



Agenda

Council

Date Monday 27th February 2012

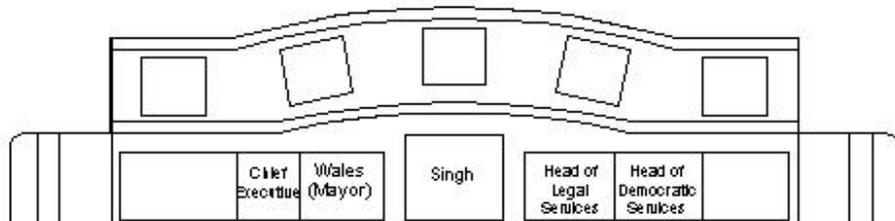
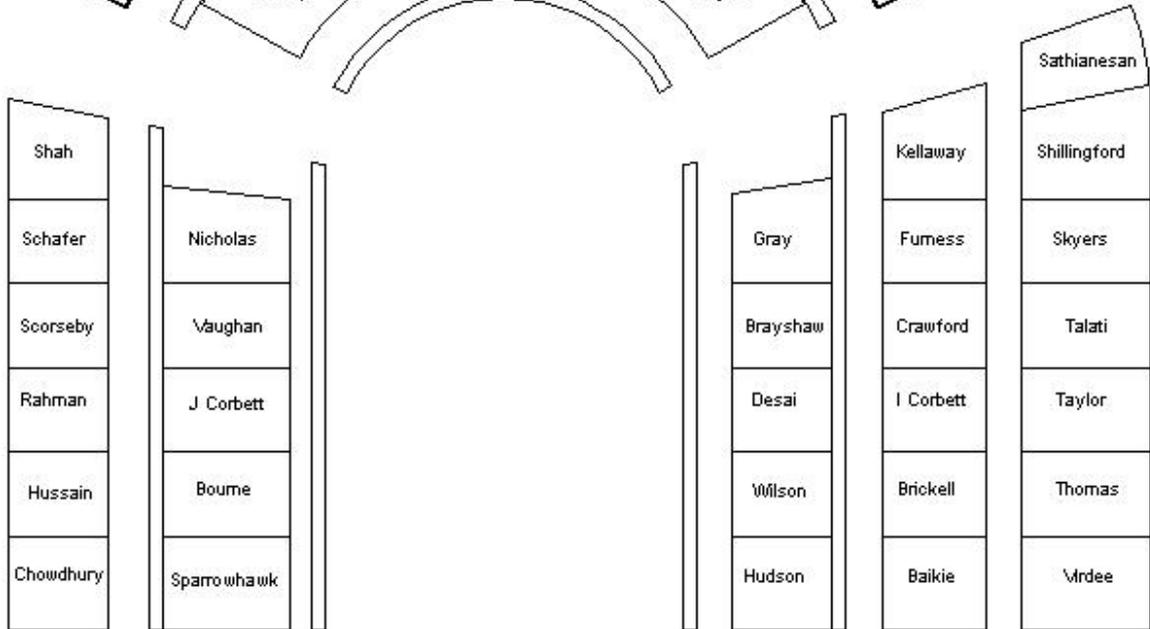
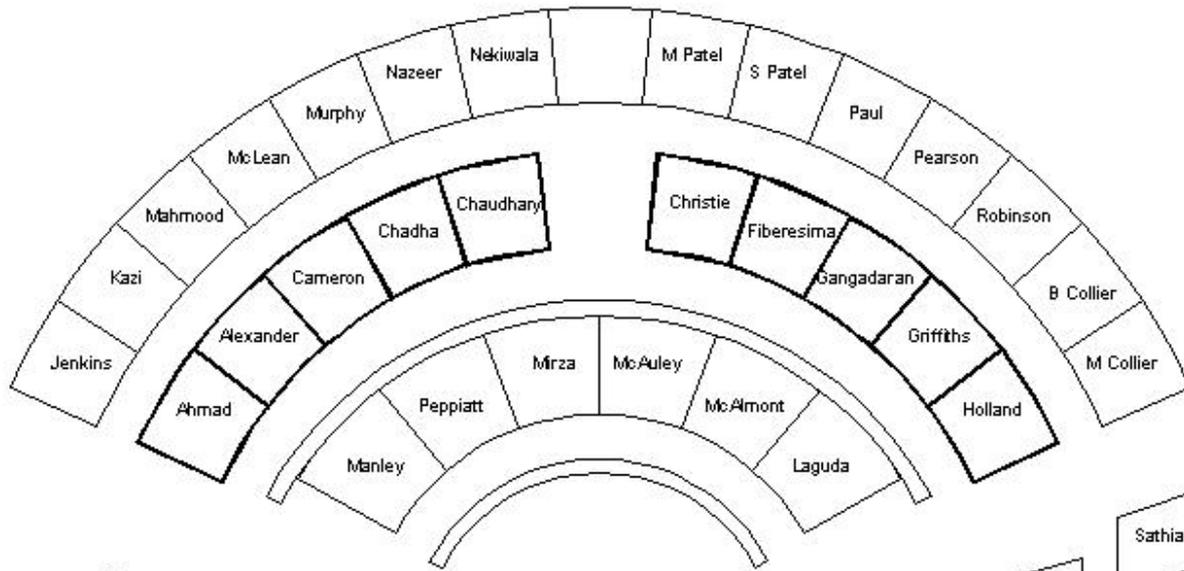
Time 8.00 p.m.

Venue Council Chamber
Newham Town Hall
East Ham
London
E6 2RP

Sir Robin Wales
Mayor of Newham

Kim Bromley-Derry
Chief Executive

London Borough of Newham Council Meetings Seating Plan 2011/2012



LONDON BOROUGH OF NEWHAM

Members of the Council of the London Borough of Newham are **HEREBY SUMMONED** to attend a meeting of the Council, which will be held in accordance with statute on

Monday 27th February 2012

At **8.00 p.m.** in the **Council Chamber, Newham Town Hall, East Ham, E6 2RP** to transact the following business.

AGENDA

Chair of Council: Councillor Amarjit Singh

- 1. Announcements by the Chair (if any)**
- 2. Announcements by the Mayor (if any)**
- 3. Communications by the Chief Executive (if any)**
- 4. Declarations of Interest**

This is the time for Members to declare any personal or personal and prejudicial interests they may have in any matter being considered at this meeting having regard to the guidance attached to the agenda.

5. Minutes

The minutes of the meeting of the ordinary Council meeting held on 12 December 2011, and the Extraordinary meeting of Council held on 26 January 2012 are enclosed for approval.

6. Deputations under Rule 25 of Part 4.1 of the Constitution

7. Petitions under Rule 24 of Part 4.1 of the Constitution

8. Members' Questions under Rule 23 of Part 4.1 of the Constitution

A. Questions to the Mayor and Executive (if any)

B. Questions to Scrutiny Chairs (if any)

(Pages 1 - 10)

9. Speeches from Members

10. Budget Framework 2012/13 – Mayor’s Final Budget Proposals, Medium Term Financial Strategy and Council Tax Setting Proposals

(Pages 11 - 118)

This report sets out the final proposals for the Council’s Budget Framework and Council Tax Levy for 2012/13.

The Mayor, in consultation with Cabinet, will be considering this report at their meeting on 23 February 2012.

Subject to any amendments as a result of that meeting, the Mayor RECOMMENDS Council to approve the following proposals:

- 1. The Mayor’s Contract as set out in appendix B of the report and note the arrangements for the Corporate Business Plan for 2012/13 as set out in section 1.11 of the report;**
- 2. The Council’s General Fund Budget Requirement for 2012/13 to be set at £277.379m as set out in section 3.1 of the report;**
- 3. The Medium Term Financial Strategy as set out in appendix C of the report;**
- 4. The growth items and continued investment in services that meet the needs and requirements of the residents of the borough amounting to £8.8m in 2012/13 as set out in section 3.9 and appendix D of the report;**
- 5. The reduction of budgets and associated specific Star Chamber 5 savings of £13.193m to be delivered with the continued generation of budget savings through greater levels of efficiency and cost effectiveness of service via the programme as set out in section 3.13 of the report.**
- 6. The provisional level of the Dedicated Schools Grant (DSG) has been set at £323.198m and the Pupil Premium at £13.6m as set in section 4.13 and 4.14 of the report;**
- 7. That the Dedicated Schools Budget is set at the level of the DSG and that the entire allocation of the Pupils Premium is passported to schools as set out in section 4.15 of the report;**
- 8. The Newham element of Council Tax for 2012/13 be set at £945.63 at Band D, the same level as for the past four years and note a 1% reduction to the Greater London Authority Precept. See section 7 and appendix F of the report;**

9. The statement on Balances/Reserves as set out in section 9 of the report setting out the expected level of General Fund Reserves as £16.1m as at 31st March 2012;
10. The Reserves Policy as set out in appendix H of the report;
11. The Capital Programme, including:
 - To note Newham's 5-year Capital Programme as set out in appendix I of the report
 - Approve the programme of works for the Schools Capital Programme for 2011/12 and 2012/13 as set out in Appendix J of the report
 - To note the planned Schools Capital Programme for 2013/14 and 2014/15 as set out in Appendix J of the report
 - To approve the total Housing Revenue Account (HRA) capital programme with the allocation of funding to specific HRA Programmes, as shown in appendix K, being delegated to the Executive Director of Operations in consultation with the Mayor and Lead Member for Housing and Customer Services, and the Director of Finance
 - Approve the funding requested for the Affordable Housing Programme 2012-2015 as set out from section 10.15 of the report
12. The Chief Officer Pay Policy as set out in Appendix O to the report.

The Mayor also RECOMMENDS Council to note:

1. Overview and Scrutiny's consideration of the Mayor's 2012/13 Budget Proposals as set out in appendix A of the report;
2. That the current budget setting process will be revised including a review of the savings programme as set out in section 3.20 in the report;
3. The level of Central Government Funding of £204.538m in Formula Grant and £43.315m in other grants. See section 4 of the report and appendix E for Newham's response to the DCLG regarding the finance settlement;
4. The emerging pressures and risks, as set out in section 5 of the report;
5. The Council's financial position for 2011/12 as at 31st December 2011 and the current projected outturn of a £2.1m surplus as set out in section 8 and appendix G of the report;

6. **The Housing Revenue Account and Rent Increase statements as set out in section 11 of the report and an average rent increase of 7.8% as set out in section 11.3 of the report;**
7. **That £100.151m savings have previously been agreed and are still in the process of being delivered. Items include the Terms and Conditions Programme, Procurement, Property and Senior Management Review. With the inclusion of new budget savings this increases the overall savings to £113.815m from 2011 – 2015;**
8. **The Equalities Impact Assessment for the Budget as set out in appendix L of the report which has been taken into account in drawing up the proposals;**
9. **The Equalities Impact Assessment for the Council Tax Freeze (summary) as set out in appendix M of the report which has been taken into account in drawing up the proposals; and**
10. **The Equalities Impact Assessment (summary) for the HRA Rent Increase as set out in appendix N of the report which has been taken into account in drawing up the proposals.**

11. Council Tax

This report sets out recommendations for the 2012/13 Council Tax Levy by the London Borough of Newham and the Greater London Authority (GLA) precept, and the overall Council Tax Levy for Newham.

Council is asked to:

1. **Agree the Mayor’s proposal that the Newham Council element of Council Tax for 2012/13 be frozen at 2008/09 levels. This results in a Band D level of £945.63, with other bands being as set out below;**

A	B	C	D
£630.42	£735.49	£840.56	£945.63
E	F	G	H
£1,155.77	£1,365.91	£1,576.05	£1,891.26

2. **Agree the Statutory Resolution to set the overall Council Tax for the London Borough of Newham for 2011/12 as attached in the Appendix to this report; and**
3. **Note that the Greater London Council (GLA) precept for 2011/12 has been reduced by 1%.**

(Pages 119 - 122)

12. Treasury Management Strategy Statement 2012/13, Minimum Revenue Provision Policy Statement 2012/13 and Investment Strategy 2012/13

(Pages 123 - 162)

This report presents the Treasury Management Strategy Statement (TMSS) 2012/13, incorporating the Annual Investment Strategy 2012/13, the Minimum Revenue Provision (MRP) Strategy Statement, the Prudential and Treasury Indicators 2012/15, and the Treasury Policy Statement.

The Mayor, in consultation with Cabinet, will be considering this report at their meeting on 23 February 2012.

Subject to any amendments as a result of that meeting, the Mayor RECOMMENDS Council to adopt the Treasury Management Strategy Statement 2012/13, incorporating:

- 1. The Annual Investment Strategy 2012/13;**
- 2. The Minimum Revenue Provision Strategy Statement 2012/15;**
- 3. The Prudential and Treasury indicators 2012/15; and**
- 4. The Treasury Policy Statement.**

13. Members Allowances

(Pages 163 - 168)

Under the Local Authorities (Members Allowances) (England) Regulations 2003, Councils must, each year, agree and advertise the amount of Basic Allowance fixed for the next year. The Regulations provide that the "year" for these purposes is the year beginning 1st April.

This report sets out the amount of the Basic Allowance and proposes that no changes are made to the scheme at this stage to allow for officers to make the annual publication required.

Council is asked to AGREE that:

- 1. officers place the requisite publication setting out the Members Allowance Scheme made for the year beginning 1 April 2012. To make the Scheme in identical terms to that agreed by Council on 28 February 2011 in relation to the following:**
 - a) A Basic Allowance be paid to all Councillors of £10,829. This Allowance includes £35 being the current applicable fee in respect of Data Protection Registration which is paid by the Council directly to the Information Commissioner on behalf of Members**

- b) **Special Responsibility Allowances (SRA) to remain the same in accordance with the bands set out in this report;**
- c) **Allowances for carers and travelling and subsistence to remain the same;**
- d) **Co-optees allowances in respect of the Overview and Scrutiny Committee and Scrutiny Commissions to remain the same;**
- e) **Co-optees allowances in respect of Independent Members of the Standards Committee to remain the same;**
- f) **Rates for Independent Education Admission Appeals Chairs and Members remain the same.**

2. In the event that the Mayor appoints a Deputy with full responsibility for a year, they shall be paid a SRA of £44,241. In the event that the Mayor appoints a Deputy for a shorter period and with partial duties they shall receive an enhancement to their Cabinet Member SRA equivalent to £4,000 per annum (pro rata); and

3. Special Responsibility, Dependent Carers', Travel & Subsistence and Co-opted Member Allowances are to be updated each year on 1 April by the average percentage increase in the Local Government Pay Settlement. The amounts so calculated are to be rounded up to be divisible by 12. Such increases shall last for a maximum four years (31 March 2014) and shall then be subject to review.

14. Report of the Crime and Disorder Scrutiny Commission's Review into the Enforcement of Fly Tipping and Rubbish in Front Gardens

The Mayor, in consultation with Cabinet, will be considering this report at their meeting on 23 February 2012, which summarises the findings and conclusions of the Crime and Disorder Scrutiny Commission's Review into the Enforcement of Fly Tipping and Rubbish in Front Gardens.

Subject to any amendments as a result of that meeting, the Mayor RECOMMENDS Council to note the final report of the Crime and Disorder Scrutiny Commission's Review into the Enforcement of Fly Tipping and Rubbish in Front Gardens.

(Pages 169 - 204)

15. Report of the Health and Social Care Scrutiny Commissions Review into Maternity Services and in particular, the "12+6" Target

(Pages 205 - 264)

The Mayor, in consultation with Cabinet, will be considering this report at their meeting on 23 February 2012, which summarises the findings and conclusions of the Health and Social Care Scrutiny Commission's Review into Maternity Services and in particular, the "12+6" Target.

Subject to any amendments as a result of that meeting, the Mayor RECOMMENDS Council to note the final report of the Health and Social Care Scrutiny Commission's Review into Maternity Services and in particular, the "12+6" Target.

16. Dates of Council Meetings - 2012 / 13

The Council is asked to **APPROVE** the following dates for Council meetings in the 2012 / 2013 Municipal Year:

- 2 July 2012
- 24 September 2012
- 10 December 2012
- 25 February 2013
- 16 May 2013 (Annual Meeting)

17. Special Urgency and Exemption from Call-In Procedures: Schedule of Decisions

(Pages 265 - 272)

In accordance with Part 4.2, 19.2 of the Council Constitution, this report details those decisions taken by the Executive under the Special Urgency procedure and decisions which were exempted from Call-In.

Council is asked to NOTE the schedule.

18. Motions

No motions have been submitted in accordance with Rule 11 of Part 4.1 of the Constitution.

19. Conclusion of Business of Council Meeting

A handwritten signature in black ink, appearing to read 'Kim Bromley-Derry', written in a cursive style.

Kim Bromley-Derry
Chief Executive

Debbie Forde, Head of Democratic Services, 020 3373 1252
Newham Town Hall, East Ham, E6 2RP.

Background papers used in preparing the Agenda

None

Members' Declarations of Interest

Matters for consideration Revised Guidance – October 2007

1. Do you have a personal interest in any matter on the agenda?

You will have a personal interest if any business where it relates to or is likely to affect:

- a) An interest relating to something which you have already registered on your Declaration of Register of Interests. There is a new provision which requires you to declare any gift or hospitality over the value of £25 that you receive as a member. Once three years have passed since you registered the gift or hospitality in your register of interests, your obligation to disclose that interest to any relevant meeting ceases; **OR**
- b) An interest that is not on your register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of the Council more than it would affect the majority of the inhabitants of the ward affected by the decision

You must also look at how any matter would affect your interests or those of members of your family or close associates. This includes:

- your and their jobs and businesses;
- your and their employers, firms you or they are a partner of, and companies you or they are a director of;
- any person or body who has appointed you, members of your family or close associates, to any position;
- corporate bodies in which you or they have a shareholding of more than £25,000 (nominal value).

The Code of Conduct suggests that the term 'family' should be given a very wide meaning. It includes a partners (someone you are married to, your civil partner or someone you live with in a similar capacity), a parent, a parent-in-law, a son or daughter, a stepson or step daughter, the child of a partner, a brother or sister, a brother or sister of your partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, and the partners of any of these people.

A person with whom you have a close association is someone that you are in either regular or irregular contact over a period of time who is more than an acquaintance. It is someone a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them. It may be a friend, a colleague, a business associate or someone whom you know through social contact.

2. If you have a personal interest

You must declare that you have a personal interest, and the nature of that interest, before the matter is discussed or as soon as it becomes apparent to you. Even if your interest is on the register of interests, you must declare it in the meetings where matters relating to that interest are discussed.

If you declare a personal interest you can remain in the meeting, speak and vote on the matter, unless your interest is also prejudicial (see paragraph 4 below)

3. Exemption to the rule of declaring a personal interest

An exemption applies where your interest arises solely from your membership of an outside body to which you were appointed or nominated by the London Borough of Newham.

In these cases, provided that you do not have a prejudicial interest, you only need to declare your interest if and when you speak on the matter.

4. When will a Member's personal interest also be prejudicial?

A personal interest will also be a prejudicial interest if **ALL** of the following conditions are met:

- a) The matter does not fall within one of the exempt categories of decisions (see paragraph 5 below);
- b) The matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) A member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest

If you have a prejudicial interest you must declare it and the nature of that interest as soon as that interest becomes apparent to you. You should then leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must leave the room once you have finished. You cannot remain in the public gallery to observe the vote on the matter.

In addition, you must not seek to improperly influence a decision in which you have a prejudicial interest.

5. Exemption to the rule for declaring prejudicial interests

You will not have a prejudicial interest if the matter relates to any of the following functions:

- Housing – If you hold a tenancy or lease with the London Borough of Newham, as long as the matter does not relate to your particular tenancy or lease

- School meals or school transport and travelling expense – If you are a parent or guardian of a child in full time education or you are a parent governor, unless it relates particularly to the school your child attends
- Statutory Sick Pay – If you are receiving this or are entitled to this
- An allowance, payment or indemnity for members
- Any ceremonial honour given to members
- Setting council tax or a precept

Any Member requiring further advice before the meeting should contact the Monitoring Officer

Contacts

Helen Sidwell, Monitoring Officer

Tel: 020 3373 9231

E-Mail: Helen.Sidwell@newham.gov.uk

Debbie Forde, Head of Democratic Services

Tel: 020 3373 1252

E-Mail: Debbie.Forde@newham.gov.uk

Name:	
Item to which your interest relates:	
Nature of personal interest (details)	
If the interest is prejudicial please state this and ensure you leave the room at the point it is discussed, subject to the exceptions set out in paragraph 5.	

MEMBERS ATTENDANCE AT MEETINGS - STATUTORY REQUIREMENTS

Section 85 of the Local Government Act 1972 provides that a Member of an authority must attend a meeting of the authority as a whole (i.e. Full Council) at least once every six months. Attendance at a meeting of a committee or sub-committee of Council (Standards, Development Control, Licensing, Overview and Scrutiny, Civic Affairs, Investment and Chief Officers Appointment Committees) would count in lieu of a meeting of the Full Council. Members of the Executive (the Mayor and Cabinet Members) also need to attend a meeting of the Executive i.e. Cabinet at least once every six months.

Attendance at a meeting of an outside body to which a Member has been formally nominated as the Council Representative would also count in lieu of a meeting of the council or one of its committees or sub-committees but not in lieu of attendance at a meeting required by the Executive and Mayor (i.e. Cabinet). The list of outside bodies is appended to the Council's constitution. As there is no guidance we take the view that these bodies would count, as would attendance at a LEA governor at a school governing body meeting. However Members are strongly advised to seek advice if they intend to rely on attendance at one of these meetings rather than a meeting of the Council.

If you have any queries with regard to this guidance you should contact either:

Helen Sidwell (Monitoring Officer) – 020 3373 9231
(E-mail: helen.sidwell@newham.gov.uk)

Debbie Forde (Head of Democratic Services) – 020 3373 1252
(E-mail: debbie.forde@newham.gov.uk)