Agenda

Council

Date       Monday 16th September 2019

Time       7.30 p.m.

Venue      Main Hall - Old Town Hall, Stratford

Rokhsana Fiaz OBE       Althea Loderick
Mayor of Newham          Chief Executive
LONDON BOROUGH OF NEWHAM

Members of the Council of the London Borough of Newham are HEREBY SUMMONED to attend the Council Meeting on Monday 16th September 2019, at 7.30 p.m. in the Main Hall - Old Town Hall, Stratford to transact the following business.

AGENDA

Chair of Council: Councillor Joy Laguda MBE
Deputy Chair of Council: Councillor Nazir Ahmed
NOTE TO MEMBERS

This Council Meeting is the first of two themed meetings that will be held this municipal year. The theme of this Council meeting is ‘Climate Change’. Members are asked to note the revised start time of 7.30pm and order of business set out in the Agenda.

Following consideration of Item 1 (Apologies for Absence) and Item 2 (Declarations of Interest), the Chair will move that Council Procedure Rules 14.1.10 (to vary the order of business) be suspended (subject to Council agreement) to allow for

(a) The Council to receive the Newham Youth Assembly Item on Climate Change, following the Declarations of Interest item;

(b) The Newham Air Quality and Climate Change Strategic Intent Part Two: Addressing Climate Change Item be considered following the Newham Youth Assembly item.

The Chair of Council will also move that Council Procedure Rule 15 (Rules of Debate) be suspended (subject to Council agreement) for the Newham Youth Assembly Item on Climate Change, with the following rules of debate to apply during that item only:

- A maximum of **50 minutes** will be allowed, as follows:
  - **15 minutes** for a presentation by the Youth Assembly
  - **10 minutes** Mayor and relevant portfolio holders to give initial response and for Council to receive questions from the youth assembly. *It is anticipated that Mayor and Members with related portfolios will initially field questions.*
  - **20 minutes** for general debate (Members can talk or pose a question up to two times up to 90 seconds each with up to 90 secs for members responding to any questions).
  - **5 Minutes** for closing remarks, 2.5 minutes for Youth Assembly and 2.5 minutes for the Mayor.

(c) The remaining order of business to be transacted as it appears on the Agenda.
1. **Apologies for Absence**
   To receive any apologies for absence from Members.

2. **Declarations of Interest**
   In accordance with the Members’ Code of Conduct 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.

3. **Minutes of the Last Meeting**
   Council is invited to approve, as a correct record, the minutes of the last Ordinary Meeting of the Council, held on 15 July 2019.

4. **Newham Partners Update**

5. **Any Announcements by the Chair**

6. **Any Announcements by the Mayor**

7. **Any Announcements by the Chief Executive**

8. **Any Updates by Cabinet Members**
   To receive any updates by Members of the Cabinet.

9. **Overview and Scrutiny Work Programme and Future Commissions**

10. **Deputations**

11. **Petitions**
12. Members' Questions

13. Questions by the Public

In accordance with Rule 26, the following questions were submitted by a member of the public:

**Question 1 from Davide Restifo**

“I live in East Ham and I do believe that the north east neighbourhood doesn't have many trees. London has been crowned the world's first National Park City this year, but I wish it would be so in East Ham too. Can we please plant more trees?”

**Question 2 from Resident (supplied name but chose to remain anonymous)**

“Can individual house permits be introduced so that you can get a box put outside your house where only you can park. I certainly would pay for this option as houses on my road have multiple cars and I am often left struggling to find a place to park”

**Question 3 from Pauline Rowe (Friends of Queens Market)**

Can the Mayor give us an answer now to our letter (first sent 26 June) about the future of that popular and very necessary community resource Queens Market'

**Question 4 from Aftar Ahmed**

Does the borough have an air pollution related target and, if so, does this lead to an increased funding from the Mayor/Central Government?

What involvement have the local councillors had in this scheme and why were they not notified to feedback and start a dialogue with their respective wards?

**Question 5 from Imran Asghar**

“In regards to Browning Road Bridge - what is the cash generated from fines going to be used for? If this is for quality of air for local residents then what measures have been taken?”

**Question 6 from Adeel Patel**

What actual research has taken place for the implementation of restricted usage of the Browning Road Bridge? Where is the evidence? Why has this not been disclosed?
Previously, similar pilot schemes have run (Sherrard Road); this was made permanent with no consultation. As a result, we want to know what happens during these 6 months, what consultations take place during and after and how will the final decision be made?

**Question 7 from Tanvir Ahmed**

If there is a major accident/incident on Romford Road and the police close a large section of it down, how are people expected to navigate around it with restricted access on the bridge?

Naturally and unwittingly, thousands of drivers will use the bridge as per normal. How are they expected to be aware of the signs? The advertisement of this thus far has been atrocious, the boards went up 6 days prior to the launch, is this lawful?

**Question 8 from Nazim Ahmed**

Browning road bridge restriction: With these schemes, are we not dividing our communities and segregating our wards by dictating which routes people must take depending on where they live?

For what purpose will the hundreds of thousand pounds of fines that will be generated through the Browning Road restriction be used for - to replenish the depleted finances of the borough?

**Question 9 from Muhammad Khaliq**

Would the Council produce a document within a week providing explicit details of what happens during and after 6-month pilot scheme? Can you confirm in writing, that the pilot scheme will NOT be extended or made permanent without consultation?

How does this pilot scheme (Browning road bridge) tackle the air pollution for all residents? There are thousands of residents living on L&M zone. There's only two roads to access to Romford Road. Surely there'll be more pollution due to traffic queues.

**Question 10 from Rozob Ali**

Browning Rd bridge restriction was first launched without consultation with Little Ilford ward. After protests, it was postponed, only to be back 2 weeks later with no consultation. Despite promise by lead members why were residents never consulted?
**Question 11 from Resident (supplied name but wishes to remain anonymous)**

The Restriction on Browning Rd Bridge will increase traffic through Romford Rd. How does that reduce air pollution, especially since nothing is done to improve traffic flow in Romford Road. Hasn't the pollution simply just been moved?

**Question 12 from Nawaz Hussain**

The inception of ULEZ was designed to tackle this issue as well as the increased fees for having a diesel car, and with it coming to effect in two years’ time, why is this restricted road usage needed?

Romford Road is heavily congested, by increasing the traffic flow towards there, are we tackling the air pollution concerns? What about those that live on Romford Road? Do the air pollution they consume matter less than those on Browning Road?

14. **Speeches from Members**

15. **Motions**

The following motion has been submitted in accordance with Rule 12 of Part 4.1 of the Constitution:

**Motion on the Governance Referendum and Proposed Governance Arrangements**

Council notes that, on 15th April 2019, Council noted the Governance Referendum report which outlined some of the risks involved in holding the Governance Referendum on the same day as the London Mayoral and Assembly elections (1). Council also noted the report on the Democracy and Civic Participation Commission, part of whose remit is to propose different models of governance for Newham (2).

Council believes that the referendum should be held on a different day from the London elections and that a decision on the type of governance model proposed in the referendum should not be taken before the proposals of the Democracy and Civic Participation Commission can be considered.

Council therefore resolves:

to hold the Governance Referendum on a date between June 2020 and May 2021, with an indicative date for 1st April 2021 following consultation.
to decide upon a proposed governance model to offer in a referendum, after taking the conclusions of the Democracy and Civic Participation Commission into account

that the timetable must be tightly maintained to guarantee that the implementation of any referendum result takes effect from May 2022.

Proposed: Cllr John Whitworth
Seconded: Cllr Daniel Blaney

[Note to Members:
For the sake of clarity, whilst the Council can express a view on any matter, if action is proposed or needs to be taken as a result of a motion which concerns an executive function, this will be referred to the Mayor.]

16. **Youth Assembly on Climate Emergency**

(Please see above note to Members)

17. **Newham Air Quality and Climate Change Strategic Intent Part Two: Addressing Climate Change**

(Please see above note to Members)

18. **Appointments**

To receive any appointments by the Mayor or Chief Whip and to make any related decisions.

19. **Conclusion of Business of Council Meeting**
Members' Declarations of Interest

Matters for Consideration
Revised Guidance – February 2016

The following is offered as a guide to Members. Further details are set out in the Members' Code of Conduct, attached as Part 5.1 of the Council’s Constitution.

1. **Disclosable Pecuniary Interests**

Disclosable Pecuniary Interests (DPI) are covered in detail in the Localism Act 2011. Breaches of the law relating to these may be a criminal offence.

1.1 If you have a DPI in any matter on the agenda you must not participate in any discussion or vote on that matter. If you do so without a prior Dispensation (see below) you may be committing a criminal offence, as well as a Breach of the Code of Conduct. The Council’s Constitution requires any Member declaring a DPI to leave the meeting (including any public seating area) during consideration of the matter.

1.2 Members will be asked at the start of the meeting if they have any declarations of interest. The Council’s Code of Conduct requires you to make a verbal declaration of the fact and nature of any DPI. You are also required to declare any DPIs before the consideration of the matter, or as soon as the interest becomes apparent, if you were not aware of it at the start of the meeting.

2. **Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest**

2.1 The Council’s Code of Conduct requires you to make a verbal declaration of the existence and nature of any "Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest". Any Member who does not declare these interests in any matter when they apply may be in breach of the Code of Conduct.

2.2 You may have a "Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest" in an item of business where:

2.2.1 A decision in relation to that business might reasonably be regarded as affecting your well-being or financial standing, or a member of your family, or a person with whom you have a close association with to a greater extent than it would affect the majority of the Council taxpayers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or

2.2.2 It relates to interests which would be a DPI, but in relation to a member of your family or a person with whom you have a close association and that interest is not a DPI. If the matter concerns your spouse, your civil partner or someone you live with in a similar capacity, it is covered by the provisions relating to DPIs.

2.2.3 It could also cover membership of organisations which you have listed on your Register of Interests (including appointments to outside bodies), where there is no well-being or financial benefit accruing to you but where your membership might be said to be relevant to your view of the public interest.

2.3 A person with whom you have a close association is someone who is more than an acquaintance, and is someone you are in contact with over a period of time, whether regularly or not. It is someone that a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter which affects them and so covers friends, colleagues, business associates, or someone you know through social contact.
2.4 Family should be given a wide meaning. In relation to the family of both you and your partner, it would include the parents, parents-in-law, children and step children, brothers and sisters, grandparents, grandchildren, uncles and aunts, nephews or nieces, together with the partners of any of these persons.

2.5 You should make a verbal declaration of any such interest in a matter to be considered at the meeting at the start of the meeting, or before the consideration of the item of business, or as soon as the interest becomes apparent if you are not aware at the start of the meeting of the interest.

3. **Register of Members interests**

Members are required to complete the Register of Interests and to keep this register up to date by informing the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of their DPIs.

4. **Dispensations**

In certain circumstances the Monitoring Officer is able to grant a dispensation to you which will enable you either to participate in the discussion on a matter, to vote on the matter, or both. Dispensations can only be granted in limited circumstances. If you believe that you are able to claim a dispensation you must seek advice as soon as possible from the Monitoring Officer, who will consider your request.

The Monitoring Officer, under Section 33(2) of the Localism Act, has granted the following general dispensations to all Members until the Annual Council meeting in 2022, on the grounds that the dispensation is in the interests of the inhabitants of Newham and/or it is appropriate to grant the dispensation to maintain a similar position as applied under the previous code of conduct. This means Members do not need to leave the meeting if their Disclosable Pecuniary Interest arises and is:

- An interest common to the majority of inhabitants in their ward.
- An interest so remote that it is not likely to prejudice their judgement of the public interest.
- Council housing unless related to their own particular tenancy.
- School meals and/or transport unless relating to their own child’s school.
- Statutory sick pay for members.
- Members allowances.
- Setting Council Tax or precept.
- Agreeing any Local Council Tax Benefit Scheme.
- Interests arising from membership of an outside body to which the authority has appointed or proposes to appoint them.
- The Local Government Pension Scheme unless relating specifically to their own circumstances.

5. **Bias and Predetermination**

If in relation to any decision, your outside connections may make it appear to a reasonable person that there is a real danger of bias, or predetermination you should seek advice as to whether it is appropriate for you to participate in any discussion about the matter and in the decision, regardless of whether or not you consider that you should declare an interest as defined above.

For further advice about these matters please contact the Monitoring Officer, Daniel Fenwick on 01708 432714
Section 85 of the Local Government Act 1972 provides that a Member (Councillor) of an authority must attend a meeting of the authority as a whole (i.e. Council) or a Committee, Sub-Committee or a Joint Committee at least once every six months. Attendance at a meeting of a Committee or Sub-Committee of Council listed below would count in lieu of a meeting of Council provided that the Councillor was an appointed member of that Committee or Sub-Committee

- Standards Advisory Committee
- Local or Strategic Development Committee
- Licensing Committee
- Overview and Scrutiny Committee or a Scrutiny Commission
- Investment and Accounts Committee
- Chief Officers Appointment Committee
- Audit Board
- Health & Wellbeing Board
- Corporate Parenting Board
- Standing Advisory Council on Religious Education (SACRE)

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.

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

Daniel Fenwick, Monitoring Officer – 01708 432714
(E-mail: Daniel.Fenwick@Onesource.co.uk)