

# MINUTES OF ASSEMBLY

Wednesday, 4 December 2013  
(7:00 - 7:45 pm)

## PRESENT

Councillor A K Ramsay (Chair)  
Councillor E Kangethe (Deputy Chair)

Councillor S E Ahammad	Councillor S Alasia
Councillor J L Alexander	Councillor A Gafoor Aziz
Councillor S J Bremner	Councillor L Butt
Councillor E Carpenter	Councillor J Channer
Councillor J Clee	Councillor J Davis
Councillor R Douglas	Councillor C Geddes
Councillor D Hunt	Councillor M Hussain
Councillor A S Jamu	Councillor I S Jamu
Councillor E Keller	Councillor G Letchford
Councillor J E McDermott	Councillor M McKenzie MBE
Councillor M Mullane	Councillor E O Obasohan
Councillor J Ogungbose	Councillor B Poulton
Councillor C Rice	Councillor L Rice
Councillor D Rodwell	Councillor T Saeed
Councillor A Salam	Councillor L A Smith
Councillor S Tarry	Councillor D Twomey
Councillor G M Vincent	Councillor J Wade
Councillor P T Waker	Councillor J R White
Councillor M M Worby	

## APOLOGIES FOR ABSENCE

Councillor S Ashraf	Councillor G Barratt
Councillor P Burgon	Councillor H J Collins
Councillor R Gill	Councillor M A McCarthy
Councillor D S Miles	Councillor T Perry
Councillor H S Rai	Councillor L A Reason
Councillor L R Waker	

### **35. Declaration of Members' Interests**

There were no declarations of interest

### **36. Death of Warrant Officer Class 2 Ian Michael Fisher, 3rd Battalion the Mercian Regiment (Staffords) - 5 November 2013**

The Chair made a statement regarding the tragic death of Warrant Officer Class 2 Ian Michael Fisher, who had been killed in action on 5 November 2013 when his vehicle had been subjected to an attack by a suicide vehicle-borne improvised explosive device on the final day of a two-day operation to disrupt insurgent activity in the vicinity of Kamparak, 25 miles north east of the provincial capital

Lashkar Gah in Helmand Province, Afghanistan.

Warrant Officer Class 2 Fisher, aged 42, leaves a wife, Emma, two sons, James aged seven and William aged five, and his parents, Simon and Helen.

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

**37. Minutes (2 October 2013)**

The minutes of the meeting held on 2 October 2013 were confirmed as correct.

**38. Appointments**

**Assembly agreed** the following appointments:

- **Councillor Butt** as Lead Member of the Living and Working Select Committee;
- **Councillor Ahammad** as Deputy Lead Member of the Living and Working Select Committee
- **Councillor Lynda Rice** to the London Borough of Barking & Dagenham Fostering Panel

**39. Corporate Parenting**

Assembly received this report, introduced by the Cabinet Member for Children's Services, Councillor White, which provided an update on the Corporate Parenting arrangements in the borough, particularly in relation to the progress and outcomes of the Members' Corporate Parenting Group (MCPG).

Referring to the Members' Briefing that had taken place at 6pm in this Chamber, presented by Skittlz, the LBBD Children in Care Council, Councillor White emphasised the responsibility on each of the Members of this Council for the children who were in corporate care. He stated that:

- there were over 450 children in corporate care;
- all Members have looked after children in their wards and must take the role of corporate parenting seriously, acting as parents and ensuring that the needs of those children were catered for;
- the children should be listened to and treated in the same way as we treat our own children.

The Chair of the MCPG, Councillor Letchford, reiterated Councillor White's comments and advised that Members also had a responsibility for care leavers.

He went on to outline the success of the Streetbase and Splash cards, Health Passports and the Pledge: Promises to our Children in Care, which had been developed in conjunction with Skittlz.

Referring to MCPG meetings, Councillor Letchford advised that the appropriate services and organisations were always represented, as in the event that a member was unable to attend, a substitute representative would attend in their place.

He advised that he had visited other Councils and that this borough is one of the

most advanced and progressive in terms of Corporate Parenting.

Assembly **noted:**

- (i) the roles and responsibilities of all Councillors as corporate parents to looked after children and care leavers;
- (ii) the progress being achieved by the Members' Corporate Parenting Group;

and **agreed:**

- (iii) to identify those areas falling within their remit, and that of other councillors, to be reviewed in order to support the work of the Members' Corporate Parenting Group;
- (iv) to endorse and sign the pledge promises to looked after children and young people.

#### **40. Small Business Friendly Borough Award**

Assembly received and noted this report introduced by the Cabinet Member for Regeneration, Councillor Geddes, which provided background to the Small Business Friendly Borough Awards run by the Federation of Small Businesses and London Councils.

Councillor Geddes had attended the awards ceremony on 5 September 2013 and had been delighted to accept on behalf of the borough the award for "Best all round small business friendly borough", which award commends councils for successfully implementing wide-ranging policies to support and develop the local micro and small business community.

Councillor Geddes noted his thanks to his predecessor, Councillor McCarthy, and to officers.

Members added their congratulations and thanks to officers for their support.

#### **41. Constitution Review - Contract Procedure Rules**

Assembly received this report, introduced by the Chief Finance Officer relating to the review and amendment of the Council's Contract Rules.

Assembly **agreed:**

1. the adoption and implementation of the proposed new Contract Rules (as set out in Appendix A to the report) in replacement for the current Contract Rules, Contracts Code of Practice and Contract Guidance Notes in the Council's Constitution.
2. to note the establishment of the corporate Procurement Board and the gateway processes which aim to embed a stronger compliance and governance culture across the Council.
3. to delegate authority to the Chief Executive, in consultation with the Head of Legal Services and Monitoring Officer, to make all necessary, procedural

and/or incidental amendments to the new Contract Rules in order to ensure their provisions reflect changes in the law and best practice and that the Rules dovetail with the rest of the Constitution;

4. to delegate authority to the Chief Executive, in consultation with the Head of Legal Services and Monitoring Officer, to make all necessary and/or incidental amendments to the Constitution in order to bring the new Contract Rules into effect.

#### **42. Constitution Review - Financial Rules**

Assembly received this report, introduced by the Chief Finance Officer relating to the review and amendment of the Council's Financial Regulations and Rules.

Assembly **agreed**:

1. the new Financial Regulations and Rules for full adoption across the Council (as set out in Appendix A of the report);
2. to authorise the Chief Finance Officer to vary the revised corporate limits set out in section 2 and Appendix B of the report where changes were considered to improve the efficiency of the Council's financial operations without unacceptably increasing risk; and
3. to authorise the Monitoring Officer to make the necessary amendments to the Council's Constitution.

#### **43. Treasury Management Mid-Year Review**

Assembly received this report, introduced by the Chief Finance Officer, updating Members on treasury management activities in the current year.

Assembly **agreed** to approve the following changes to the Treasury Management Strategy Statement 2013/14:

- (i) Remove the variable counterparty limit for Lloyds Bank, which is currently the higher of £40m or 40% of total investable cash, to a fixed limit of £50m;
- (ii) Allow the in-house treasury section to manage (hold and sell), but not purchase, UK government GILTS with maturities in excess of one year and up to a maximum maturity period of five years; and
- (iii) Allow the in-house treasury section to invest in non-UK banks that meet the minimum credit rating colour band up to a maximum of £10m per counterparty and up to a total limit of £30m for all non-UK banks.

#### **44. Motions**

##### **1. Academy status consultation**

Moved by Councillor Vincent and seconded by Councillor Wade:

*"The Council notes that school governing bodies now have the authority to convert into Academies via an Academy Order. There is a legal duty to consult.*

*This Council believes that the consultation should be meaningful and that parents should have a say about the status of their children's school and education provider.*

*This Council recommends that any school consulting on whether or not to apply for an order so that it can become an Academy, undertakes a detailed consultation with parents and all interested parties. This could include holding a ballot with parents in a school affected prior to the making of an application in order for governors to be fully informed of parental wishes and before any application for an order is made."*

In accordance with the provisions of paragraph 14.9 of Part B, Article 2 of the Council Constitution, the Chair exercised his discretion in allowing the Leader of the Council, Councillor Smith, to move the following amendment, which was seconded by Councillor Mullane:

In moving the amendment, Councillor Smith said that since the publication of the motion on this agenda, the situation had changed with more recent developments around pressure on local authority maintained schools to move towards academy status, and as a result was causing concerns for Members to the extent that the wording should be amended as follows:

*"This Council notes that schools now have the power to convert into Academies with a minimum of consultation.*

*"This Council believes that parents should have the final say on the status of their children's schools, and so calls on any school consulting on whether or not to become an Academy – whether through choice or by direction – to hold a ballot of parents."*

Members spoke in support of the amended motion.

Councillor P Waker recorded thanks to the Executive Head of Beam and Leys Primary School, Leigh Culyer, and the Head Teachers of Beam and Leys respectively, Tracey Whittington and Grant Krog, for the work that they had done in this connection.

In response, Councillor Vincent thanked Members for their support and confirmed his personal support of the proposed amendment as moved by Councillor Smith.

The amendment was put to the vote and was unanimously **carried**, thus becoming the substantive motion, which was then put the vote and unanimously **carried**.

## **2. Closure of the Broad Street Walk-in Centre**

Moved by Councillor Mullane and seconded by Councillor Worby:

*"This Council believes that the first port of call of all residents for healthcare should be their family doctor. We support the government view that care should be delivered 'closer to home'. We believe that A&E is not the place for routine healthcare or minor injuries. However, we believe there is a long way to go yet before access to GPs is as good as it needs to be, with people waiting too long for appointments and a lack of availability seven days a week and into the evening. Walk-in Centre services are vital for getting people fast and flexible access to the healthcare they need, fitting around busy working and family life. We therefore reject the Clinical Commissioning Group's move to close the Walk-in Centre at Broad Street in Dagenham, and urge them to think again about this decision."*

In seconding the motion, the Cabinet Member for Health, Councillor Worby, referred to previous debates in this Chamber regarding the pressures on our local A&E Departments and stated that:

- ❖ we have no hospitals in this borough and were given two walk-in centres that over 25,000 people use each year;
- ❖ it had been proposed that GPs would provide additional appointments; however, they have put on only 2,000 extra appointments, which works out to three additional appointments a day;
- ❖ our GPs do not want to provide appointments in the evenings or at weekends;
- ❖ she had written to the Secretary of State on this subject but had not received a response;
- ❖ this Council was not being listened to and Members must continue to apply pressure.

In supporting the motion, Councillor AS Jamu made the following points:

- the closure would put extra pressure on the emergency services;
- there is a vast increase of older people going to A&E as a first port of call;
- he did not believe that doctors would be filling the gap left by the closure.

Councillor Alasia made the following points:

- ❖ the decisions made by the Clinical Commissioning Group were having a negative impact on our community;
- ❖ there are considerable health inequalities in our borough;
- ❖ there are high levels of shift workers who cannot take time off work to visit their GPs;
- ❖ a recent mystery shopper exercise had found it difficult to get a GP appointment in the same week;
- ❖ the closure will cause more people to go to A&E at Queen's Hospital, which is already struggling to cope;
- ❖ this will inconvenience our residents and lead to more health inequalities.

Councillor Hunt stated that she had had to attend A&E at Queen's hospital recently and had to wait for eight and a half hours before seeing a doctor. She spoke in support of the motion, adding that Broad Street Walk-in Centre was well used by the borough's residents who all get to see a doctor within a good time limit

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

### **3. Improving air quality through tackling vehicular emissions**

Moved by Councillor McDermott and seconded by Councillor P Waker:

*"Barking and Dagenham is designated as an Air Quality Management Area due to high levels of nitrogen dioxide and particulate matter. A major contributor to poor air quality is road traffic particularly on the borough's main roads. Of particular concern is air pollution from traffic on the A13 which the Mayor of London is responsible for. Data from Clean Air London shows that the A13 is one of the top five worst roads in London for fine particulate matter and nitrogen oxides and that EU legal limits are regularly breached. The Council's Joint Strategic Needs Assessment estimates that locally 120 deaths each year are attributable to air pollution in the borough and that people who reside or work near busy roads or spend a long time in traffic are at particularly high risk of exposure to the health harms of air pollution. Naturally as Councillor for Eastbury Ward I am very concerned by the potentially damaging impact that air pollution from the A13 is having on borough residents and I think more needs to be done to tackle this.*

*"One of the most effective ways to tackle vehicular emissions is the London Low Emission Zone but I am concerned that it does not go far enough. Currently all lorries, coaches and buses must meet Euro 4 standards for particulate matter. The Mayor of London's Air Quality Strategy had a target for extending this standard to nitrogen dioxide emissions in 2015. However the Mayor of London has decided that only Transport for London's bus fleet must do so and has exempted lorries and coaches. The explanation is that TfL are concerned about the effectiveness of the Euro 4 nitrogen dioxide standard for Heavy Goods Vehicles and the cost to businesses of compliance and that London buses are responsible for the majority of nitrogen dioxide emissions on many of London's roads. However London buses make up a very small proportion of the traffic that uses the A13 which experiences the highest flows of Heavy Goods Vehicle movements of any main road in London excluding the M25.*

*"I am very concerned that as it stands the Mayor of London is doing little to tackle the air quality issues on the A13 over and above existing standards. Just applying Phase 5 to TfL buses will make little difference to air quality along the A13. I therefore call on the Mayor of London to either reconsider his decision to exempt HGVs from London Low Emission Zone Phase 5 or clarify what alternative action he is taking to make sure EU air quality standards are met along the A13."*

In seconding the motion, Councillor P Waker stated that as well as the A13, other roads in the borough were affected by vehicle emissions and that the effect on health had been underestimated.

In supporting the motion, the Leader of the Council, Councillor Smith stated that improved traffic flow on the A13 would help and this Council, together with the London Boroughs of Havering and Newham should prepare a joint paper to the Mayor of London proposing this.

Councillor IS Jamu spoke in support of the motion as well as the Leader's proposal and further proposed that the nearside lanes of the A13 be marked for local traffic.

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

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The meeting closed at 7.45 pm.