**Title:** Petition re: Closure of the Civic Centre

**Report of:** Fiona Taylor, Head of Law and Governance and Monitoring Officer

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<th>Open Report</th>
<th>For Decision</th>
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<td><strong>Wards Affected:</strong> Heath</td>
<td><strong>Key Decision:</strong> No</td>
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**Accountable Divisional Director:** Fiona Taylor, Head of Law and Governance and Monitoring Officer.

**Accountable Director:** Chris Naylor, Chief Executive

**Summary**

At the Cabinet on 16 December 2014 following consideration of a range of options Members agreed a proposal to rationalise the Council’s corporate office portfolio in order to make budget savings which included the planned closure of the Civic Centre and its potential future use as a School. That decision led to the Council being presented with a petition from Jon Cruddas MP opposing the closure, which in accordance with the Council’s Petition Scheme was put before PAASC on 25 March 2015.

The petition called upon the Council to repeal the decision to convert the Civic Centre into a school, on the basis the current decision endangered the quality and accessibility of good public services for the residents of Dagenham.

Seeing the large number of residents who signed the petition and/or completed an accompanying survey, PAASC was of the view at that time that it would not do justice to those concerns by simply rejecting or supporting the terms of the petition, and in those circumstances a decision was deferred pending further information linked to the proposed closure.

This included an independent financial evaluation of the costs involved in each option set down in the report, including those not originally short listed. However as there was no budget available to do this work the Cabinet at their meeting on 2 June 2015 were asked to consider the request, whom on balance declined to support the Select Committee’s proposal and provide the necessary funding from the Council’s reserves to commission the evaluation. This decision as reported to PAASC on 24 June 2015 was challenged by Members’ who having regard to the provisions of the Constitution were of the view that the request for funding should have been referred to the Assembly and not the Cabinet. As a consequence it was decided to seek the Monitoring Officer’s opinion before any further consideration of the matter.
The Monitoring Officer reported back to the Committee in September that the Constitution stated that funding and expenditure was a Cabinet function as set out in Part 2 Chapter 6 paragraph 2.1(i) and that there was no supplementary provision that permitted the Assembly to make an allocation of resources (Part 2 Chapter 4).

Notwithstanding this the Select Committee decided to seek further independent legal advice or otherwise, as they maintained the view that the request for funding should have been referred to the Assembly for a decision. Seeing that is approaching twelve months since the petition was first presented PAASC agreed at the last meeting in February that it intended to come to a decision on the terms of the petition notwithstanding the constitutional provisions referred to above, a further report on which would be presented to this meeting.

Attached is a further copy of the Cabinet report presented in December 2014, (“Rationalisation of the Corporate Office Portfolio”). The report which formed the basis for the decision was presented to Cabinet in the exempt part of the agenda as it contained commercially sensitive information relating to the financial and business affairs of the Council. Therefore to enable the report to be presented and discussed in an open setting the exempt information has been redacted. The report together with the appendices (1-4) is set out at Appendix A.

In accordance with the Council’s procedures for petitions the lead petitioner Jon Cruddas MP, on this occasion represented by Andrew Achilleos, has been invited to attend the meeting, as has Councillor Twomey, Cabinet Member for Finance.

**Recommendation(s)**

PAASC is asked to consider the term of the petition and in line with the procedure laid down in the Council petition scheme to either:

(i) Reject the petition; or

(ii) Support it and, in so doing, recommend a course of action to the Cabinet to consider.

**Reason(s)**

The number of signatures on the petition exceeded the threshold of 1500 triggering a debate at the Public Accounts and Audit Select Committee.

1. **Financial Implications**

   *Implications completed by: Jonathan Bunt, Strategic Director of Finance and Investment*

   1.1 There are no direct financial implications associated with this report which includes as an appendix the report submitted to Cabinet on 16 December 2014 – “Rationalisation of Corporate Office Portfolio” which itself includes a full financial analysis.
2. Legal Implications

*Implications completed by: Paul Feild, Senior Governance Solicitor*

2.1 There are no direct legal implications as a result of this report. The Public Accounts and Audit Select Committee in receipt of the Petition is not acting in a statutory scrutiny function. The Constitution provides at Part 2, Chapter 8, paragraph 2.3(a) that it is a locally determined decision that within their terms of reference each Select Committee will be responsible for receiving petitions regarding services within their terms of reference.

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

**List of appendices:**

- **Appendix A** - “Rationalisation of Corporate Office Portfolio” Report to Cabinet, 16 December 2014