRESENT

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

Cllr Syed Ahammad	Cllr Sanchia Alasia	Cllr Saima Ashraf
Cllr Abdul Aziz	Cllr Sade Bright	Cllr Laila Butt
Cllr Evelyn Carpenter	Cllr Peter Chand	Cllr Josephine Channer
Cllr Faruk Choudhury	Cllr Edna Fergus	Cllr Irma Freeborn
Cllr Cameron Geddes	Cllr Rocky Gill	Cllr Kashif Haroon
Cllr Chris Hughes	Cllr Amardeep Singh Jamu	Cllr Jane Jones
Cllr Eileen Keller	Cllr Mick McCarthy	Cllr Giasuddin Miah
Cllr Dave Miles	Cllr Margaret Mullane	Cllr James Ogungbose
Cllr Adegboyega Oluwole	Cllr Moin Quadri	Cllr Hardial Singh Rai
Cllr Linda Reason	Cllr Chris Rice	Cllr Lynda Rice
Cllr Darren Rodwell	Cllr Danielle Smith	Cllr Liam Smith
Cllr Sam Tarry	Cllr Bill Turner	Cllr Dominic Twomey
Cllr Jeff Wade	Cllr Lee Waker	Cllr Phil Waker
Cllr Maureen Worby	Cllr Dan Young	

APOLOGIES FOR ABSENCE

Cllr Jeanne Alexander	Cllr Melanie Bartlett	Cllr Simon Bremner
Cllr Elizabeth Kangethe	Cllr Faraaz Shaukat	Cllr John White

40. Declaration of Members' Interests

There were no declarations of interest.

41. Minutes (2 December 2015)

The minutes of the meeting held on 2 December 2015 were confirmed as correct.

42. Minutes of Sub-Committees

The Assembly received and noted the minutes of the JNC Appointments Panel held on 15 December 2015.

43. Death of Honorary Alderman Fred Jones MBE

The Assembly noted with deep regret that Honorary Alderman Fred Jones had passed away on 19 January 2016.

Mr Jones had served as a Borough Councillor for 43 years until his retirement in May 2006 and was the Borough Mayor during the 1990/91 municipal year. Mr

Jones had held several senior positions during his time as a Councillor and had been bestowed the Borough's highest award when becoming an Honorary Alderman in 2006.

Mr Jones was awarded the MBE in the Queen's Birthday Honours List 2012 for his services to the community in the Borough.

A number of members paid tribute to Mr Jones' commitment to the Borough, through his work as an elected representative and through his presidency of Barking Music and Drama for 23 years.

The Assembly stood for a minute's silence as a mark of respect.

44. Leader's Statement

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

- The publication of the independent Growth Commission, an independent report. The report, titled "No-one left behind: in pursuit of growth for the benefit of everyone" was a landmark report for the Borough. All Members would be given an opportunity to examine its proposals over the coming weeks.
- Sadiq Khan MP and Labour Candidate for the Mayor of London, had visited the Borough with a keen interest in high quality housing for rent, the A13 Tunnel Campaign, the opportunity for growth in the Borough and the Shared Ownership Scheme, the first of its kind in the Country.
- Shared Ownership Scheme, of which a public consultation was due to be launched shortly. This was in response to cuts by Central Government, including the Housing and Planning Bill. The proposals would come before Cabinet in March.
- Lisa Nandy MP, had visited the Borough to discuss plans for a Council-run energy services company.
- The Borough was being recognised as a key area within London, for example the Leader had been asked to lead a review of the role of London Councils in supporting the Labour Party and was the Chair of an Area review of Further Education colleges for nine Boroughs. Senior treasury officials had also visited the Borough and were excited at the agenda the Borough was setting.
- Finally, the Leader emphasised how proud he was of the Gender Equality Charter, which was due to be launched next month.

45. Appointments

The Assembly resolved to appoint Councillor White to the Pensions Panel.

46. **BAD Youth Forum Annual Report 2015**

The Assembly received the BAD Youth Forum's 14th Annual report, introduced by Erik Stein, Group Manager for Youth Services who was accompanied by Rao Khan, Pelumi Oyewo, Mariya Zhecheva, Vaisaly Gnanapandithan, Memoona Fatima, Sumayyah Rahman and Elise Kapferer from the Forum.

The Forum was made up of 60 young people who were elected from schools and youth groups in the Borough in January 2015. Amongst the initiatives undertaken by the Forum during the year were the election of the first ever Young Mayor, Angelica Olawepo, and the creation of sub-groups to consider the following issues:

Anti-bullying Sub Group – The sub group chose to focus on bullying as 95% of the Forum as experienced bullying at some point in their lives and they wanted to raise awareness. Members of the Sub Group became anti-bullying ambassadors following training which was run by Kidscape, an anti-bullying charity. Members attended an anti-bullying event where they learnt news skills and went on to develop a workshop for young people. The workshop, was delivered to four of the 10 Secondary Schools in the Borough, with over 70 young people participating. The Sub Group also helped out at a local homeless shelter to demonstrate their commitment to the whole community.

Healthy Living Sub Group – The Sub Group was commissioned by public health to create a project that raises awareness of rising levels of obesity amongst young people. The Sub Group undertook a work shop on healthy eating with information about how to eat healthily on a budget and all participants were provided with a healthy meal from a menu developed by the sub group. The Sub Group also carried out inspections on different health facilities within the Borough and developed a report following each visit. The reports were largely positive however some barriers to young people were identified, particularly in relation to affordable, quality sport facilities.

Other key aspects highlighted during the presentation included:

Young Inspectors – The Young Inspectors undertook 58 pharmacy inspections across 17 pharmacies, the largest amount undertaken in one year. It was noted that since the work of the Young Inspectors had started, teenage pregnancy rates in the Borough had dropped. The Young Inspectors also undertook inspections at leisure centres and undertook test purchases with Trading Standards.

Consultations – The Forum participated in nine consultations during the year and assisted the Police in developing a questionnaire aimed at young people. The questionnaire received over 1900 responses.

Young Mayor – The first Young Mayor had attended several events during the year and held a charity fun day which raised hundreds of pounds for charity.

A new Forum had been elected in January, with five more members. A new Young Mayor had also been elected for 2016, Pelumi Oyewo, who spoke to the Assembly setting out her aspirations for the year.

A number of Councillors paid tribute to the hard work of the Forum during the year,

particularly for their work in addressing bullying in schools. In response to questions, the Forum advised that:

- Whilst they were working hard to address obesity in the Borough, during the year Forum members had noted that chips could be purchased for £1 and a salad for £1.70, making unhealthy food more attractive.
- The take up of the anti-bullying workshop in secondary schools was a little disappointing, however the Forum would be working with the Cabinet Member for Education and Schools and the Children's Services Select Committee to try to introduce the workshop to the other six secondary schools in the Borough.
- They would like to understand how the European Referendum may have an impact on young people and would relish the opportunity to talk to MEP's and Councillors.

47. Budget Framework 2016/17

Assembly received this report presented by Councillor Twomey, Cabinet Member for Finance and Central Services, which set out the:

- Medium Term Financial Strategy (MTFS) for 2016/17 to 2020/21;
- Proposed General Fund budget for 2016/17;
- Proposed level of Council Tax for 2016/17;
- Funding reductions to 2019/20
- Financial outlook for 2017/18 onwards;
- Draft capital investment programme 2016/17 to 20/21

The Cabinet Member announced that the key messages from this budget included:

- The budget had been developed against a backdrop of significant pressures on the Councils budget on top of the savings which had already been made.
- There were still many challenges ahead however through lobbying and innovation, the Council would prevail.
- The Government had responded to a request from local authorities asking for a four year settlement figure, which gave the Council a buffer.

At the invitation of the Chair to speak, the Chief Finance Officer (CFO) stated that the budget presented had been subject to significant review at both Member and Officer level. Balances remained at the minimum recommended level of £15m. Therefore overall, the CFO stated that he was comfortable that the proposed budget was sufficiently robust and sustainable to be recommended to Members.

Following questions from Members, the Cabinet Member for Finance and Central Services advised that:

- In relation to care costs, particularly for residents who had moved from a private residence which was being offset against cost, the Cabinet Member for Adult Social Care and health would provide a detailed response.

- The provision of Lollipop persons within the Borough was a deferred saving for 2016/17. As part of the savings proposal, the Council would speak to schools and local businesses to obtain sponsorship to continue funding the service. Talks were currently ongoing. In response to this, Councillor McCarthy asked that it be noted he was waiting for a full reply on the matter from Councillor Twomey.
- The budget for the Growth Commission had been agreed at £0.5m, however the entire budget had not been used.
- The East London Waste Authority levy was not providing the best deal for the Council, however the contact was very strict.
- No redundancies of Council staff had been made. The Council had recently announced a voluntary redundancy scheme for staff. The transfer of the one of collection fund surplus of £2.5m to the corporate redundancy reserve would be sufficient.

Councillor Twomey was then invited by the Chair to sum up and in doing so, Councillor Twomey moved the vote, which was seconded by Councillor Rodwell.

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

For: Councillors Ahammad, Alasia, Ashraf, Aziz, Bright, Butt, Carpenter, Chand, Channer, Choudhury, Fergus, Freeborn, Geddes, Ghani, Gill, Haroon, Hughes, Jamu, Jones, Keller, McCarthy, Miah, Miles, Mullane, Oluwole, Quadri, Rai, Ramsay, C Rice, L Rice, Rodwell, D Smith, L Smith, Tarry, Turner, Twomey, Wade, L Waker, P Waker, Worby and Young. (41)

Against: None (0)

Abstain: None (0)

Councillor Ogungbose had left the chamber and was not present during the vote on this item.

The Assembly **resolved** to:

- (i) Approve a base revenue budget for 2016/17 of £150.314m, as detailed in Appendix A to the report;
- (ii) Approve the adjusted Medium Term Financial Strategy (MTFS) position for 2016/17 to 2020/21 allowing for other known pressures and risks at this time, as detailed in Appendix B to the report;
- (iii) Delegate authority to the Strategic Director of Finance and Investment, in consultation with the Cabinet Member for Finance, to finalise any contribution required from reserves in respect of the 2016/17 budget, pending confirmation of levies and further changes to Government grants

prior to 1 April 2016;

- (iv) Approve the Statutory Budget Determination for 2016/17 as set out at Appendix C to the report, which reflects an increase of 1.99% on the amount of Council Tax levied by the Council, plus a further 2% increase in relation to the Social Care Precept and the final Council Tax proposed by the Greater London Assembly (6.4%% reduction), as detailed in Appendix D to the report;
- (v) Approve the Council's draft Capital Programme for 2016/17 to 2020/21 as detailed in Appendix E to the report; and
- (vi) Approve the transfer of the one off collection fund surplus of £3.5m to the corporate redundancy reserve, as set out in section 2.11 of the report.

48. Treasury Management Strategy Statement 2016/17

The Cabinet Member for Finance and Central Services introduced a report setting out the Council's Treasury Management Annual Strategy Statement (TMSS) for 2016/2017.

Assembly noted that the overall TMSS included details of the proposed borrowing limit for the year and a range of other aspects aimed at ensuring the Council had prudent and robust arrangements in place to meet all of its financial commitments and responsibilities, in line with the requirements of Section 15(1) of the Local Government Act 2003.

The Cabinet Member for Finance and Central Services drew Assembly's attention to the proposed strategy changes from the 2015/16 document which included duration of risk, counterparty risk, short term borrowing and Lloyds Banking Group.

In response to questions, the Cabinet Member for Finance and Central Services advised that there was uncertainty ahead of all Councils following the announcement of the referendum on the United Kingdom's membership in the European Union.

The Assembly **resolved** to:

- (i) Note the current treasury position for 2016/17 and prospects for interest rates, as referred to in section 6 of the report;
- (ii) Approve the Council's Borrowing Strategy, Debt Rescheduling Strategy and Policy on borrowing in advance of need for 2016/17 as referred to in section 9 of the report;
- (iii) Approve the Annual Investment Strategy and Creditworthiness Policy for 2016/17 outlining the investments that the Council may use for the prudent management of its investment balances, as set out in Appendix 2 of the report;
- (iv) Approve the Authorised Borrowing Limit of £800m for 2016/17, representing

the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003, as set out in Appendix 4 of the report;

- (v) Approve the Treasury Management Indicators and Prudential Indicators for 2016/17, as set out in Appendix 4;
- (vi) Approve the Minimum Revenue Policy Statement for 2016/17, representing the Council's policy on repayment of debt, as set out in Appendix 5 of the report;
- (vii) Maintain the authority delegated to the Strategic Director of Finance and Investment, in consultation with the Cabinet Member for Finance, to proportionally amend the counterparty lending limits agreed within the Treasury Management Strategy Statement to take into account the increase in cash from the European Investment Bank but also the subsequent decrease in cash balances as payments are made to the Special Purpose Vehicle; and
- (viii) Next review the delegated responsibility in (vii) above as part of the 2015/16 Treasury Management Outturn Report to the Assembly.

49. Pay Policy Statement 2016/17

The Cabinet Member for Finance and Central Services introduced a report to Assembly on the Pay Policy Statement 2016/17.

In presenting the report, the Cabinet Member for Finance and Central Services drew the Assembly's attention to the following areas:

- If approved, the Local Living Wage rate would be increased to £9.40 per hour (from £9.20) with effect from 1 January 2016.
- Appendix A to the report contained details of the new structure in place at the Council.
- The recently announced voluntary redundancy scheme would remain open until 30 May 2016 to ensure fairness and transparency.
- With regard to pay ratios, the Chief Executive's median salary rate was attributable to the retention of in-house services such as catering and cleaning.
- Through the pay policy, the Council would be protecting its services and frontline staff.

The Assembly **resolved** to approve the Pay Policy Statement for the London Borough of Barking and Dagenham for 2016/17 as set out at Appendix A to the report, for publication on the Council's website with effect from 1 April 2016.

50. Council Constitution - Amendments to the Contract Rules to Comply with Legislation and Other Minor Changes

The Cabinet Member for Finance and Central Services presented a report on amendments to the Council Constitution.

The Cabinet Member advised that the Contract Rules governed and controlled the procurement of goods, services and works by the Council and sat alongside the Financial Rules. Changes were required due to changes in Public Procurement law and therefore required the Constitution to be updated in order to comply with current legislation.

The Cabinet Member for Finance and Central Services drew Assembly's attention to other key updates which included:

- the revision of the Officer Scheme of Delegation to reflect the new senior management structure;
- the inclusion of provisions and rules for webcasting of Council meetings, which was due to begin later this year;
- proposed revisions to the deadline for Questions With Notice and the tightening of arrangements for the submission of Questions With Notice and Motions With Notice;
- the inclusion of wording to reflect the requirements of the Openness of Local Government Bodies Regulations 2014 in respect of the publication of executive decisions taken by officers under delegated authority; and
- the inclusion of new requirements relating to Members' Disclosure and Barring Service checks.

Councillor Mullane requested that it be noted in the minutes that she had raised issues regarding contracts and blacklisting of contractors and had further questions on which she required further clarification.

The Assembly **resolved** to:

- (i) Note and approve the proposed revisions to the Contract Rules, as detailed in Appendix A to this report;
- (ii) Approve the delegation of responsibility for appointing Parent Governor representatives from the Assembly to the Corporate Director of Children's Services and note the other changes to the Officer Scheme of Delegation which reflect the current senior management structure, as detailed in Appendix C to the report;
- (iii) Approve the changes to the Protocol on Filming, Webcasting, Photography and the Use of Social Media at Council Meetings, as detailed in Appendix D to the report;
- (iv) Agree that the deadline for the submission of Questions With Notice be brought forward from midday Friday to midday Wednesday of the week before an Assembly meeting;
- (v) Agree that the processes for submitting Questions With Notice and Motions With Notice at the Assembly be amended and that, in future, any questions and/or motions are submitted either directly by the proposing Councillor or via the Group Secretary;

- (vi) Note the wording inserted in Part 2, Chapter 16 which reflects the Council's adherence to The Openness of Local Government Bodies Regulations 2014 in respect of the publication of details of all executive decisions taken by officers;
- (vii) Agree that Councillors be required to be subject to a Disclosure and Barring Service (DBS) check in accordance with the provisions of the Safeguarding Vulnerable Groups Act 2006 and Protection of Freedoms Act 2012 and note the inclusion of wording to that effect in the Councillors' Code of Conduct; and
- (viii) Note that the Monitoring Officer shall make all necessary procedural and/or incidental amendments to the Contract Rules and the Constitution in order to bring the revised Contract Rules into effect and ensure that they dovetail with the rest of the Constitution.

51. Motions

Motion 1 - Daesh

Moved by Councillor Ashraf and Seconded by Councillor Alasia:

"This Council notes that:

- The 'Prevent' Duty', which is part of the Counter Terrorism and Security Act 2015 states that we and other local authorities have a duty to support people who are vulnerable to being drawn into terrorism or supporting extremism.
- The group which operates in Syria and Iraq refers to itself as 'the Islamic State', and is also known as ISIS and ISIL in the UK.
- In the Middle East and in several countries including Canada, France, Australia and increasingly in the UK, the Arabic term 'Daesh' is used instead.
- The term Daesh has negative connotations, meaning one who crushes something underfoot or one who sows discord.

This Council believes that:

- The organisation that refers to itself as 'the Islamic State' is not Islamic, nor is it a state.
- Referring to this group as 'the Islamic State' helps to legitimise its poisonous propaganda campaign which is enticing vulnerable people to travel to Syria to join their group.
- This is contrary to the Prevent duty and the work undertaken by this Council in the development and implementation of a Prevent Strategy.

This Council therefore resolves to:

- Refer to this evil organisation as Daesh instead of Islamic State or ISIS / ISIL in all Prevent literature; and calls on other local authorities to officially use the term Daesh.”

Members spoke in support of the motion and expressed their concerns that young and vulnerable people were being targeted by the organisation. The change was welcomed by Members and it was hoped the media would follow the Councils lead.

The motion was put to the vote by way of a show of hands and **carried**.

Standing orders were suspended at this juncture to allow the meeting to continue beyond 9.00pm.

Motion 2 - Trade Union Bill

Moved by Councillor Ogungbose and Seconded by Councillor McCarthy

“This Council is alarmed at the way in which the Conservative Government’s Trade Union Bill seeks to tear up the collaboration between employers and trade union members, and the potential impact this will have on the Council, as well as many other workplaces across our borough.

In its current form, the Bill is nothing short of an ideologically driven attack on the fundamental rights and freedoms of workers. It is also deliberately designed to dramatically reduce the funding to the main Party in opposition to the Government.

This Council recognises the positive contribution that trade unions and trade union members make in our workplace. We value their commitment to the delivery of good quality public services in Barking and Dagenham, especially in these challenging economic times for local authorities.

The Bill proposes a number of divisive measures that threaten workplace democracy. These include: very high thresholds for industrial ballots and even higher thresholds in certain public services; permitting the use of agency labour to substitute for striking workers; reductions in trade union facility time; a requirement for union members to ‘opt in’ to their union’s political fund every 5 years and the withdrawal of ‘check off’ union contributions in the public sector.

This Council therefore calls on the Government to scrap the Trade Union Bill and all associated regulation/secondary legislation and resolves to:

- Continue to offer the check-off service to all members of staff in Barking and Dagenham, in spite of Government attempts to stop it. If this is not legally possible, to come up with a local plan to enable alternative methods of payment.
- Support the continuation of trade union facility time and seek to continue, as far as possible, its own locally agreed industrial relations strategy.
- Support the Leader of the Council in writing to the Secretary of State making it clear that local Government will not be dictated to by Whitehall, particularly with regards to check-off and facility time.

- Clearly reaffirm Barking and Dagenham’s proud history of trade unionism and to allow employees’ representation to flourish in hard times – not to demonise workers as this Government is currently choosing to do.”

Members spoke in support of the motion, recognising the positive contribution that trade unions made to work places. The Council had in place check-off arrangements that were easy to administer and an important part of the service. The Council would commit to doing everything it could to continue the service if the Bill was approved.

The motion was put to the vote by way of a show of hands and **carried**.

Motion 3 – Right to Buy

The Chair advised Assembly that the motion had been withdrawn.

Motion 4 – Tax Avoidance

The Chair advised Assembly that the motion as detailed within the agenda could have significant financial and/or contractual issues for the Council. In accordance with paragraphs 10.11 and 10.12, Part 2, Chapter 4 of the Council’s Constitution the motion must be accompanied by a report setting out the financial and legal implications.

The motion was therefore adjourned without debate until the next available meeting of the Assembly.

52. Questions With Notice

Question 1

From Councillor Mullane

“Can the Cabinet Member for Environment update me on the action being undertaken in regard to the former Bull Pub site in Village Ward? We are aware as Ward Councillors that site visits have been undertaken by the Enforcement team with us and actions are ongoing. We wish to go on public record to thank Jonathan Tye for his help so far. The Licensed Landlord scheme has an action outstanding and the illegal car wash is being dealt with along with the issue of dumped rubbish. As Ward Councillors, we have found this to be a prominent concern in our ward and indeed Dagenham as a whole.”

Response

Councillor Butt, Cabinet Member for Crime and Enforcement, advised that it was a very complicated case where the council had undertaken investigations into who had the liability for the different activities on site. Enforcement action had been taken against the Freeholder by the Council.

Question 2

From Councillor Mullane

“Will the Cabinet members for housing and regeneration share the Village Ward Councillors concerns about communal letter boxes in our flatted estates?”

On three blocks constituents have had their ID stolen. Furthermore the boxes are so small, if they go away, the post stacks and then it's obvious to potential criminals their flats are empty. On the Leys Estate because of a GLA grant needed for the development, the Ward Councillors are not satisfied that the Council are proceeding with communal boxes provided by Secure by design, which we are told is the choice of the Mayor and that the GLA insist on them.”

Response

Councillor Geddes, Cabinet Member for Regeneration agreed with Councillor Mullane that the letter boxes were poorly designed however the Leys Estate development was partly funded by grants from the GLA, and this came with some requirements one of which was that the Council must get a secure by design certification. The secure by design officer from the Metropolitan Police, insisted on the installation of ‘through the wall’ letter boxes and would not issue the certification if the Council deviated from this.

Supplementary Question

Councillor Mullane asked of the Cabinet Member for Regeneration would consider writing to the GLA to express the Councils concerns.

Councillor Geddes advised that he would make representation on the concerns raised by Councillor Mullane.

Question 3**From Councillor Chand**

“Following the recent front page news in the Dagenham Post regarding the RingGo parking system, could the relevant portfolio holder agree with a growing number of residents that the system is not fit for purpose and that it is now a good time to grant a one hour free parking period to local parking schemes.”

Response

Councillor Butt, Cabinet Member for Crime and Enforcement advised that RingGo was a successful system used across the country. The use of RingGo had increased month on month in the Borough while the use of cash had dropped. A new parking strategy was currently being developed and would look at options on whether to increase or decrease free parking within the Borough.

Supplementary Question

Councillor Chand disagreed with Councillor Butt's response and invited the

Cabinet Member to meet residents in River Ward. The Cabinet Member confirmed she would meet with residents.

Question 4

From Councillor P Waker

“It has emerged that we have at least one contractor working for the Council that not only pays well below the Council’s Living Wage Policy (and near to the minimum wage) but also employs people on zero hours contracts as a matter of course. Would the relevant Cabinet Member assure the Assembly that the Council will check which contractors operate with such poor conditions of employment, discuss with them their work practices seeking improvements, and take a more critical view of such practices when the opportunity comes for contract renewal?”

Response

Councillor Twomey, Cabinet Member for Finance and Central Services advised that the Council had agreed to pay London Living Wage for its own staff and the agency staff it procured through its current provider Addecco. Some of these staff were on Zero or fixed low hours work, however were paid London Living Wage. Although the council had agreed the London Living Wage for its own directly employed staff this was not the case for those staff employed by others.

Supplementary Question

Councillor Waker advised there was growing concern amongst residents with regard to contractors used by the Council.

Councillor Twomey advised he would look into the issue further.

Question 5

From Councillor L Waker

“Despite many attempts, I have been unable to get the grassed areas behind the Mall properly cleaned. Glass, leaves and litter in particular are an ongoing problem all around the shrubbery on the grassed areas.

Would the relevant Cabinet Member assist me in getting the area properly cleaned up on a regular basis as it lets down the look of the whole area.

While it is a shopping area which adds to the problem, many town centres demonstrate it can be done”

Response

Councillor Rice, Cabinet Member for Environment advised that she had attended the site mentioned before the Assembly meeting and found it to be clean and tidy. The area was cleaned on a daily basis by a static sweeper, visited weekly by the team and had a deep clean.

Supplementary Question

Councillor Waker asked that the area be treated as well as other shopping centres in the Country and was advised in response that it would be carefully monitored.

Question 6

From Councillor Young

“Building on from the Leaders positive policy of celebrating various countries independence days, can he confirm he will fly the Irish tricolour above the town hall on Easter Sunday to celebrate 100 years since the Irish people proclaimed their independence?”

Response

Councillor Rodwell, Leader of the Council, advised that all communities were welcome to supply a flag which would be flown by the Council as part of the flag flying days. However, flags would only be flown during office hours.

Question 7

From Councillor L Waker

“I would firstly like to thank the Council for restoring a cash pay parking machine to the Mall car park. This is much more popular with most residents than using the RingGo system. However, Village Ward Councillors have been asking for some time to give a section of the Mall car park, which has spare parking capacity, specifically for the use of nearby flats such as Church Elm Court, but with no resolution to this matter.

Would the relevant Cabinet Member assure the Assembly that this will be progressed as a matter of urgency as it will bring some revenue to the Council and assist residents with parking opportunities at the same time?”

Response

Councillor Butt, Cabinet Member for Crime and Enforcement, advised that Church Elm Lane Court was built as a car free development and therefore the Council had no obligation to provide parking for those residents. However, there had been discussions regarding issuing residents permits in the Heathway/Mall Car park for residents, which would be considered further following the results of a pilot at the London Road car park.

Question 8

From Councillor Gill

“Could the relevant Cabinet Member please explain why 85% some £915k of the available carriageway & footway resurfacing budget for the fiscal year 2015/16 was spent in just one ward as opposed to the investment being distributed across a number of wards in the borough?”

Response

Councillor Twomey, Cabinet Member for Finance and Central Services advised that many developments in the Borough were built at around the same time resulting in the roads in certain areas being of a common age and condition. This meant in some years, focus would be in a particular ward. In comparison, Longbridge ward had the largest amount of spend on it over the past eight years, at £4.1m, with Gasgoine ward only having £90,000 spent on resurfacing. Works for 2016/17 would be prioritised against the backlog resurfacing pool and would be allocated against set criteria.

Supplementary Question

Councillor Gill questioned which wards had works undertaken in the past. In response, Councillor Twomey advised he had already answered that question.

Question 9

From Councillor Gill

“Many of the service road gates in the Leftley Estate have been damaged over the past year & Local Police have advised that these open access service roads have been linked with ASB, fly-tipping and burglaries in the area. Can the relevant Cabinet Member please advise when these service road alleygates will be repaired to provide the security required?”

Response

Councillor Butt, Cabinet Member for Crime and Enforcement advised that as the Council was facing significant budgetary pressure, the budget for alleygates no longer existed, however minor repairs were carried out through the street cleansing budget, which did carry an annual pressure.

Question 10

From Councillor Bright

“As the Member Champion for Women and Gender Equality, I am extremely proud that we are due to become the first Local Authority in the country to adopt a Gender Equality Charter. Does the Leader agree with me that this Council should place a strong emphasis on making sure that all genders have the same chance of success in our borough?”

Response

Councillor Rodwell, Leader of the Council agreed with Councillor Bright and advised that the charter would support everyone in achieving their full potential and have more influence over decisions affecting their lives. All members had been invited to attend the launch of the Gender Equality Charter on 10 March 2016.

Question 11

From Councillor Fergus

“Does the publication of the independent growth commission set a direction for both the Council and community?”

Response

Councillor Rodwell, Leader of the Council, advised that the Commission had concluded that the Council had the right vision; the Borough really was London’s growth opportunity. The outcome of the Commission was that no-one should be left behind and through the work of the Council and the Community together, this would be achieved.

Question 12

From Councillor Freeborn

“I am sure the Cabinet member for Finance will share my concern at a recent report in the Guardian which showed that the vast majority of the Government’s £300m ‘relief fund’ (aimed at alleviating the impact of austerity cuts) will be distributed to Conservative Councils in marginal constituencies. In fact, the report showed that 85% of the grant will go to Tory Councils, leaving Labour-run areas with just £17m despite suffering the deeper cuts since 2010 and having higher levels of deprivation

This would seem to be a blatant disregard for the hard pressed resident in our Borough and I would be interested to know from the Cabinet Member for Finance what steps the Council could take to address the inequality?”

Response

Councillor Twomey, Cabinet Member for Finance and Central Services in responding, expressed his concerns at the new central government methodology for allocating funds to Councils in 2016/17. The Council had lobbied the Government both individually and collectively with other Councils to address the imbalance.

Question 13

From Councillor Freeborn

“Can the Leader outline what plans the Council has to mark Women’s Empowerment Month 2016?”

Response

Councillor Rodwell, Leader of the Council, advised that there would be a range of events held to mark the second annual Women’s Empowerment Month in March. During the month the Gender Equality Charter would be launched on 10 March and the month of celebration would culminate with the Women’s Empowerment Awards on 30 March 2016.

Question 14

From Councillor Haroon

“Can the Cabinet Member for Finance clarify the role of the Voluntary Redundancy Scheme which has been launched across the Council?”

Response

Councillor Twomey, Cabinet Member for Finance and Central Services advised that the Council had been working to meet the financial challenges it was currently facing and it was known that the number of staff employed would need to reduce as the Council continued to find savings. As part of this, a voluntary redundancy scheme had been launched in early February. Applications were sought on a voluntary basis and each would be considered equally.

Question 15

From Councillor Miah

“Can the relevant Cabinet Member update the Assembly on the Council’s recently launched ‘dog poo DNA’ scheme and outline what benefits it will bring to our community in Barking and Dagenham?”

Response

Councillor Butt, Cabinet Member for Crime and Enforcement, advised that the scheme, launched on 21 January, was being piloted in Mayesbrook Park, Barking Park and Abbey Gardens for three months. Weekly audits were being undertaken and early indications were showing that there as a reduction in the region of 59% of uncollected dog faeces.

Supplementary Question

Councillor Miah questioned the cost of the scheme so far and was advised by Councillor Butt that the Council had used existing resources to run the pilot.

Standing Orders were suspended at this juncture to allow the meeting to continue until 9.45pm.

Question 16

From Councillor Miah

“In light of the growth commission report what plans does the Leader have to ensure that no part of the borough is left behind?”

Response

Councillor Rodwell, Leader of the Council, agreed that no one should be left behind and emphasised the Councils vision for Barking and Dagenham, “One borough; one community; London’s growth opportunity”. The Council would continue to lead the Borough and empower the people of Barking and Dagenham to play a greater role in shaping the future of the Borough and public services.

Question 17

From Councillor Choudhury

“Can the Leader outline what feedback has been received in response to the recently launched ‘One Borough’ e-newsletter for residents?”

Response

Councillor Rodwell, Leader of the Council advised that the One Borough email newsletter, launched in October 2015, was sent out fortnightly to 69,000 recipients. No survey had been undertaken as yet, however emails had been received from residents and local community groups praising the newsletter.

Question 18

From Councillor Choudhury

“Can the Cabinet Member for Housing set out how the Council is reducing demand for Bed & Breakfast Accommodation in the borough?”

Response

Councillor Ashraf, Cabinet Member for Housing, advised that a fourth hostel was opened at Butler Court in January, providing an additional 78 temporary accommodation units. As at 17 January 2016, 92 households were occupying bed and breakfast accommodation.

Question 19

From Councillor Ghani

“Can the Cabinet Member for Adult Social Care and Health provide an update on the Council’s plans to form an ‘Accountable Care Organisation’ with neighbouring boroughs?”

Response

Councillor Worby, Cabinet Member for Adult Social Care and Health advised that a work programme to develop proposals around an Integrated Care Organisation had been work up by a team drawn from the eight organisations involved in the initiative. The programme was being steered by a Clinical and Democratic Oversight Group chaired by the Leader. It was anticipated that details of the proposals would be available in June.

Question 20

From Councillor Ghani

“Can the Cabinet Member for Adult Social Care & Health set out what we are doing as a Council to attract funding to promote healthier and more independent lives as we get older?”

Response

Councillor Worby, Cabinet Member for Adult Social Care and Health advised that the Council had found Care City in partnership with NELFT to create an innovation centre for healthy ageing. The Council had also made a bid to be recognised as a Healthy New Town and was working with NHS colleagues on the Urgent and Emergency Care Vanguard programme. These initiatives would be bringing new money and funding into the Borough.

Supplementary Question

Councillor Ghani questioned the roles of Care City and Healthy New Town and was advised by Councillor Worby that they were two separate entities, with Healthy New Town providing a role more focused on expertise.

Question 21

From Councillor Hughes

“The Government’s Housing and Planning Bill contains a number of damaging proposals such as ‘pay to stay’, the forced sale of high value Council homes and the abolition of secure, lifetime Council tenancies. Can the Cabinet Member for Housing confirmed that the Council will do everything it possibly can to protect residents and our existing housing stock from these measures?”

Response

Councillor Ashraf, Cabinet Member for Housing advised that the Council had undertaken research on the potential implications of the Bill and responded to several consultations. Through this work the Council had developed a new housing offer with a number of objectives to protect the Councils stock, tenants and households as much as possible.

Question 22

From Councillor Hughes

“A recent study commissioned by Somerset House’s Big Bang Data exhibition has shown that Barking and Dagenham is the happiest London borough during the morning hours.

What does the Leader think about the results of this study?”

Response

Councillor Rodwell, Leader of the Council, thanked Councillor Hughes for bringing the question to Assembly, where it was noted that following a study of 1.5 million tweets, it had been revealed that residents in the Borough were the happiest in London between 6am and 12 noon, contrary to the claim made by RightMove’s happiness index last year.

As per paragraph 9.10 Part 2, Chapter 4 of the Constitution, all other questions with notice listed within the agenda that were not dealt with by the end of the

meeting would be responded to in writing by the relevant Councillors.

ASSEMBLY**18 May 2016**

Title: Death of Former Councillor Rob Douglas	
Report of the Chief Executive	
Open Report	For Information
Wards Affected: None	Key Decision: No
Report Author: Leanna McPherson, Democratic Services Officer	Contact Details: Tel: 020 8227 2852 E-mail: leanna.mcpherson@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Director of Law and Governance	
Accountable Director: Chris Naylor, Chief Executive	
<p>Summary:</p> <p>The Assembly is asked to note with deep regret that former Councillor Rob Douglas passed away on 18 March 2016 following a long illness. Mr Douglas' funeral took place on 11 April 2016.</p> <p>Mr Douglas was elected as a Councillor for the Becontree Ward from 2010 until 2014. Mr Douglas served on numerous committees during his four years on the Council and held the position of Deputy Chair on the Pensions Panel.</p>	
<p>Recommendation</p> <p>The Assembly is asked to stand for a minute's silence as a mark of respect.</p>	

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ASSEMBLY**18 May 2016**

Title: London Charter for Elected Member Development	
Report of the Deputy Leader of the Council and Cabinet Member for Finance, Growth & Investment	
Open Report	For Information
Wards Affected: All	Key Decision: No
Report Author: Fiona Jamieson Organisation and Member Development Officer	Contact Details: Tel: 020 8227 2877 E-mail: Fiona.jamieson@lbbd.gov.uk
Accountable Director: Fiona Taylor, Director of Law and Governance	
Summary The Council was successfully re-assessed on 8 December 2015 for the London Boroughs Charter for Elected Member Development. The award is being formally presented to Assembly this evening by Councillor Andy Hull, Executive Member for Finance and Performance, London Borough of Islington, a member of the Assessment Panel, on behalf of London Councils.	
Recommendation To note the report and accept the Charter	
Reason(s) The presentation of the Charter at the Assembly profiles the Council's commitment to a high standard of Member development.	

1. Introduction and Background

- 1.1 Barking & Dagenham was initially awarded the London Councils Charter for Elected Member Development in February 2009. Successful reassessments have since been held in July 2012 and December 2015.
- 1.2 The Charter is a nationally recognised structured quality framework. It assesses the processes, impact and effectiveness of member development.
- 1.3 A self assessment together with relevant strategies, plans, programmes, reports, handbooks, performance data and notes from key meetings were provided to the Assessors prior to the day of the assessment interviews.

2. Proposal and Issues

2.1 All key standards for the Charter have successfully been met by Barking & Dagenham. These are:

- Commitment to Councillor development
- Strategic approach to Councillor development
- Learning and development is effective in building capacity
- Supporting Councillors

2.2 Councillor Andy Hull, Executive Member for Finance and Performance, London Borough of Islington is in attendance this evening to formally present the Council with the Award

3. Options Appraisal

3.1 There is no statutory requirement to gain Charter status. However, the Charter provides Members with an assurance that the Council is attaining a high development standard, a structured approach to assessing current performance and how to improve, London-wide and national benchmarking of standards and external assurance that the Council is committed to member development.

4. Consultation

4.1 The following Members and Officers were interviewed during the Charter Assessment process:

Members: Councillor Dominic Twomey (Deputy Leader of the Council), Councillor Laila Butt, Councillor Jane Jones, Councillor Edna Fergus, Councillor Hardial Singh Rai, Councillor Peter Chand, Councillor Jeff Wade and Councillor Sade Bright.

Officers: Chris Naylor (Chief Executive), Fiona Taylor (Director of Law and Governance), John Dawe (Group Manager Democratic Services), Robin Payne (Divisional Director Environmental Services), Fiona Jamieson (Organisation and Member Development Officer)

5. Financial Implications

Implications completed by: Kathy Freeman, Divisional Director, Finance.

5.1 The cost of Members' Development will be met by existing Democratic Services Learning & Development budgets.

6. Legal Implications

Implications completed by: Dr. Paul Feild Senior Governance Lawyer.

6.1 There are no specific legal implications to this report.

Background Papers Used in the Preparation of the Report:

London Charter for Elected Member Development Assessors' Report 8 December 2015

ASSEMBLY**18 May 2016**

Title: Appointments to the Political Structure and Other Bodies 2016/17	
Report of the Chief Executive	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Leanna McPherson, Democratic Services Officer	Contact Details: Tele: 020 8227 2852 Email: leanna.mcpherson@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Director: Chris Naylor, Chief Executive	
Summary: The Assembly is responsible for appointments to the political structure and various other internal and external bodies. There are various positions to which appointments are required. The appointment of the Mayor will be dealt with at the Ceremonial Council on 20 May 2016.	
Recommendation(s) The Assembly is recommended to agree appointments to the vacant positions and to any other casual vacancies that may have arisen.	
Reason(s) To meet statutory and constitutional requirements and to ensure relevant positions are appointed to.	

1. Introduction and Background

- 1.1 Chapter 4, Part 2 of the Constitution sets out the Assembly's responsibilities in respect of appointments to the political structure and various other internal and external bodies.

1.2 The appointments meet statutory and constitutional requirements and ensure the Council is able to proceed with the business reserved to the committees.

2. Proposal and Issues

2.1 There are no proposed changes to the main political meeting structure or the membership levels of the respective committees that make up that structure.

2.2 The nomination process in respect of the vacant posts is dealt with through party groups and it is anticipated that the nominations will be reported at the meeting.

3. Options Appraisal

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

4. Consultation

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

5. Financial Implications

Implications completed by: Carl Tomlinson, Finance Group Manager

5.1 There are no financial implications associated with this report. This concerns the annual appointment of elected Members to existing Boards and Committees and is funded through existing budgets.

6. Legal Implications

Implications completed by: Paul Field, Senior Corporate Governance Lawyer

6.1 The Assembly is a meeting of full Council for the purposes of Section 8 and Schedule 12 of the Local Government Act 1972. This meeting of the Assembly is the annual meeting where the Council decides on the overall political structure and makes the necessary appointments

6.2 Part 2 (the Articles) of the Council's Constitution sets out the membership requirements and terms of reference for the various Council committees. The appointments in this report meet statutory and constitutional requirements and ensure the Council is able to proceed with the business reserved to each committee.

Background Papers Used in the Preparation of the Report: None

MINUTES OF JOINT JNC SALARIES & CONDITIONS AND APPOINTMENTS PANEL

Wednesday, 9 March 2016
(4:35 - 5:35 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Saima Ashraf, Cllr Laila Butt, Cllr Evelyn Carpenter, Cllr Edna Fergus, Cllr Eileen Keller and Cllr Dominic Twomey

1. Declaration of Members' Interests

There were no declarations of interest.

2. Private Business

It was resolved to exclude the public and press from the remainder of the meeting by reason of the nature of the business to be discussed which included information exempt from publication by virtue of paragraph 4 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

3. Interim Management Structure for 2016/17

The Chief Executive introduced a report proposing an interim structure for the wider senior management tiers below Chief Officer level which would take the Council through 2016/17.

During 2015, the Council had agreed a new top tier management structure which saw the introduction of the Strategic Director role as well as a number of changes at second tier management level which had an emphasis on building capacity and bringing together service areas that had compatible synergies. The latest proposals built on those foundations and were intended to:

- Ensure appropriate operational leadership and management to improve services and productivity under the current models of delivery;
- Further build the senior level capacity and capability to drive the transformational changes to service delivery required under the Ambition 2020 Programme, particularly the commercial and commissioning skill sets required in the future;
- Develop an organisation structure that embedded that capacity and capability and began to establish the operating models by which services would be commissioned and delivered in the future;
- Provide the basis for the organisation structure(s) for 2017/18 and beyond that would fully implement the operating model and deliver services as envisaged under Ambition 2020; and
- Deliver on the Chief Executive's commitment to reduce management costs by £1m by the end of 2016/17.

The Chief Executive explained that the interim structure made a clear distinction between the Council's operational responsibilities and its evolving role as a commissioning and commercial body. All Divisional Director-level posts and a number of Group Manager posts were impacted by the review, although the

synergies between the current and new posts meant that the majority of existing postholders held assimilation rights to posts within the new structure.

It was noted that the new structure proposals would achieve a saving of approximately £230,000 in a full year which meant that, when coupled with the savings achieved via the restructure proposals approved during 2015, almost 60% of the target reduction of £1m in senior management costs before 2017/18 would have been achieved by the start of the 2016/17 financial year.

The Chief Executive and Strategic Directors spoke on the detailed proposals within the new interim structure and drew Members' attention to a number of issues which included:

- (a) **Finance and Investment** – The management structure beneath the Strategy and Programmes Director post was still to be finalised and could require further reports to Members in the future.
- (b) **Customer, Commercial and Service Delivery** – The new post of Commercial Lead had no line management responsibilities and would be directly accountable to the Strategic Director for supporting the development and implementation of innovative commercial partnerships. As assimilation rights did not apply to that post or the Operational Director: Enforcement post, those appointments would be subject to competitive recruitment processes.
- (c) **Growth and Homes** – As part of the new arrangements, the Group Manager: Housing Strategy would report to the Commissioning Director: Growth, Homes and Regeneration.
- (d) **Service Development and Integration** – The key feature was the bringing together of children's and adults' services under a single structure, with the main focus being on how services were to be delivered rather than who delivered them. The three Commissioning Director posts for Children's Care and Support, Adults' Care and Support and Education would be responsible for the commissioning of services to meet strategic objectives and then ensuring that the desired outcomes were met. The two Operational Director posts for Children's Care and Support and Adults' Care and Support would be responsible for the operational delivery of social care and safeguarding. Several existing postholders held assimilation rights to posts within the new structure, although it was noted that officers who were presently in 'acting up' positions did not qualify for assimilation and would, therefore, have to apply via the competitive recruitment process.

The Strategic Director also elaborated on some of the interim arrangements that would be in place and explained that a detailed review of the Group Manager structure relating to children's and adults' social care would be undertaken to ensure that the right balance existed across the new service.

The Chief Executive concluded by stating that the interim structure proposals provided a firm foundation from which the Council's longer-term needs could be assessed and developed, while retaining sufficient flexibility to meet unforeseen challenges in the meantime.

The Panel **resolved** to:

- (i) Approve the proposed reorganisation of the second and third tier structure, including new and changed roles, as detailed in the report and reflected in Appendices 1 to 6 attached;
- (ii) Note the change from the generic title of Divisional Director to Operational Director, Commissioning Director or other appropriate Director title;
- (iii) Note the proposed consultation process and implementation timetable;
- (iv) Approve the creation of the following new posts as part of the interim structure:

Customer, Commercial and Service Delivery directorate

- Commercial Lead
- Operational Director: Enforcement
- Operational Director: Clean and Green

Service Development and Integration directorate

- Commissioning Director: Adults' Care and Support

- (v) Authorise the Chief Executive to determine the grade of the posts of Commercial Lead, Operational Director: Enforcement and Commissioning Director: Adults' Care and Support in line with the Council's job evaluation scheme;
- (vi) Approve the assimilation of existing postholders into the new structure as detailed within the report and in accordance with the Council's assimilation procedures; and
- (vii) Note that appointments to the JNC posts not subject to assimilation rights shall be considered by the JNC Appointments Panel in due course.

4. Statutory Director of Children's Services and Director of Adult Social Services Responsibilities

Further to the proposal within the previous report regarding the bringing together of children's and adults' services under a single management structure, the Chief Executive presented a report on the proposal for the Strategic Director: Service Development and Integration to take on the statutory role of Director of Children's Services (DCS) alongside the statutory role of Director of Adult Social Services (DASS) already held by the postholder.

The Chief Executive advised that the Corporate Director of Children's Services, the current statutory DCS, would be retiring from the Council in the summer of 2016 and, at that point, the post would be deleted from the establishment as part of the new management structure arrangements. As part of the interim management structure arrangements for 2016/17 referred to earlier in the meeting, the Chief Executive had assessed the level of leadership capacity that would be needed to deliver the Council's vision for social care under the Ambition 2020 programme and had concluded that there would be a number of important

advantages at the present time to bringing children's and adults' services together under the leadership of a single strategic director, with operational directors being accountable for care and support services in each area.

The Chief Executive stressed that the deletion of the Corporate Director of Children's Services post would not mean that the Council took its responsibilities to children and young people any less seriously that it did at present and he referred to the "Test of Assurance Framework" appended to the report which showed how the Council would discharge all of its statutory obligations and responsibilities via the new operating model.

With regard to the Council's responsibilities as Local Education Authority, the Chief Executive confirmed that the current Divisional Director of Education, Youth and Childcare would be assimilated into the new post of Commissioning Director: Education as part of the new structure. The Chief Executive acknowledged that appropriate arrangements would need to be in place to support the postholder and the Borough's family of schools during the transitional period.

The Chief Executive advised that in recognition of the increased responsibility to be assigned to the Strategic Director: Service Development and Integration as a result of the new arrangements, it was proposed that the salary be increased from the current level of £131,757 (grade CO6) to a new spot salary of £145,000 (inclusive of any national pay award for 2016/17) from the point that the Strategic Director took on the statutory DCS role. Members' attention was drawn to the information taken from the London Councils 2015 Senior Salary Review, included at Appendix 2 to the report, which showed the proposed salary to be commensurate with the full level of responsibility attributable to the post.

In response to Members' questions on a number of issues, the following points were made:

- the salary of the Strategic Director: Service Development and Integration had not increased at the time that the postholder was appointed as Deputy Chief Executive;
- the increase of approximately £13,000 represented a small percentage of the full-year saving of circa £200,000 that would be achieved through the deletion of the Corporate Director of Children's Services post; and
- the combining of the DCS and DASS statutory roles would not be subject to specific review, although the entire range of interim management structure arrangements would be reassessed in the medium-term as part of the ongoing Ambition 2020 transformation programme.

In support of his recommendations to Members, the Chief Executive spoke of the Strategic Director's commitment to the Council's journey, her leadership skills and his confidence that the Strategic Director was the right person to lead the significant change agenda across children's and adults' services. Members concurred with those sentiments and were fully supportive of the enhanced salary arrangements, recognising in particular that the Strategic Director had taken on the role of Deputy Chief Executive without any additional remuneration.

The Panel **resolved** to:

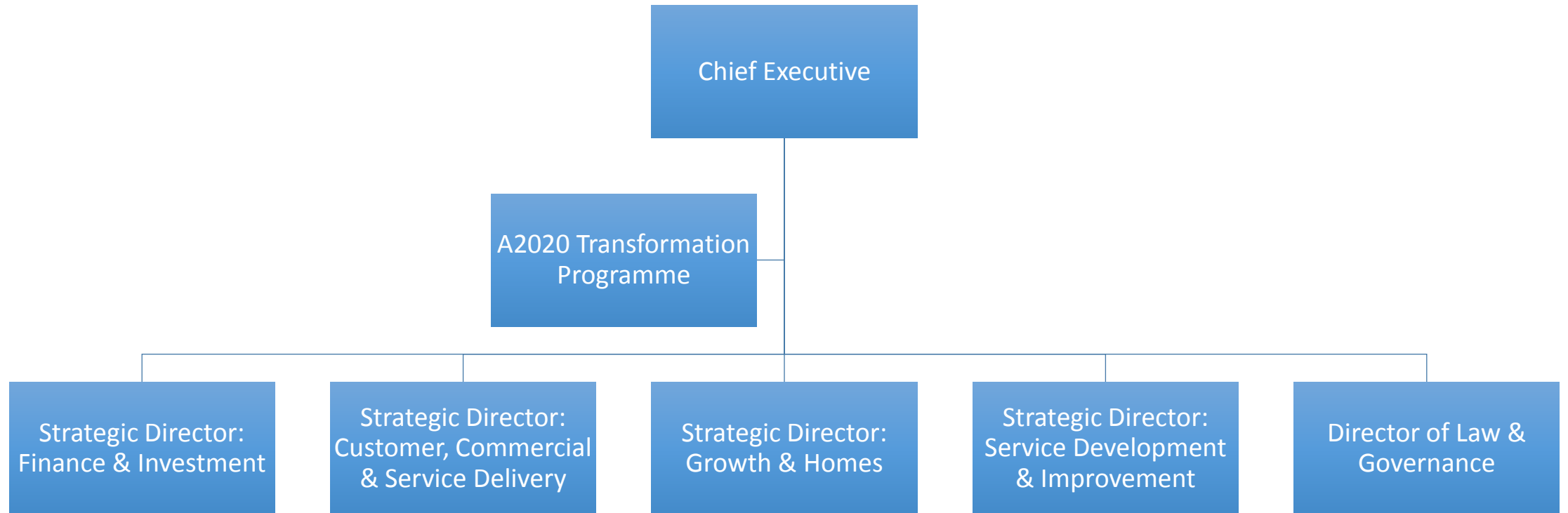
- (i) Agree that the Strategic Director of Service Development and Integration be

designated as the Council's statutory Director for Children's Services with effect from the date at which the post of Corporate Director of Children's Services (the current statutory DCS) is deleted, for the purposes of compliance with section 18(2) of the Children Act 2004;

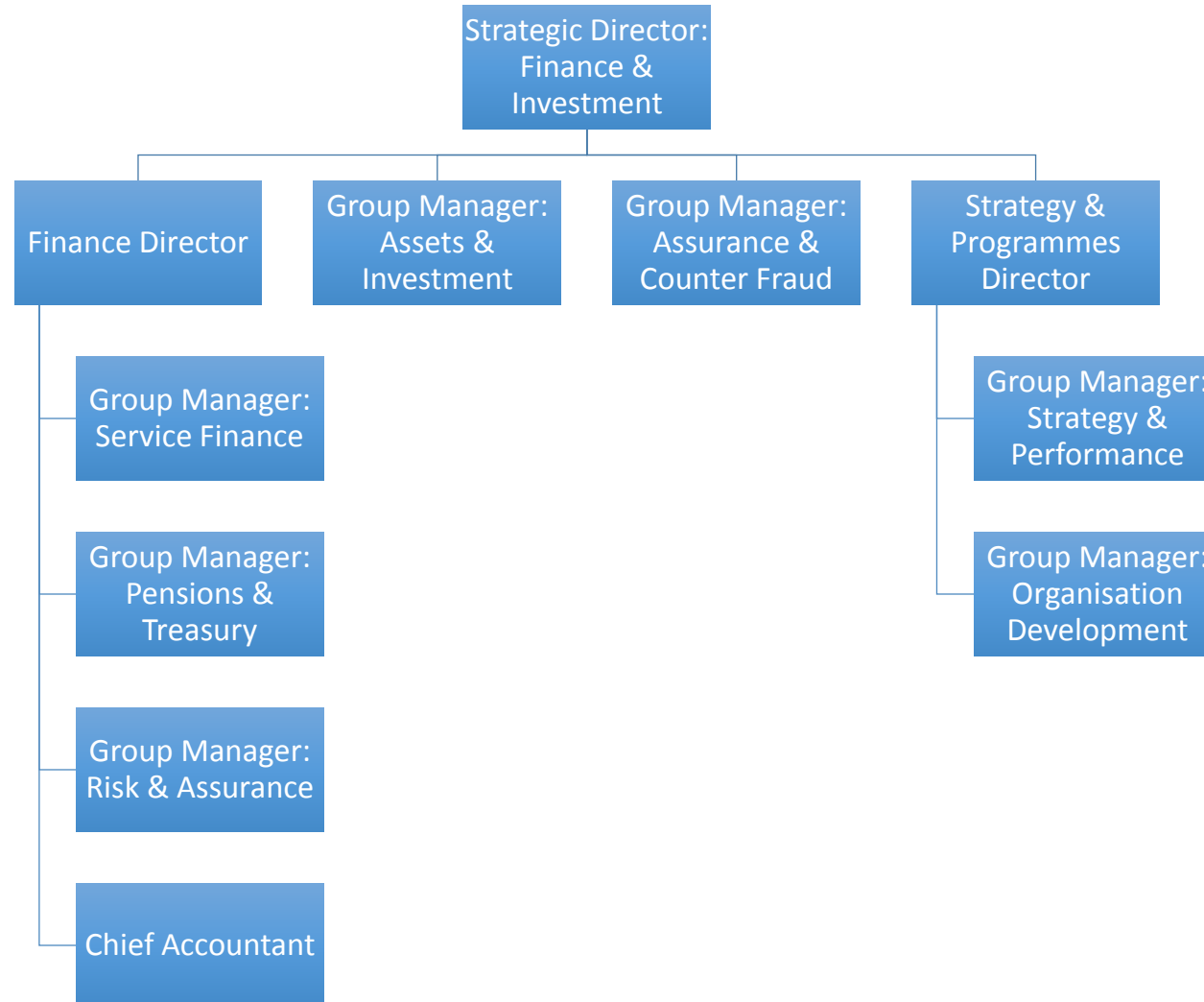
- (ii) Note that the Strategic Director of Service Development and Integration continues to be the Council's statutory Director of Adult Social Services for the purposes of compliance with section 6(A1) of the Local Authority Social Services Act 1970 and is the designated Deputy Chief Executive; and
- (iii) Agree that in recognition of the additional statutory responsibilities, the salary of the Strategic Director of Service Development and Integration be increased to £145,000 per annum, inclusive of any national pay award for 2016/17, upon taking up the role as statutory Director of Children's Services.

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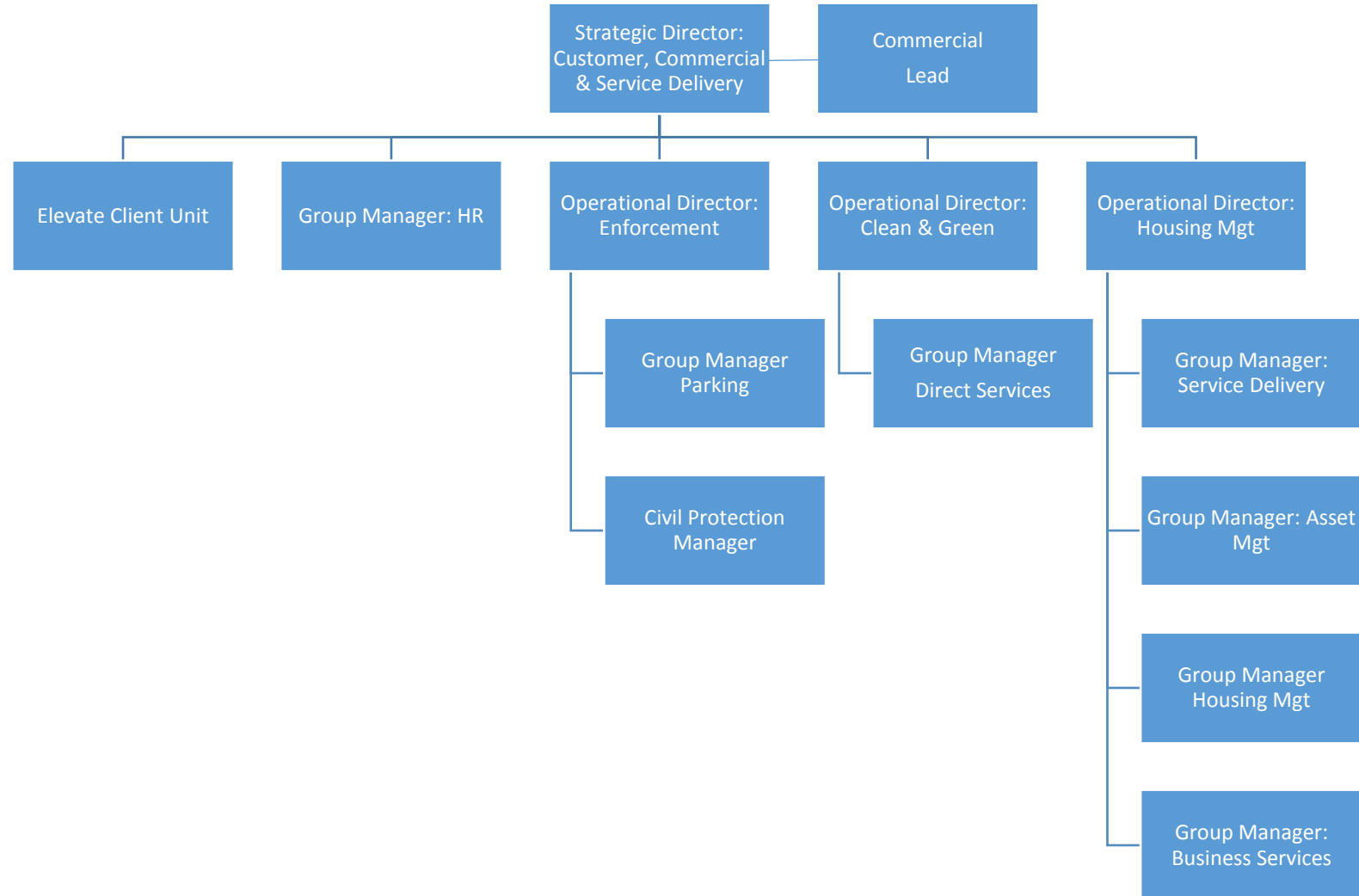
Appendix 1: Strategic Leadership Team



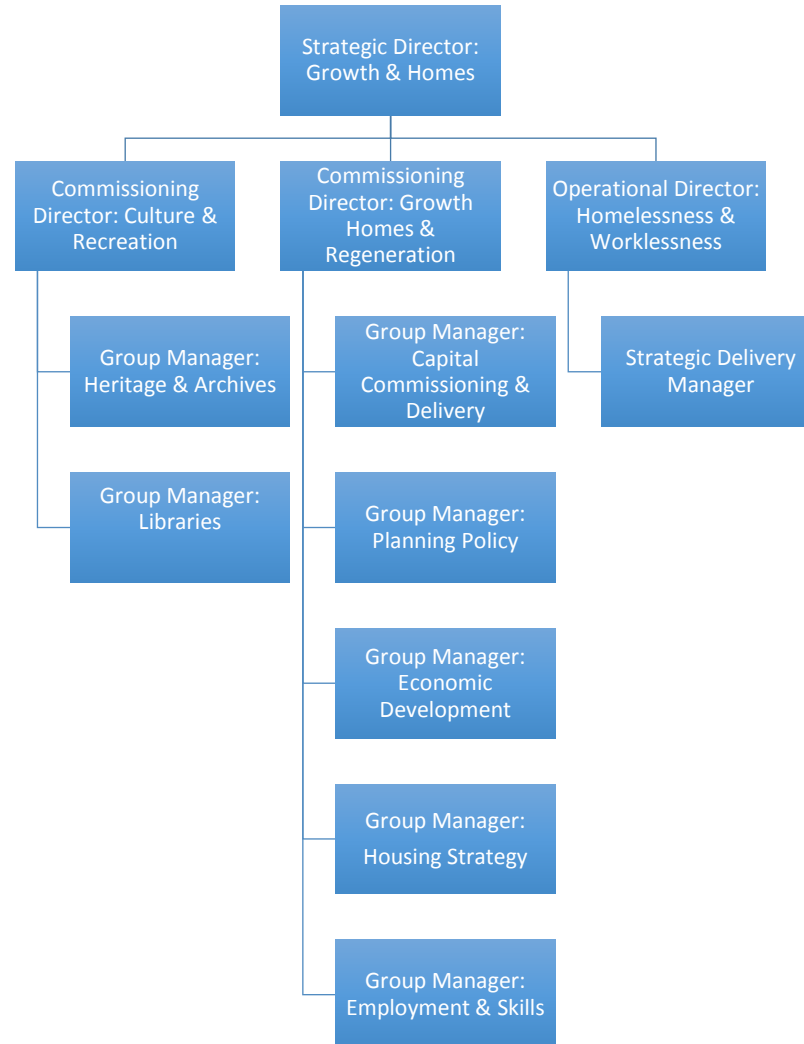
Appendix 2: Finance & Investment (inc Strategy & Programmes)



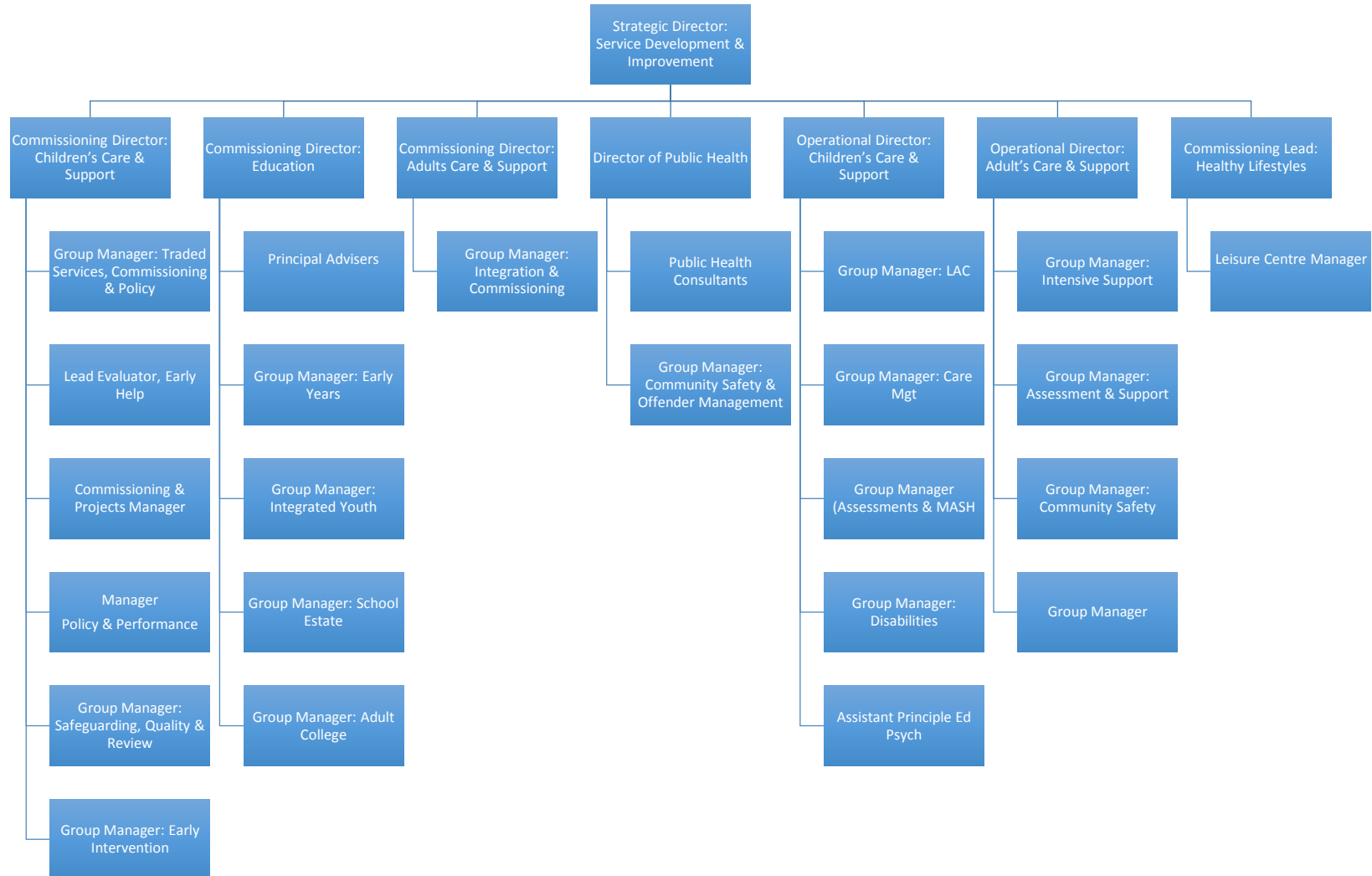
Appendix 3: Customer, Commercial & Service Delivery



Appendix 4: Growth & Homes

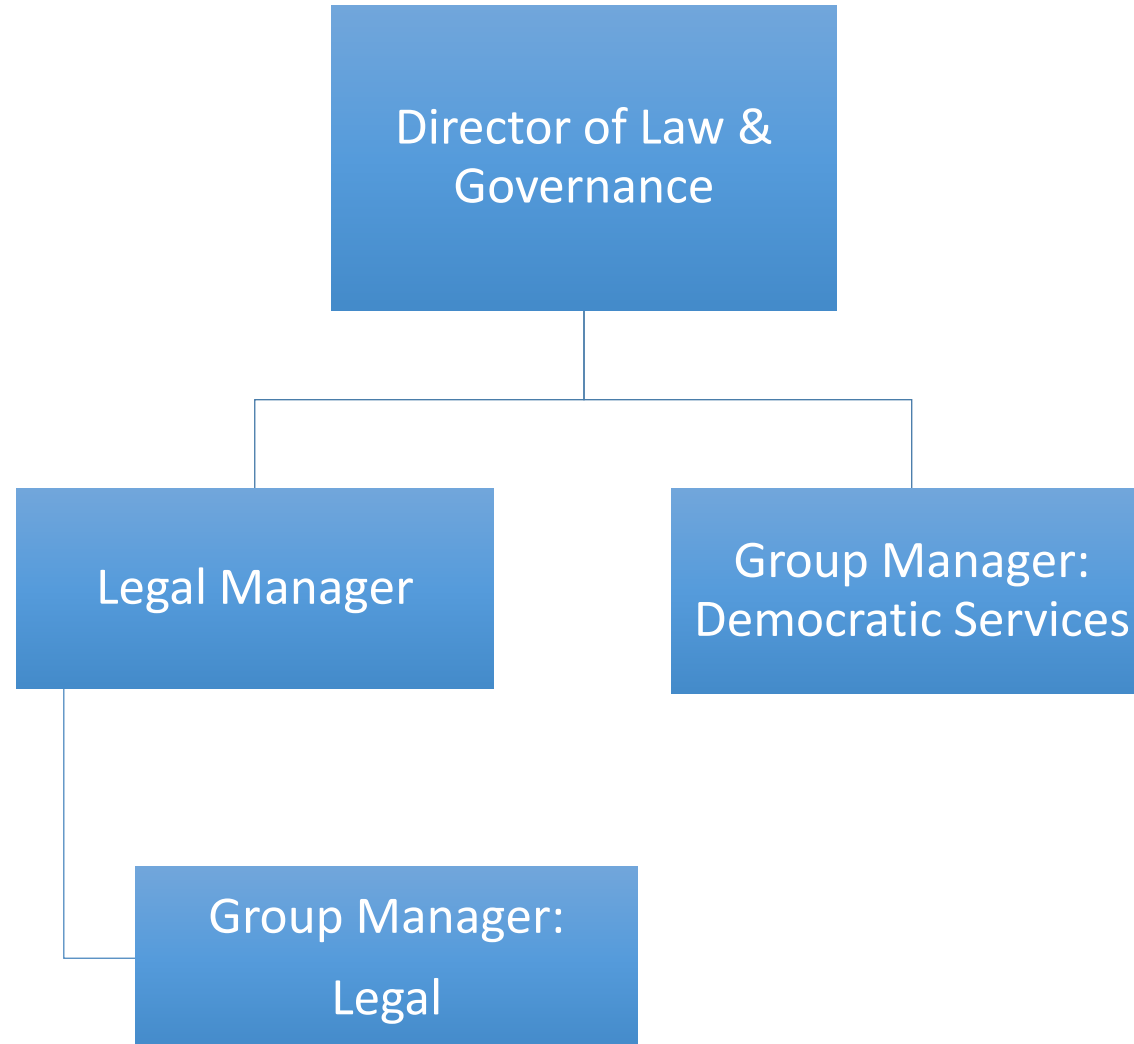


Appendix 5: Service Development & Improvement



Appendix 6

Law & Governance



MINUTES OF JNC APPOINTMENTS PANEL

Wednesday, 20 April 2016
(3:00 - 6:00 pm)

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

Apologies: Cllr Dominic Twomey

26. Declaration of Members' Interests

There were no declarations of interest.

27. Private Business

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

28. Appointment of Commissioning Director, Adults' Care and Support

The Panel considered the papers that had been submitted in advance of the meeting which included the job description and person specification for the post together with the CV and supporting statement of the shortlisted candidate.

The Panel had reviewed and agreed in advance the presentation topic as well as the interview questions which would be asked.

Following the interview, Members discussed the presentation and responses to the questions and reached a unanimous decision.

The Panel **resolved** to appoint Mark Tyson to the post of Commissioning Director, Adults' Care and Support.

29. Appointment of Interim Commissioning Director, Children's Care and Support

The Panel considered the papers that had been submitted in advance of the meeting which included the job description and person specification for the post together with the CV and supporting statement of the shortlisted candidate. It was noted that the appointment being sought was on an interim basis as the postholder had been seconded to the post of Transformation Director for Ambition 2020.

The Panel had reviewed and agreed in advance the presentation topic as well as the interview questions which would be asked.

Following the interview, Members discussed the presentation and responses to the questions and reached a unanimous decision.

The Panel **resolved** to agree the interim appointment of Christopher Bush to the post of Commissioning Director, Children's Care and Support.

30. Appointment of Operational Director, Adults' Care and Support

The Panel considered the papers that had been submitted in advance of the meeting which included the job description and person specification for the post together with the CV and supporting statement of the shortlisted candidate.

The Panel had reviewed and agreed in advance the presentation topic as well as the interview questions which would be asked.

Following the interview, Members discussed the presentation and responses to the questions and reached a unanimous decision.

The Panel **resolved** to appoint Tudur Williams to the post of Operational Director, Adults' Care and Support.

MINUTES OF JNC APPOINTMENTS PANEL

Monday, 25 April 2016
(2:00 - 5:00 pm)

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

Apologies: Cllr Dominic Twomey

31. Declaration of Members' Interests

There were no declarations of interest.

32. Private Business

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

33. Appointment of Commercial Lead

The Panel considered the papers that had been submitted in advance of the meeting which included the job description and person specification for the post together with the CV and supporting statement of the shortlisted candidate.

The Panel had reviewed and agreed in advance the presentation topic as well as the interview questions which would be asked.

Following the interview, Members discussed the presentation and responses to the questions and reached a unanimous decision.

The Panel **resolved** to appoint Hilary Morris to the post of Commercial Lead.

34. Appointment of Operational Director: Enforcement

The Panel considered the papers that had been submitted in advance of the meeting which included the job description and person specification for the post together with the CV and supporting statement of the shortlisted candidate.

The Panel had reviewed and agreed in advance the presentation topic as well as the interview questions which would be asked.

Following the interview, Members discussed the presentation and responses to the questions and reached a unanimous decision.

The Panel **resolved** to appoint Jonathon Toy to the post of Operational Director, Enforcement.

35. **Appointment of Operational Director: Clean and Green**

The Panel considered the papers that had been submitted in advance of the meeting which included the job description and person specification for the post together with the supporting statement of the candidate, who held assimilation rights to the post under the Council's employment policies.

The Panel had reviewed and agreed in advance the presentation topic as well as the interview questions which would be asked.

Following the interview, Members discussed the presentation and responses to the questions and reached a unanimous decision.

The Panel **resolved** to appoint Tony Ralph to the post of Operational Director, Clean and Green.

ANNUAL ASSEMBLY**18 May 2016**

Title: Members' Allowances Scheme 2016/17	
Report of the Leader of the Council	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Alan Dawson, Democratic Services Manager	Contact Details: Tele: 020 8227 2348 Email: alan.dawson@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Director of Law and Governance	
Accountable Director: Chris Naylor, Chief Executive	
<p>Summary:</p> <p>This report sets out proposals in relation to Members' allowances for the 2016/17 municipal year.</p> <p>It is proposed that in view of the continuing pressures on public sector funding a freeze, for the eighth successive year, be applied to all basic and special responsibility allowances (SRAs). Furthermore, no other changes are proposed to the scheme that was approved for 2015/16.</p>	
<p>Recommendation(s)</p> <p>The Assembly is recommended to:</p> <ul style="list-style-type: none"> (i) Agree that no increase be applied to Members' basic and special responsibility allowances for the 2016/17 municipal year, representing a freeze in allowance levels for the eighth successive year; and (ii) Adopt the Members' Allowances Scheme 2016/17 as attached at Appendix A, to come into effect from 19 May 2016. 	
<p>Reason(s)</p> <p>To meet the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003.</p>	

1. Introduction and Background

- 1.1 The Local Authorities (Members Allowances) (England) Regulations 2003 require local authorities to make an annual scheme of allowances.

1.2 In setting its annual scheme, the Council must have regard to any recommendations of an independent remuneration panel. The exceptions to this requirement are where allowances are to be increased in accordance with an approved index or where no increase is proposed, subject to a review every four years. In considering the Members' Allowances Scheme for 2014/15, the Assembly had regard to the report published in June 2014 by the Independent Panel that was established by London Councils to exercise the function on behalf of London Boroughs.

1.3 The Members' Allowances Scheme forms part of the Council Constitution (Part 6).

2. Proposal and Issues

2.1 In view of the continuing pressures on the Council's finances, it is proposed to maintain the freeze on both basic and special responsibility allowances for the eighth successive year.

2.2 Furthermore, there are no proposed changes to the positions that shall qualify for a special responsibility allowance or the rates applicable to travelling, subsistence and other allowances.

2.3 The proposed Members' Allowances Scheme for 2016/17 is set out at **Appendix A**.

3. Options Appraisal

3.1 The cost of allowances must be contained within the existing budget provision and consequently any changes to basic and/or SRAs would need to be funded within that overall budget provision.

4. Consultation

4.1 The proposal to freeze allowances for a further year has been discussed with and supported by the Leader of the Council and the Cabinet Member for Central Services.

5. Financial Implications

5.1 The Members' Allowances budget for 2016/17 is £800,000 and is sufficient to meet all projected costs during the year. Any proposed increase in allowances would need to be funded within the current budget through other efficiencies, such as reducing the number of positions attracting an SRA, or via an approved growth bid or additional funding.

5.2 For information, the budget was reduced by £100,000 for 2015/16 as part of the budget savings process. The reduction stemmed from the removal of the entitlement of councillors to be members of the Local Government Pension Scheme, which meant that the Council was no longer required to make an employer contribution in relation to those councillors who were, prior to 1 April 2015, in the LGPS.

6. Legal Implications

Implications completed by: Paul Feild, Senior Corporate Governance Lawyer

6.1 The relevant legal issues have been covered in the body of the report.

Public Background Papers Used in the Preparation of the Report:

- London Councils Independent Panel Report “The Remuneration of Councillors in London 2014” (<http://www.londoncouncils.gov.uk/who-we-are/about-us/financial-information/leadership-and-expenses/remuneration-councillors-london>)

List of appendices:

- **Appendix A** – Proposed Members’ Allowance Scheme 2016/17

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Members' Allowances Scheme 2016/17

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

1. Introduction

- 1.1 The Members' Allowances Scheme ("the Scheme") is approved each year by the Assembly at its annual meeting. The Assembly shall have regard to any recommendations made by an Independent Remuneration Panel before making or amending the Scheme.

2. Types of Allowances

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

3. Effective Date

- 3.1 This Scheme has effect from 19 May 2016.

4. Definitions

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

5. Basic Allowance

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

6. Special Responsibility Allowances

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

7. Travelling and Subsistence Allowances

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

8. Dependants' Carers' Allowances

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

9. Co-opted Members

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

10. School Appeals Panel Members

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

11. National Insurance and Income Tax

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

12. Local Government Pension Scheme (LGPS)

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

13. Renunciation

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

14. Payments and Claims

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

15. Councillors who are Members of another Authority

15.1 Any Councillor who is also a Member of another Authority shall only receive allowances from one Authority in respect of the same duties.

15.2 In such instances, the Councillor shall be required to nominate the Authority from whom he/she wishes to receive the allowance(s) and advise the Chief Executive accordingly.

16. Record of Allowances Paid

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

17. Publication of Scheme

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

**London Borough of Barking and Dagenham
Schedule of Allowances for 2015/16**

Type	Allowance (per annum unless otherwise stated)
BASIC ALLOWANCE (for all Councillors)	£10,006
SPECIAL RESPONSIBILITY ALLOWANCES	
Leader of the Council	£35,022
Deputy Leader(s) of the Council	£21,583
Other Cabinet Members	£17,510
Chairs and Lead Members of the following: <ul style="list-style-type: none"> • Assembly • Development Control Board • Personnel Board • Licensing and Regulatory Board • Health and Adult Services Select Committee • Children's Services Select Committee • Safer and Stronger Community Select Committee • Living and Working Select Committee • Public Accounts and Audit Select Committee 	£3,142
Deputy Chairs and Deputy Lead Members of the following: <ul style="list-style-type: none"> • Assembly • Development Control Board • Personnel Board • Licensing and Regulatory Board • Health and Adult Services Select Committee • Children's Services Select Committee • Safer and Stronger Community Select Committee • Living and Working Select Committee • Public Accounts and Audit Select Committee 	£1,571

Type	Allowance (per annum unless otherwise stated)
Leaders of the Minority Groups	£342 per seat (with a minimum of £1,110 per Leader)
Mayor's Allowance (payable under section 3(5) of Part I of the Local Government Act 1972)	£12,000 (with effect from 21 May 2016)
CO-OPTED MEMBERS' AND OTHER ALLOWANCES	
Independent Adviser (Public Accounts and Audit Select Committee)	£500 per meeting
Independent Persons (Standards Committee)	£500
Schools Appeals Panel (Admissions and Exclusions) members	£20 per session (up to four hours)
TRAVELLING ALLOWANCES	
Mileage Rates	<ul style="list-style-type: none"> • Car: 45p per mile • Motorcycle: 24p per mile • Bicycle: 20p per mile
SUBSISTENCE ALLOWANCES	
Meal Allowances	<ul style="list-style-type: none"> • Breakfast (away between 7.00am and 11.00am) - £4.92 • Lunch (away between 12.00 noon and 2.00pm) - £6.77 • Tea (away between 3.00pm and 6.00pm) - £2.67 • Evening (away between 7.00pm and 11pm) - £8.35
Overnight (continuous period of 24 hours involving absence overnight)	<ul style="list-style-type: none"> • Normal - £79.82 • Greater London, AMA Annual Conference or other approved Association conferences - £91.04
DEPENDANTS' CARERS' ALLOWANCE	
	£6.82 per hour

ASSEMBLY**18 May 2016**

Title: Motions	
Report of the Chief Executive	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Leanna McPherson, Democratic Services Officer	Contact Details: Tel: 020 8227 2852 E-mail: leanna.mcpherson@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Director of Law and Governance	
Accountable Director: Chris Naylor, Chief Executive	
<p>Summary</p> <p>In accordance with paragraph 10 of Part 2, Chapter 4 of the Council Constitution, motions and amendments to motions on issues directly affecting the borough may be submitted to the Assembly to be debated and voted on.</p> <p>One motion has been received in accordance with the Council's procedure rules and is attached as Appendix A.</p> <p>The deadline for amendments to the motions is noon on Friday 13 May 2016.</p> <p>For information, attached at Appendix B is the relevant extract from the Council's Constitution relating to the procedure for dealing with Motions With Notice.</p>	
<p>Recommendation(s)</p> <p>The Assembly is asked to debate and vote on the motions and any amendments proposed.</p>	

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

List of appendices:

Appendix A – Notice of Motion: Tax Avoidance

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

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Notice of Motion: Tax Avoidance

Councillor Young has submitted the following motion:

“This Council recognises:

1. The growing awareness of tax avoidance and tax evasion (together termed tax abuse in this motion) and their impact in recent years;
2. The importance of curtailing and eventually eliminating tax abuse in the local economy of Barking and Dagenham if a sound market economy is to be created in which all traders, whether locally or nationally based, can compete on a level playing field to provide the goods and services that our community needs;
3. The wider impact of tax abuse on our national economy, where the gap between tax income collected by our national government and that which would be due if tax law was complied with as parliament intended is not less than £35 billion a year in the estimate of HM Revenue & Customs and may be substantially higher in the estimate of others and that this tax gap does, inevitably impact upon the level of income available to this authority to undertake its work in our local communities;
4. The impact of tax abuse internationally and in particular its cost to developing countries (many of which have close relationships with persons living in our communities) who as a result of tax abuse by multinational corporations are estimated to lose sums greater than the total world aid budget to this activity each year with consequent impact on our relationships with those communities;
5. That the UK government has taken steps to tackle the issue of tax abuse by companies seeking to secure contracts for the supply of goods or services and has issued ‘Procurement policy note 03/14: promoting tax compliance’ about which it says ‘A new policy was announced in the March 2013 Budget on the use of the procurement process to promote tax compliance. This applies with effect from 1 April 2013 to all central government contracts of more than £5 million. Suppliers bidding for these government contracts must self-certify their tax compliance’.

This Council now agrees that:

6. Both tax avoidance and tax evasion represent a threat to the operations of this Council, the services that it supplies to the communities that it represents, the effective operation of the local economy, our national economy, the economies of other countries and our relationships with them;
7. As a consequence of the noted threats created by tax abuse within and beyond our communities this Council wishes to take action to tackle tax abuse in all its forms and as a result:

- a. Requires that the Chief Executive of the Council notes 'Procurement policy note 03/14: promoting tax compliance' and adapts it for use as part of the procurement procedures of this Council excepting that the resulting policy shall apply to all companies bidding for contracts and to report back on this issue not later than ;
- b. Requires that the Chief Executive of the Council notes the 'Fair Tax Mark' and consider the ways in which that certification process may be included in the changes to the tendering process noted in paragraph (a) above;
- c. Requires that the Chief Executive of the Council prepare a policy proposal for declaring Barking and Dagenham a Fair Tax Area and shall provide plans for achieving this objective in cooperation with the local business community and the Fair Tax Mark by no later than Wednesday 1st June 2016;
- d. Requires that those who represent this Council when making decisions regarding investments that fund the pensions payable to past and present employees of this authority take tax abuse into consideration when assessing the suitability of those companies in the shares of which such funds might be invested;
- e. Agrees that this Council will actively support campaigns by HM Revenue & Customs and others, including Non-Governmental Organisations, that encourage tax compliance and an end of tax abuse in the area covered by this Council and beyond.
- f. Authorises the necessary expenditure to implement these proposals.
- g. Requires a report back on progress made with regard on each of these proposals not less than once quarterly for the next three years.
- h. Requires that the Council actively publicise this policy."

Comment of the Chief Executive

The Chief Executive has decided following consultation with the Strategic Director of Finance and Investment and the Director of Law and Governance that the above motion could have significant financial and/or contractual issues for the Council. In accordance with paragraphs 10.11 and 10.12, Part 2, Chapter 4 of the Council's Constitution the motion must be accompanied by a report setting out the relevant implications.

Set out below is a report of Jonathan Bunt, Strategic Director for Finance and Investment.

Procurement

1. With regard to the 'Procurement Policy Note 03/14: Promoting Tax Compliance', the Council's contract rules already make provision for tax compliance. Section 35.6 of the rules state:
 "The Council shall exclude a bidder from participation where a bidder has, or where the Council becomes aware, committed a criminal offence relating to fraud, corruption, terrorism, tax evasion, money laundering, or such other offences as are prescribed in Regulation 57 (1) – (5).
 The referenced 'Regulation 57 (1) – (5)' form part of the Public Contract Regulations 2015 which the 2014 'Procurement Policy Note 03/14' was updated to reflect.
2. As part of the Council's e-tendering portal, bidders are required to declare any criminal charges, including any relating to tax evasion when submitting a tender. It would be possible to amend the pre-qualification process to enable tenderers to submit their Fair Tax Mark details as a means of answering those questions. It would not be possible to limit the opportunity to bid to only those in possession of the Mark as it would be deemed that the Council would be impeding the market. The restriction of the market when tendering would also be expected to lead to higher costs for the Council as a result of reduced competition.

Fair Tax Area

3. The Fair Tax Mark is a voluntary scheme which the Council cannot impose on local businesses and would require the companies participating to undertake an annual assessment as well as paying a licence fee. As noted above, the Council could not restrict the award of work to only those in possession of the Mark as it would be considered anti competitive.

Pension Fund Investments

4. The Barking & Dagenham Pension Fund is predominantly invested in pooled funds which does not permit the Fund or its Trustees to specify the companies invested in. The fund could move to a segregated mandate which would enable it to do so but this would come with a larger management fee from the fund manager. The scale of the extra fee varies but would typically be c0.1-0.2% which, on for assets under management of £100m, would equate to additional annual costs of £100,000 - £200,000.
5. A move to a segregated mandate would also prevent the participation in the collaborative schemes mandated by central government such as the London Collective Investment vehicle. As well as adding the further costs above, it would prevent the Fund from achieving the savings expected to be delivered from the pan London scheme which includes all other London Boroughs.
6. The key duty of the Pension Panel Members, acting as Trustees of the Fund, is to ensure adequate monies exist to meet future pension liabilities. This is achieved through the Fund's investment strategy and the appointment of fund managers on specific mandates. Recent market experience has shown that companies who are

linked with tax avoidance schemes suffer a fall in their share price which is reflected in the decision of equity managers to hold specific stocks.

7. The Barking & Dagenham Pension Fund is also a member of the Local Authority Pension Fund Forum (LAPFF) which campaigns and works with companies on issues of corporate governance, employee engagement and environmental impact. As a collective, it has much more influence to ensure companies have the right policies and procedures in place to create value for shareholders over the long term.
8. As a result, there would be both financial and political implications for the Fund from adopting a specific position on tax avoidance. The stock market has shown that links tax avoidance has a detrimental impact on the share price and this will be considered by both companies and fund managers.

10. Motions With Notice

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

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

11. Motion to rescind a previous decision

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

12. Rules of Debate

12.1 The following order / rules of debate shall apply:

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

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