

MINUTES OF ASSEMBLY

Wednesday, 1 March 2023
(7:00 - 8:43 pm)

PRESENT

Cllr Irma Freeborn (Chair)

Cllr Andrew Achilleos	Cllr Dorothy Akwaboah	Cllr Saima Ashraf
Cllr Princess Bright	Cllr Sade Bright	Cllr Josie Channer
Cllr Nashitha Choudhury	Cllr Alison Cormack	Cllr Cameron Geddes
Cllr Syed Ghani	Cllr Rocky Gill	Cllr Kashif Haroon
Cllr Victoria Hornby	Cllr Manzoor Hussain	Cllr Jane Jones
Cllr Elizabeth Kangethe	Cllr Mohammed Khan	Cllr Donna Lumsden
Cllr Giasuddin Miah	Cllr Fatuma Nalule	Cllr Adegboyega Oluwole
Cllr Glenda Paddle	Cllr Simon Perry	Cllr Michel Pongo
Cllr Moin Quadri	Cllr Regina Rahman	Cllr Hardial Singh Rai
Cllr Chris Rice	Cllr Lynda Rice	Cllr Paul Robinson
Cllr Darren Rodwell	Cllr Muazzam Sandhu	Cllr Faraaz Shaukat
Cllr Dominic Twomey	Cllr Maureen Worby	Cllr Mukhtar Yusuf
Cllr Sabbir Zamee		

APOLOGIES FOR ABSENCE

Cllr Faruk Choudhury	Cllr Muhib Chowdhury	Cllr John Dulwich
Cllr Edna Fergus	Cllr Margaret Mullane	Cllr Ingrid Robinson
Cllr Emily Rodwell	Cllr Muhammad Saleem	Cllr Jack Shaw
Cllr Lee Waker	Cllr Phil Waker	

55. Declaration of Members' Interests

There were no declarations of interest.

56. Minutes (25 January 2023)

The minutes of the meeting held on 25 January 2023 were confirmed as correct.

57. Minutes of Sub-Committees

The Assembly received and noted the minutes of the JNC Appointments, Salaries and Structures Panel meeting held on 23 January 2023.

58. Leader's Statement

The Leader of the Council presented a verbal statement updating the Assembly on a range of matters since the last meeting including:

Women's Empowerment Month: March marked the start of Women's

Empowerment Month, the ninth held by the Council. Barking and Dagenham was the only council in the country to dedicate the month to the fantastic contributions women and girls made. The Leader referred to Cllr Ashraf, who had featured in a documentary film called 'Marianne', which followed seven French Muslim women and would be premiering at the Broadway Theatre on 9th March 2023.

LGBT+ History Month: The Council had, last month, celebrated LGBT+ History Month, reflecting on the history of the LGBT+ movement and to understand the challenges they continued to face.

One Year on from Russian Invasion of Ukraine: The Leader reflected on one year on from the Russian invasion of Ukraine. The council would continue to show it's support for the Ukraine's fighting against Russian aggression.

Earthquakes in Turkey and Syria: There were many residents who were concerned for their family and friends following the devastating earthquakes in Turkey and Syria. The Council stood with those residents during this difficult time.

Passing of Baroness Boothroyd: Baroness Boothroyd, former speaker of the House of Commons and the first woman Speaker sadly passed away on 26 February, aged 93. Baroness Boothroyd was a close friend of former Barking MP, Jo Richardson, and opened a school in her name in 2002. The hall was named 'Boothroyd Hall' in her honour.

Jodie Chesney Memorial Bench: The Jo Richardson School recently unveiled the Jodie Chesney memorial bench in tribute to their former pupil.

Diagnostic Centre and Barking Hospital: The application for the Diagnostic Centre at Barking Hospital had been approved by the Planning Committee and it was hoped the new centre would begin welcoming patients in December 2023.

Eco Homes: 149 new sustainably heated eco homes were to be developed on the former Transport House site in Dagenham. The homes would be heated by air source heat pumps which meant they would be more efficient and cheaper to heat and reduce the development's carbon footprint.

Budget Framework: The Council's budget framework for 2023/24 would be presented by the Deputy Leader and Cabinet Member for Finance, Growth & Core Services later in the meeting. Through the budget framework, the Council would continue to support residents through the biggest cost of living crisis in almost half a century, on the back of a global pandemic, by leading the way with a growing economy and putting the needs of residents first.

59. Appointments

There were no appointments.

60. LBBD Statement of Gambling Licensing Policy 2023-2026

The Cabinet Member for Enforcement and Community Safety introduced a report on the Statement of Gambling Licensing Policy 2023-2026.

The Council, as the local licensing authority for gaming and betting, was required under the Gambling Act 2005 to have in place a statement of the principles by which it would abide in carrying out its licensing responsibilities, in accordance with a statutory three-year cycle. The Cabinet Member confirmed that a period of formal public consultation had been undertaken in respect of the draft Gambling Policy Statement 2023-2026 and the proposals had also been considered by the Licensing and Regulatory Committee on 31 January 2023.

The Policy was based on the promotion of the three statutory licensing objectives and the Local Area Profile, which referred to areas in the Borough most at risk of gambling related harm in the context of risk factors such as high levels of deprivation. The Cabinet Member stated that the Government was expected to release a White Paper on gambling reform in the near future. However, under the current legislation all the Council could do was produce a policy that was as localised as possible and aimed at putting the onus on applicants of gambling premises licenses to demonstrate how they would mitigate the risks of gambling related harm as part of their application.

Members discussed the significant detrimental impacts of gambling on individuals and society, particular during the cost-of-living crisis. Members recognised and shared the frustrations of residents that the Council had limited powers to control the number of gambling premises licences in the Borough.

The Assembly **resolved** to:

- (i) Adopt the London Borough of Barking and Dagenham Statement of Gambling Licensing Policy 2023-2026, as set out in Appendix 1 to the report; and
- (ii) Note that the policy statement shall take effect following the expiry of the statutory period of advertising after publication, in accordance with the provisions of the Gambling Act 2005.

61. Pay Policy Statement 2023/24

The Cabinet Member for Finance, Growth and Core Services introduced a report on the Council's Pay Policy Statement for 2023/24, which the Council was required to agree annually in accordance with the Localism Act 2011.

The Cabinet Member referred to the various elements that made up the Pay Policy Statement and he drew particular attention to the pay ratios which showed that Barking and Dagenham's pay arrangements for its highest and lowest earners compared very favourably against the London average. He stressed, however, the importance of setting pay at adequate levels in order to retain and attract the most skilled and talented workforce that would deliver the best services for residents and pointed out that the Council's Chief Officer pay structure had last been reviewed in 2013.

The Assembly **resolved** to approve the Pay Policy Statement for the London Borough of Barking and Dagenham for 2023/24 as set out at Appendix A to the report, for publication on the Council's website with effect from April 2023.

62. Audit and Standards Committee Annual Report 2021/22

The Chair of the Audit and Standards Committee presented the Audit and Standards Committee Annual Report 2021/22.

This was the second annual report of the Audit and Standards Committee and regrettably, the Assembly were advised that the 2019/20 audit was still outstanding. This was an ongoing concern for the Committee with many factors contributing to the late report, including a national auditor recruitment crisis and the Financial Reporting Council sanctioning a public sector auditor for not properly considering the accounting for components of assets within its audit strategy in relation to Plant, Property and Equipment (PPE), which also held up audits across the country. Furthermore, the Council's Auditor, BDO, had staff sickness issues and a backlog of work following the delays caused by the COVID-19 pandemic. Despite these challenges, lessons learned from the 2018/19 Audit were implemented. A schedule to implement the outstanding actions had been drawn up with clear lines of responsibility in terms of ownership.

The Committee began its oversight of internal auditing by reviewing the final report of internal auditing for the previous municipal year 2020/21. The Committee agreed, in the previous municipal year, to an internal audit plan of 50 audits. The Head of Assurance (HoA) as the Council's Chief audit executive, was required to give an overall opinion on the Council's internal control systems. The HoA's assessment was that the Council's internal audit systems were generally satisfactory with some improvements required. The Committee, therefore, focused on issues rated 'partial assurance' and 'no assurance probing the basis of the ratings and reviewed the implementation of improvements.

The Committee also reviewed the Internal Audit plan for 2021/22. It was noted that the audit remained on-going and the outcomes would be included in the next annual report.

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

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

The Assembly **resolved** to note the report.

63. Budget Framework 2023/24 and Medium Term Financial Strategy 2023/24 - 2026/27

The Cabinet Member for Finance, Growth and Core Services introduced the Council's proposed budget framework for 2023/24 which incorporated the following:

- Proposed General Fund revenue budget for 2023/24;
- Proposed level of Council Tax for 2023/24;
- Medium Term Financial Strategy (MTFS) 2023/24 to 2026/27;
- Draft capital investment programme 2023/24 to 2026/27;
- Housing Revenue Account budget 2023/24.

The General Fund net budget for 2023/24 was £203.568m, which incorporated decisions previously approved by Members in the Medium Term Financial Strategy, including the savings approved by Assembly in previous years, together with changes in Government grants and other financial adjustments. The Council proposed to increase Council Tax by 4.99%, made up of 2.99% for general spending and 2% that would be ringfenced as an adult social care precept.

The Cabinet Member presented the proposed budget framework against a backdrop of a cost-of-living crisis, which included rising energy and food prices and a government which had placed a decade of austerity on public services with no plan for growth in the economy. Despite this, Barking and Dagenham was one of the only councils in London not to be proposing any cuts to services and was, instead, focussing on growth for the borough, enabling the Council to continue to deliver on residents' priorities.

Members acknowledged the hard work undertaken by the Cabinet Member and officers to achieve a balanced budget against a backdrop of incompetency by the Government. The Council had a history of protecting the most vulnerable residents and would continue to do so with the proposed budget framework.

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 Achilleos, Akwaboah, Ashraf, P Bright, S Bright, Channer, N Choudhury, Cormack, Freeborn, Geddes, Ghani, Haroon, Hornby, Hussain, Jones, Kangethe, Khan, Lumsden, Miah, Nalule, Oluwole, Paddle, Perry, Pongo, Quadri, Rahman, Rai, C Rice, L Rice, P Robinson, D Rodwell, Sandhu, Shaukat, Twomey, Worby, Yusuf and Zamee (37).

Against: None (0)

Abstain: None (0)

The Assembly **resolved** to:

- (i) Approve a base revenue budget for 2023/24 of £203.568m, as detailed in Appendix A to the report;
- (ii) Approve the adjusted Medium Term Financial Strategy (MTFS) position for 2023/24 to 2025/26 allowing for other known pressures and risks at this time, as detailed in Appendix B to the report, including the revised cost of borrowing to accommodate the capital costs associated with the implementation of the MTFS;
- (iii) Delegate authority to the Strategic Director, Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Core

Services, to finalise any contribution required to or from reserves in respect of the 2023/24 budget, pending confirmation of levies and further changes to Government grants prior to 1 April 2023;

- (iv) Approve the Statutory Budget Determination for 2023/24 as set out at Appendix D to the report, which reflects an increase of 2.99% on the amount of Council Tax levied by the Council, an Adult Social Care precept of 2.00% and the final Council Tax proposed by the Greater London Assembly (9.7% increase), as detailed in Appendix E to the report;
- (v) Note the update on the current projects, issues and risks in relation to Council services, as detailed in sections 8-10 of the report;
- (vi) Approve the Council's Housing Revenue Account budget for 2023-24 as set out in Section 11 to the report;
- (vii) Approve the approach to updating the stock condition survey for the Council's housing stock, as referred to in paragraphs 11.5 – 11.8 of the report, and delegate authority to the Strategic Director, My Place, as advised by the Council's Procurement Board and in consultation with the Cabinet Member for Community Leadership and Engagement, the Strategic Director, Finance and Investment and the Chief Legal Officer, to conduct the procurement and award and enter into the contract(s) and all other necessary or ancillary agreements with the successful bidders;
- (viii) Approve the Council's draft Capital Programme for 2023/24 totalling £388.126m, of which £43.909m are General Fund schemes, as detailed in Appendix F to the report;
- (ix) Note the update on the Flexible Use of Capital Receipts Strategy as set out section 13 of the report; and
- (x) Note the Chief Financial Officer's Statutory Finance Report as set out in section 15 of the report, which includes a recommended minimum level of reserves of £12m.

64. Treasury Management Strategy Statement 2023/24

The Cabinet Member for Finance, Growth and Core Services introduced a report on the Treasury Management Strategy Statement 2023/24 which set out the Council's borrowing, investment and funding plans for the year ahead.

Members noted the achievements of the Council in attracting large amounts of investment into the Borough and praised the Treasury Management team for delivering positive outcomes, despite the very difficult financial climate of high inflation and interest rates.

The Assembly **resolved** to adopt the TMSS for 2023/24 and in doing so:

- (i) Noted the current treasury position for 2023/24 in section 4 and prospects for interest rates, as referred to in section 8 of the report;

- (ii) Approved the Annual Investment Strategy 2023/24 outlining the investments that the Council may use for the prudent management of its investment balances, as set out in Appendix 1 to the report;
- (iii) Approved the Council's Borrowing Strategy 2023/24 to 2025/26, as set out in Appendix 2 to the report;
- (iv) Noted that the Capital Strategy 2023/24, incorporating the Investment and Acquisitions Strategy, shall be updated and presented for approval in April 2023;
- (v) Approved the Capital Prudential and Treasury Indicators 2022/23 – 2024/25, as set out in Appendix 3 to the report;
- (vi) Approved the Operational Boundary Limit of £1.85bn and the Authorised Borrowing Limit of £1.95bn for 2023/24, representing the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003, as referred to in Appendix 3 to the report;
- (vii) Approved the revised Minimum Revenue Provision Policy Statement for 2023/24; the Council's policy on repayment of debt, as set out in Appendix 4 to the report;
- (viii) Noted that changes made to the Prudential Code and Treasury Management code, published in December 2021, had been fully implemented for the 2023/24 TMSS;
- (ix) Noted the Liability benchmark data in section 11 of the report, including the impact of schemes agreed in 2022 as well as the impact of pipeline schemes on the amount of borrowing required by the Council; and
- (x) Delegated authority to the Strategic Director, Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Core Services, to proportionally amend the counterparty lending limits agreed within the Treasury Management Strategy Statement to consider the increase in short-term cash held from borrowing. counterparty lending limits agreed within the Treasury Management Strategy Statement to consider the increase in short-term cash held from borrowing.

65. Motions

There were no motions.

66. Questions With Notice

There were no questions with notice.

67. Resolution to Extend Six Month Attendance Rule for Councillor Edna Fergus - Section 85 of Local Government Act 1972

(The Chair agreed that the following item could be considered at the meeting as a matter of urgency under the provisions of Section 100B(4)(b) of the Local

Government Act 1972.)

The Assembly received a report from the Acting Chief Executive regarding the consideration of dispensation under the provisions of Section 85 of the Local Government Act 1972 in respect of Councillor Edna Fergus' non-attendance at qualifying Council meetings since 28 September 2022 due to ill health.

The Assembly **resolved**:

- (i) To approve Councillor Edna Fergus' absence from meetings due to ill health, in accordance with the provisions of Section 85(1) of the Local Government Act 1972; and
- (ii) That Councillor Edna Fergus shall continue to be a Member of the Council.