

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

Tuesday, 12 April, 2005, at 7.00pm

A G E N D A

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Council Meeting

12 April 2005

Agenda and Timetable

Item	Subject	Time for Debate	Page Nos.
	<u>Part 1 - Statutory formalities/ Announcements (15 minutes)</u>	7.00pm – 7.15pm	
1.	Prayer		
2.	Apologies for absence		
3.	Minutes of last meeting held on 1 March 2005		1 - 24
4.	Official announcements		
5.	Declarations of interest		
6.	Any business remaining from last meeting		
	<u>Part 2 -- Question Time (30 minutes or until 7.45pm, whichever is the longer)</u>	7.15pm – 7.45pm	
7.	Questions to the Leader and Cabinet		To be circulated separately
	Part 3 — Members' Motions (60 minutes)	7.45pm – 8.45pm	
8.	Motions in the order in which notice has been given		
8.1	From Councillor Wayne Casey		
	"Council reiterates its commitment to the provision of CCTV in Mill Hill Broadway and confirms the importance of good street lighting in the effective implementation of any CCTV scheme. Council notes the residents' petition calling for the provision of lighting in Simmonds Mead NW7 and agrees that the effectiveness of the Mill Hill Broadway CCTV scheme will be impaired if this open space, approximate to the Broadway, remains in darkness. Council urges the Cabinet to support the petition and consider providing a lighting scheme for this area."		

Item	Subject	Time for Debate	Page Nos.
8.2	From Councillor Lynne Hillan		
	<p>Council is appalled at the rise in Crime, particularly violent crime, both locally and nationally.</p> <p>Council notes the increase in overall crimes in Barnet by 16 per cent, the highest in London, and the growth in violent crimes by 36 per cent over the past year.</p> <p>Council also notes the statement by the Borough Commander that Barnet is no longer a "Safe" Borough</p> <p>Council understands that, nationally, over 40 per cent of Police time is now spent on paperwork as opposed to catching criminals</p> <p>Council however welcomes Barnet Council initiatives that have outlawed outdoor drinking in the town Centres of Finchley, Hendon and North Finchley.</p> <p>Council further welcomes Barnet Council's implementation of CCTV in at least one extra area per year.</p> <p>Council understands that if more Police time could be spent on the streets, then their presence, coupled with Barnet Council's anti-Crime initiatives would cut disorder.</p> <p>Council urges Cabinet to support Conservative party plans for 370 more Police for Barnet and to press for these Officers to work on the</p> <p>front line to cut the crime blighting this Borough, instead of being tied to their desks with red tape and paperwork that helps no-one.</p>		

Item	Subject	Time for Debate	Page Nos.
8.3	From Councillor Monroe Palmer		
	<p>This Council:</p> <ul style="list-style-type: none"> - concerned at its present inability, through the planning process, to act in the best interests of local residents in relation to the proliferation of mobile telephone masts; - welcomes the Private Member's Bill recently introduced by Andrew Stunell MP to give local Councils greater powers in this regard, and in particular (a) to prohibit any development without planning permission and (b) to allow a local Council to have regard to health issues on a precautionary basis; and - instructs the Chief Executive to write to the Members of Parliament within the Borough to urge them to support for this Bill." 		
8.4	From Councillor Kath McGuirk		
	<p>"Council condemns the scrapping of the pest control service in 2004. Council regrets the subsequent increase in rat and other pest populations, and the impact of the loss of the service on residents unable to afford huge bills from private contractors. Council believes that the pest control service is vital to ensure that all residents, and particularly those on low incomes"</p> <p>Councillor McGuirk has requested under the Council's Constitution, Part 4, Section 1, 31.5 that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		
8.5	From Councillor Alan Schneiderman		
	<p>"Council welcomes the number of police officers in Barnet rising to 544. Council supports Barnet Police, and notes that the borough remains one of the safest in which to live and work in London.</p> <p>In contrast, Council recalls that the administration axed Barnet's Neighbourhood Warden service and has inflicted massive cuts to the Street Enforcement Service.</p>		

Item	Subject	Time for Debate	Page Nos.
	<p>Council condemns the £300,000 of cuts to the youth service, which reduce the budget by one-third, especially when Barnet's investment in young people is already among the lowest in London. Council believes that diverting young people away from becoming involved in crime and anti-social behaviour, and from becoming the victims of crime, should be a key priority for the Council.</p> <p>Council regrets that any boom-and-bust Tory government would freeze investment in public services, and thereby cut police numbers in Barnet and jeopardise the remaining youth service budget."</p> <p>Councillor Schneiderman has requested under the Council's Constitution, Part 4, Section 1, 31.5 that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		
8.6	From Councillor Monroe Palmer:		
	<p>Council believes that current parking policies in Barnet are in need of review. Businesses and individuals are fined whilst loading and unloading without any observation time being observed.</p> <p>Council urges Cabinet to introduce a five minute observation time particularly, but not only, outside business premises so that vehicles that are being loaded and unloaded are not given penalty tickets</p>		
8.7	From Councillor Gill Sargeant		
	<p>Council urges Cabinet to bring forward proposals to the Cabinet meeting in June, following consultation with ward councillors, for the Council's involvement and support for the development of infrastructure within the Grahame Park estate now that the SRB has ended."</p> <p>Councillor Sargeant has requested under the Council's Constitution, Part 4, Section 1, 31.5 that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		

8.8	From Councillor Daniel Hope		
	<p style="text-align: center;"><u>Mobile Phone Masts</u></p> <p>Council notes that Mobile Phone Masts are being erected in Barnet.</p> <p>Council notes the Government made £22.5 billion from the sale of 3G Licenses in 2000.</p> <p>Council notes PPG 8, which permits Mobile Phone operators to erect masts without full Planning Permission.</p> <p>Council notes Conservative party proposals that would allow local people to have their say over the erection of masts, by making sure that these require full Planning Permission, and allow healthcare concerns to be taken into account.</p> <p>Council resolves to support such plans that would require all new phone masts to receive planning consent in order to be erected.</p>		
	Break	8.45pm – 9.00pm	
9	Part 4 – Policy Development (60 minutes)	9.00pm – 10.00pm	
9.1	Administration Policy Item. Hospital Cleanliness in our Borough		25
9.2	Opposition Policy Item Community and Environment <ul style="list-style-type: none"> - Commercial recycling - Alternative Fuel vehicles - Council internal environmental policy - Microgeneration of energy 		26- 27
	Part 5 – Accountability (20minutes)	10.00 pm- 10.20pm	
10	Comments on the work of the Cabinet (10 minutes) –		
10.1	From Councillor Kath McGuirk: "To comment on the work of Cabinet with regard to promoting the recycling of plastics and cardboard."		

10.2	From Councillor Gill Sargeant: "To comment on the work of Cabinet with regard to the development of Colindale, the regeneration of the Grahame Park estate, and the provision of transport, schools, and healthcare infrastructure."		
11.	Questions to council representatives on outside bodies (10 minutes)		None
	Part 6 – Statutory Council Business (40 minutes)	10.20pm – 11.00pm	
12.	Reports from Cabinet 29 March 2005 (i) Safer Communities Strategy (ii) London Local Authorities Act 2004 and promotion of a 9 th Bill.		To be circulated separately
13.	Reports from overview and scrutiny committees		
14.	Reports from Other Committees		
14.1	Report of the Special Committee (Constitution Review) 6 April 2005		To be circulated separately
15.	Reports of Officers		
15.1	Chief Executive Results of by-election, 7 April, 2005 – Colindale Ward		To be circulated separately
15.2	Democratic Services Manager/Head of Committee		28 - 40
1.	Amendments to items on the Agenda		
2.	Executive decisions exempted from the call – in process		
3.	Vacancies on School Governing Bodies		
4.	Representation of the Council on Outside Bodies		
15.3	Monitoring Officer		

John Marr

Town Hall,
The Burroughs,
Hendon, NW4 4BG

Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET held at The Town Hall, Hendon, NW4, on Tuesday, 1 March , 2005

PRESENT:

- *The Worshipful the Mayor (Councillor Wendy Prentice)
- *The Deputy Mayor (Councillor Brian Coleman, AM, FRSA)

Councillors:

*Steve Blomer	*Arun Ghosh BSc BVSC AH	*Susette Palmer BA (Hons)
*Maureen Braun	Mphil CBIOL MIBIOL,	*Kanti Patel MBEng,MCIOB
*Fiona Bulmer	MAPHV, MRSM	FFB, MCMI
*Terry Burton	*Brian Gordon, LL.B	*Barry Rawlings
*Anita Campbell	*Eva Greenspan BA, LL.B	*Colin Rogers
*Wayne Casey BA (Hons)	*Christopher Harris	*Paul Rogers
MIIA	*Helena Hart	*Brian Salinger
*Danish Chopra	*Lynne Hillan	*Gill Sargeant
*Jack Cohen	*Sean Hooker, BA (Hons)	*Joan Scannell
*Melvin Cohen	*Daniel Hope	*Alan Schneiderman
*Katia David BSc, MBA, JP	* Anne Hutton	*Gerard Silverstone
*Jeremy Davies BA (Hons),	*Mark Langton	* Agnes Slocombe
CPFA	*Malcolm Lester FCCA	*Ansuya Sodha MBA (Middx)
*Peter Davis Ctext, FTI,	*Victor Lyon, BA (Hons)	DipM (CIM), Cert Ed
FCFI	Kitty Lyons	*Susan Steinberg
*Aba Dunner MCIJ	*John Marshall	*Leslie Sussman, MBE
*Kevin Edson	*Linda McFadyen	*Andreas Tambourides
*Olwen Evans ACIS	*Kath McGuirk	*Soon-Hoe Teh
*Claire Farrier	*David Mencer	*Jim Tierney
*Anthony Finn B.Sc (Econ)	*Alison Moore	Allan Turner
FCA	Jazmin Naghar	*Phil Yeoman
*Mike Freer	*Robert Newton	Vacancy
Vanessa Gearson BA	*Matthew Offord	
AKC, PhD	* Monroe Palmer OBE FCA	

*denotes Member present

136. APOLOGIES FOR ABSENCE (Agenda Item 1):

Apologies for absence were received from Councillors Kitty Lyons and Allan Turner who was ill, and for lateness from Councillors Paul Rogers and Kath McGuirk.

137. PRAYER (Agenda Item 2) :

The Mayor's Chaplain offered prayer.

138. MINUTES OF MEETING HELD ON 18 JANUARY, 2005 (Agenda Item 3):

RESOLVED – That the minutes of the Meeting of the Council held on 18 January, 2005, be approved.

139. SUSPENSION OF COUNCIL PROCEDURE RULES:

The Worshipful the Mayor, under the provisions of Council Procedure Rule 14, moved suspension of the provisions of Council Procedure Rule 3.2 to allow 30 minutes for Part 1 business as there were a number of items to be dealt with. This was duly seconded. Upon being put to the vote.

RESOLVED – That the provisions of Council Procedure Rule 3.2 be suspended to allow 30 minutes for Part 1 business.

140. OFFICIAL ANNOUNCEMENTS (Agenda Item 4):

A minute's silence was held to mark the death, on 14 January, 2005, of former Councillor Leslie Pym, CBE, AIB, Past Mayor, Past Leader of the Council of the London Borough of Barnet.

The Worshipful the Mayor referred to the retirement, from the Council's service after ten years, of Anne Lippitt, Director of Economic and Community Development and, on behalf of the Council wished her a very happy retirement.

Additionally, The Council's best wishes for a happy retirement were also recorded in respect of John Ward, Special Projects Officer, who would also be retiring from the Council's Service after 16 years.

141. SUSPENSION OF COUNCIL PROCEDURE RULES

The Worshipful the Mayor, under the provisions of Council Procedure Rule 14, moved suspension of Council Procedure Rules 3.2, to enable a motion to be moved and debated. This was duly seconded. Upon being put the vote:

RESOLVED – That the provisions of Council Procedure Rule 3.2 be suspended to allow a motion to be moved and debated.

142. RETIREMENT OF MR ROY GODDARD, HEAD OF COMMITTEE AND SPECIAL PROJECTS

The Worshipful the Mayor moved a motion in respect of Mr Roy Goddard, Head of Committee and Special Projects, which was duly seconded. Debate ensued. On being put to the vote the motion was declared carried.

RESOLVED – This Council, mindful of the valuable services which Mr Roy Goddard, Head of Committee and Special Projects, has rendered to the Council for over 40 years, wishes to place on record its great appreciation. Council recognises the exemplary way he has carried out his duties in a professional and friendly manner and is grateful for the advice he has given over those years to Members of all political parties. The Council wishes Mr Goddard a long and happy retirement and instructs the Chief Executive to arrange for the Council's resolution of appreciation to be engrossed on vellum and presented to him.

143. DECLARATIONS OF INTEREST (Agenda Item 5):

Councillor Brian Coleman, Deputy Mayor, declared a personal but non-prejudicial interest in Agenda item 8, Report of Cabinet, Budget and Council Tax 2005/06 as he was a Greater London Authority Member in receipt of a salary.

Councillor Barry Rawlings declared a personal and prejudicial interest in the same item because he worked for a charity that could apply for a grant. Councillor Rawlings left the meeting whilst this aspect of the budget was considered and voted upon.

144. MAYOR DESIGNATE 2004/2005 (agenda Item 7):

Upon the Mayor calling for nominations for election of Mayor of the London Borough of Barnet for 2005/2006:

Moved by Councillor Lynne Hillan, duly seconded:

That Councillor Andreas Tambourides be proposed for appointment as Mayor of the London Borough of Barnet at the Annual Meeting of the Council on 17 May 2005.

Upon the nomination being put

RESOLVED – That Councillor Andreas Tambourides be formally proposed and seconded at the Annual Meeting of the Council on 17 May 2005 for appointment as Mayor.

184. LENGTH OF SPEECHES:

The Mayor sought and obtained the Council's consent to suspend the requirements of Council Procedure Rule 40.1 to permit the Leader of the Council and Councillors Phil Yeoman, Monroe Palmer and Anthony Finn to speak for a time in excess of four minutes on the motion for the reception of the report of the Cabinet (Agenda Item 8, Council Budget 2005/2006).

185. REPORT OF CABINET, 21 FEBRUARY 2005 – COUNCIL BUDGET 2005/2006 (Agenda items 8 and 11.1. 7,11.1.8 AND 11.1.9):

The report of the Cabinet meeting held on 21 February 2005, with the following recommendations, was received:

RESOLVED TO RECOMMEND –

Revenue Budget and Council Tax

1. That: -

- (a) the forecast revenue outturn for the year 2004/5 and the estimates of income and expenditure for 2005/6 be approved; and**
- (b) in approving the estimates of expenditure and income for 2005/6, Council notes that balances will be increased by £3m and the self-insured provision will be increased by £0.5m.**

2. That it be noted that the Borough Treasurer under his delegated powers has calculated the amount of 135, 353 (band D equivalents) as Council Tax base for the year 2005 – 6 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992.

3. That the following amounts be now calculated by the Council for the year 2005-6 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

- (a) £689,398,070 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act;**
- (b) £318,061,840 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act;**
- (c) £371,336,230 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;**
- (d) £237,164,170 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant or additional grant increased or reduced (as appropriate) by the amount of the sums which the Council estimates will be transferred in the year from:-**
 - (i) its collection fund to its general fund and;**
 - (ii) its general fund to its collection fund in accordance with Sections 97(3) and (4) and 98 (4) and (5) respectively of the Local Government Finance Act 1988;**

- (e) £991.28 being the amount at 3(c) above less the amount at 3(d) above, all divided by the amount at above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year 2005-2006;

<u>Valuation Bands</u>							
A	B	C	D	E	F	G	H
£660.85	£771.00	£881.14	£991.28	£1,211.56	£1,431.85	£1,652.13	£1,982.56

being the amounts given by multiplying the amount at 3(e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted that for the year 2005-6 the Greater London Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:-

<u>Valuation Bands</u>							
A	B	C	D	E	F	G	H
£169.75	£198.04	£226.33	£254.62	£311.20	£367.78	£424.37	£509.24

5. That, having calculated the aggregate in each case of the amounts at 3(e) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2005/6 for each of the categories dwellings shown below: -

<u>Valuation Bands</u>							
A	B	C	D	E	F	G	H
£830.60	£969.04	£1,107.47	£1,245.90	£1,522.76	£1,799.63	£2,076.50	£2,491.80

6. (i) That in accordance with Section 38(2) of the Act the Chief Executive be instructed to place a notice in the local press of the amounts set under recommendation 2.5 above pursuant to Section 30 of the Local Government Finance Act 1992 within a period of 21 days following the Council's decision.
(ii) That the Borough Treasurer be authorised to apply to the ODPM for a transfer of cost between the HRA and General Fund if he considers it to be in the financial interest of the authority overall following the transfer of HRA benefits from the HRA to the General Fund.

Housing Revenue Account and Rents

7. That the Housing Revenue Account estimates for 2005-6 be approved.
8. That, with effect from Monday 4 April 2005:-
- The rent of all Council dwellings, with the exception of those included under Recommendation (1.9), be changed in line with the Government's proposals on rent restructuring outlined in this report, producing an average increase of 4.56%
 - The rents of all properties relet for whatever reason be moved upwards to the formula rent. Where formula rent is below actual rent no reduction will be made.
 - Service charges for all tenants of all flats and maisonettes based on the services they receive be increased to the following charges (per week, 48 week basis): -

Caretaking	£4.59
Caretaking Plus	£5.94
Block Lighting	£0.73
Grounds Maintenance	£0.47

and that a new charge of £0.60 per week (48 week basis) be introduced for a quarterly caretaking service to dispersed blocks.

(d) There shall be an increase of 10% on the charge for space and water heating

9. That, with effect from Monday 4 April 2005: -
- (a) The basic rents of dwellings in the Council's equity sharing scheme at Moorlands Avenue, NW7 be increased as follows:-
- Current basic rents of £2,004 to £2,097 per annum
 - Current basic rents of £1,848 to £1,932 per annum.
- (b) The net rents of dwellings in the equity share scheme at Friern Hospital be increased by 4.56%.

That, with effect from Monday 4 April 2005, the rents of Council garages be increased by 5%.

11. That the Chief Executive be instructed to take the necessary action including the service of the appropriate Notices.

Performance Management Plans

12. That the Performance Management Plans be approved.
13. That the Chief Officers be authorised to implement the detailed proposals set out in the Performance Management Plans within the resource constraints identified, in consultation with lead Members as appropriate.

New Prudential Code and Borrowing Limits

14. That the Prudential Indicators set out in Appendix D to the Cabinet Members' report approved to Council and that the Borough Treasurer be authorised to raise loans, as required, up to such borrowing limits as the Council may from time to time determine and to finance capital expenditure from financing and operating leases subject to:
- (i) the appropriate provision having been made in the estimates for 2005-2006;
- (ii) authorisation (where necessary) of the expenditure by the appropriate Government Department;
- (iii) a decision of the committee concerned or under delegated/urgency powers to incur the capital expenditure and that the Cabinet Resources be instructed to approve new projects up to the value of surplus resources outlined in this report, having regard to the priorities identified.

Capital

15. That the capital programmes be approved, and that the Chief Officers be authorised to take all necessary action to implement them.

The Head of Committee also reported two petitions from the "Barnet "It Aint Fair" Campaign To Lower Council Tax and Resume Borough Services in Association with the national Campaign "Is It Fair" Under the auspices of the Royal British Legion containing 3,271 and 212 signatures, respectively. An amendment in the name of Councillor Phil Yeoman was moved and duly seconded. Debate ensued. The amendment in the name of Councillor Phil Yeoman was put to the vote and declared lost.

An amendment in the name of Councillor Monroe Palmer was moved and duly seconded. Debate ensued. The amendment in the name of Councillor Monroe Palmer was put to the vote and declared lost.

Debate ensued on the substantive motion.

The Mayor indicated that she would take a separate vote on those elements of the budget that related to grants.

Upon the substantive motion being put to the vote it was

- (i) **RESOLVED – That the report and recommendations of the Cabinet be approved, with the exception of the Grants element of the budget.**

Councillors Barry Rawlings left the meeting.

- (ii) **RESOLVED – That the grants element of the budget be approved.**

186. STATUTORY PROPER OFFICER: HEAD OF COMMITTEE (Report of the Head of Committee - Agenda item 11.1)

RESOLVED – That with effect from 1 April, 2005, John Marr, Democratic Services Manager be appointed Statutory Proper Officer for:

- **All Head of Committee functions in the Constitution**
- **Members' declarations of acceptance of office**
- **Members' notice of resignation**
- **Giving notice of casual vacancies**
- **Convening Council to fill Mayoral casual vacancy**
- **Signing summonses for council meetings and receiving notices as to Members' addresses for summonses**
- **Receiving notification of political groups for the calculation of political balance**
- **Returning Officer for election of parent governor representatives to Committee**
- **Deposit of documents**
- **Certification and authentication of documents, notices, orders, byelaws, copy minutes.**

This therefore, includes power to sign all formal documents such as traffic orders, requisitions for information, notification of public inquiry, notices connected with tree preservation orders, notices relating to budget, council tax, accounts inspection and audit, housing sales and other landlord issues.

187. MEMBERS' ALLOWANCES SCHEME 2005 – 2006 (Report of the Head of Committee – Agenda items 11.1 .3 and 11.1.9):

RESOLVED – That, having regard to the recommendations of the Independent Remuneration Panel:

- (i) **the Members' Allowances Scheme attached to these minutes be approved for the period 1 April 2005 to 31 March 2006;**
- (ii) **Special Responsibility Allowance be allocated as follows:**
- (a) **All members of the Licensing Committee - Scale 7**
 - (a) **The Chairman of the Licensing Committee – Scale 6, in addition to the allowance as a committee member**
 - (b) **The five members of the Panel of Sub – Committee chairmen – Scale 5, in addition to the allowance as a committee member.**
- (ii) **that the definition of approved duty for the reimbursement of travel and subsistence expenses outside the borough be amended to include attendance at training courses arranged by the Council.**

188. CHANGES TO COMMITTEE MEMBERSHIP (Report of the Head of Committee – Agenda items 11.1.3):

RESOLVED – that the following changes to memberships on the Committees indicated be approved:

- **Councillor Joan Scannell in place of Councillor Aba Dunner on the Licensing Committee**

- **Councillor Monroe Palmer in place of Councillor Jeremy Davies as a substitute on the Special Committee (Constitution Review)**

189. VACANCIES ON SCHOOL GOVERNING BODIES (Report of the Head of Committee - Agenda item 11.1.4)

The Head of Committee's report set out details of the appointments or nominations to be made

Nominations in the names of Councillors Joan Scannell and Alison Moore were moved. Councillor Susette Plamer advised the Council that the Liberal Democrat Group would not be submitting nominations, pending the outcome of the review agreed at the last meeting (CI 14/12/04 – 113).

RESOLVED –

- (1) That the following persons be appointed or nominated as the case may require to fill the vacancies referred to for the period indicated:**

P2.2	Barnet Hill JMI and Nursery School	Defer
VP33.1	Beis Yaacov Primary School	Defer
VP.04.1	Blessed Dominic RC School	Mr Jimi Odumosu
P.44.2	Broadfields Primary School	Dr P Bhattacharyya
P.44.;3	Broadfields Primary School	Defer
NP.46.2	Brookhill Nursery School	Defer
P.23.1	Brookland Infant and Brookland Junior Schools	Defer
P.10.3	Brunswick Park Primary School	Defer
P.25.2	Chalgrove Primary School	Mr Sheetal Nehra
P.29.1	Childs Hill School	Defer
P.11.2	Church Hill School	Defer
P.39.1	Courtland JMI School	Defer
P.41.1	Dollis Infant School	Defer
P.41.4	Dollis Infant School	Defer
P.43b.2	Edgware Junior School	Councillor Joan Scannell
P.40.1	Fairway Primary School	Mrs Gwen Brandon
P.24.3	Garden Suburb Infant and Garden Suburb Junior Schools	Mr Christopher Kellerman
P.45.2	Grasvenor Avenue Infant School	Defer
P.48.2	Hampden Way Nursery School	Defer
P.09.3	Monkfrith JMI School	Defer
SP.02.2	Northway School	Defer
SP.03.2	Oakleigh School	Defer
VP14.2	St Catherines RC JMI School	Defer
VP32.2	St Johns CE Primary, N11	Defer
VP.21a.1	St Johns NW4	Defer
VP.16.1	St Josephs RC Junior School	Defer
P.16.1	Summerside Primary School	Defer
P.33.1	The Hyde Primary School	Defer
P.50.4	The Orion Primary and Goldbeaters Primary Schools	Defer
P.1a.3	Underhill Infant School	Defer
P.27.3	Wessex Gardens Primary School	Defer
S.13.1	Whitefield School	Defer

190. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES (Report of the Head of Committee – Agenda Item 11.1.5 and 6):

The Head of Committee’s report set out details of the appointments or nominations to be made.

Upon nominations in the names of Councillors Joan Scannell and Alison Moore, it was **RESOLVED – That the following persons be appointed or nominated as the case may be to fill the vacancies referred to for the period indicated:**

VACANCY REFERENCE	PARTICULARS OF APPOINTMENT OR NOMINATION	PERSON APPOINTED OR NOMINATED
1002	Almshouse Charities of Samuel Atkinson and Others	Defer
1167	Hampstead Garden Suburb Institute Council	Defer
	National Society for Clean Air and Environmental Protection	Mr Ray Phillips, Assistant Head of Environment Regulatory Services
	National Society for Clean Air and Environmental Protection	Mr David Norton

191. STANDARDS COMMITTEE: INDEPENDENT MEMBERS (Report of the Borough Solicitor and Monitoring Officer – Agenda item 11.2.1)

RESOLVED – That the following persons be appointed as independent members of the Standards Committee:

- Mr Stephen Ross, with immediate effect
- Mrs Susan Riddle, with effect from the Council’s Annual Meeting on 17 May, 2005.

192. OMBUDSMAN’S REPORT – “MR BARKER” (Report of the Monitoring Officer – Agenda Item 11.2.2)

RESOLVED –

- (1) That, having previously noted the contents of the Ombudsman’s report dated 4 February 2003 and 3 previous reports from the Monitoring Officer, the Council note the action taken as referred to in paragraph 7 of this report.
- (2) That the Council note the Ombudsman’s intention to issue a further report if the Council does not pay compensation without conditions.
- (3) That having taken account of these reports and the factors set out in paragraph 7, the Council make a decision to accept the Ombudsman’s recommendation that “the Council pay the complainant £136,166 to account for any losses to the child and his family, and to compensate the complainant for his time and trouble in pursuing his complaints”.
- (4) That the Borough Solicitor be instructed to inform the Local Government Ombudsman of the Council’s response to his recommendations.
- (5) That the Borough Solicitor be instructed to notify the solicitor acting for Mr and Mrs Barker and their son of the Council’s decision.

The meeting finished at 9.35 pm

LONDON BOROUGH OF BARNET

MEMBERS' ALLOWANCES SCHEME

2005/2006

The Scheme

This scheme is made by Barnet London Borough Council under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and the Local Government Pension Scheme and Discretionary Compensation (Local Authority (Members in England) Regulations 2003 ("the Regulations").

- 1.1 The scheme may be cited as the Barnet London Borough Council Members' Allowances Scheme and replaces the Scheme previously approved by the Council for 2004/2005.
- 1.2 It has effect for the period 1 April 2005 to 31 March 2006.
- 1.3 In this scheme,
 - 1.3.1 "councillor" means an elected member of the Council of the London Borough of Barnet.
 - 1.3.2 "year" means the twelve months ending with 31 March.
 - 1.3.3 "Co-optee" and "co-opted member" means a person not a councillor who is appointed by the Council to a committee discharging a statutory local authority function.
2. Basic Allowance
 - 2.1 A basic allowance of £8,500 shall be paid to each councillor.
 - 2.2 Payment of the basic allowance is subject to the conditions set out in sections 9, 10, 12 and 13.
3. Special Responsibility Allowance
 - 3.1 Allowances are payable to recognise the special responsibilities attached to certain positions to which councillors may be appointed. The allowances are graded in bands which are multiples of the basic allowance excluding the travel allowance.
 - 3.2 The bands, the multiples of the basic allowance which they represent, the positions concerned and the sums payable are set out in Schedule 1. During that period a councillor other than the Leader of the Council may receive more than one special responsibility allowance subject to a maximum equivalent to 2 times the basic allowance.
 - 3.3 Other conditions attached to the payment of special responsibility allowance are set out in sections 9, 10, 12 and 13.
4. Childcare and Dependent Carers' Allowance
 - 4.1 An allowance shall be payable to any councillor or co-opted member or member of an appeals committee established under the Education Act 1996 who incurs expenditure for the care of dependent relatives or children whilst undertaking the approved duties listed in section 4.3 below.

4.2 Dependent relatives and children are defined as:-

- children aged 15 years or less
- elderly relatives requiring full-time care
- relatives with disabilities who receive full-time care

4.3 The approved duties referred to in section 4.1 above are:-

- a) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that –
 - I. where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
 - II. if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited.
- c) The attendance at a meeting of any association of authorities of which the authority is a member;
- d) The attendance at a meeting of the executive or a meeting of any of its committees;
- e) The performance of any duty in pursuance of a standing order requiring a member or members to be present while tender documents are opened;
- f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools); and
- h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

4.4 The allowance shall be paid at the rate of £5.20 per hour for up to 8 hours' care.

5. Travel and Subsistence Allowance

5.1 A lump sum annual allowance of £350 shall be paid to each councillor to recognise the cost of all travel within the Borough. The duties which qualify for the payment of travel outside the Borough are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.2 The duties which qualify for the payment of travel allowance to a co-opted member or member of an appeals committee established under the Education Act 1996 are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.3 The duties which qualify for the payment of subsistence allowances to a councillor, co-opted member or member of an appeals committee established under the Education Act 1996 are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.4 The payment of allowance is subject to the conditions set out in sections 9 and 10.

6. Co-optees' Allowance

6.1 An allowance of £240 per annum shall be paid to co-opted members for attendance at committee meetings.

6.2 Payment of the allowance is subject to the conditions set out in sections 9, 10, 12 and 13.

7. Annual Adjustment

For the period of 4 years from 1 April 2004 the basic allowance, childcare and dependants' allowance, in-borough travel allowance and co-optees' allowance shall be adjusted annually by the Borough Treasurer on 1 April in accordance with the Retail Price Index.

8. Pensions

With effect from 1 September 2003 all councillors shall be eligible to join the Local Government Pension Scheme and both basic allowance and special responsibility allowance shall be pensionable.

9. Financial Limits

Any payment under this scheme is subject to the budget provision for members' allowances during the year not being exceeded.

10. Suspension

Allowances shall be withdrawn where a councilor or co-opted member has been wholly or partially suspended because of a breach of the Local Code of Conduct.

11. Renunciation

A councilor or co-opted member may decline to receive any part of his or her entitlement to an allowance under this scheme by notifying the Borough Treasurer in writing.

12. Part-year Entitlements

12.1 This section regulates councillors' entitlement to allowances if during the year

- the scheme is amended
- the councillor is newly elected
- the councillor ceases to be a councillor
- the councillor accepts or gives up a position eligible for a special responsibility allowance.

12.2 If the scheme is amended so as to change the basic allowance or the special responsibility allowance then the annual amount to be paid to each councillor shall be re-calculated. The councillor will be paid a proportion of the old allowance and a proportion of the new allowance. The proportions will reflect the number of days in the year before and after (starting with the day on which the change takes effect) the change. Further amendments will be treated in the same way.

12.3 If during the year

- a councillor is newly elected or ceases to be a councillor,
- a councillor accepts or gives up a position eligible for a special responsibility allowance, or
- a councillor becomes or ceases to be eligible to a special responsibility allowance because of an amendment to the scheme

then the annual amount to be paid to the councillor will be altered. The alteration will discount a proportion of the relevant allowance, to reflect the number of days in the year that the councillor was not a councillor, or was not eligible for the special responsibility allowance, as the case may be. If the scheme is amended during the year as set out in 12.2 above, then the alteration will be calculated separately for the periods before and after each amendment, in accordance with the Regulations.

13. Claims, Payments, Repayments, Restriction to entitlement

13.1 Payments of basic allowance and special responsibility allowance will be made in twelve equal monthly instalments at the end of each month.

13.2 If making a payment of one twelfth of the annual entitlement of basic allowance and special responsibility allowance for any member would result in a breach of the restrictions set by Section 12 of the scheme, then actual payments must be reduced to comply with those restrictions.

13.3 Where an allowance has already been paid for any period during which the councillor concerned:

- (a) is suspended or partially suspended for a breach of the Local Code of Conduct;
- (b) ceases to be a councillor; or
- (c) is otherwise not entitled to receive the allowance for that period,

such part of the allowance as relates to any such period shall be repaid to the Council.

13.4 Where a member of the authority is also a member of another authority that member may not receive allowances from more than one authority in respect of the same duties.

Special Responsibility Allowances 1 April 2005 to 31 March 2006

Allowance	Scale	Factor	Amount £
Leader	1	3	25,500
Deputy Leader (if appointed)	3	1	8,500
Leader of major opposition group	2	1.5	12,750
Leader of smaller political group	3	1	8,500
Cabinet Members	2	1.5	12,750
Chairman of Planning and Environment Committee	5	.33	2,833
Vice-Chairman of Planning and Environment Committee	7	.15	1,275
Chairman of General Functions Committee	5	.33	2,833
Chairman of Area Planning Committee	5	.33	2,833
Vice-Chairman of Area Planning Committee	7	.15	1,275
Chairman of Area Environment Committee	5	.33	2,833
Vice-Chairman of Area Environment Committee	7	.15	1,275
Chairman of Cabinet Overview and Scrutiny Committee	4	.5	4,250
Vice-Chairman of Cabinet Overview and Scrutiny Committee	6	.25	2,125
Chairman of Overview and Scrutiny Committee	4	.5	4,250
Chairman of Standards Committee	7	.15	1,275
Chairman of Area Forum	6	.25	2,125
Group Secretaries	5	.33	2,833
Group Whip	6	.25	2,125
Shadow cabinet members of major opposition group	7	.15	1,275
Member of Licensing Committee	7	.15	1,275
Chairman of Licensing Committee	6	.25	2,125
Panel of Chairman of Licensing Sub- Committee	5	.33	2,833

SCHEDULE 2

APPROVED DUTIES

The following are approved duties for the payment of travel and subsistence allowances.

(For Councillors the meeting must take place takes place outside the borough of Barnet):

1.
 - i) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
 - j) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that –
 - I. where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
 - II. if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited.
 - k) The attendance at a meeting of any association of authorities of which the authority is a member;
 - l) The attendance at a meeting of the executive or a meeting of any of its committees;
 - m) The performance of any duty in pursuance of a standing order requiring a member or members to be present while tender documents are opened;
 - n) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
 - o) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools; and
 - p) Attendance at training courses arranged by the Council.
 - q) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

(The following bodies or their committees or sub-committees are specifically included in the above definition:

Welsh Harp Joint Consultative Committee
Hampstead Heath Management Committee

London government statutory bodies, joint committees, forums, consortiums,
employers' associations, etc
Standing Advisory Council for Religious Education (SACRE)
Local Government Association
Association of London Government
Joint Negotiating Councils for Council employees
Local Government Management Board)

2. Subject to the Base Budget not being exceeded, duties undertaken by members in receipt of Special Responsibility Allowances who are members of the Executive, provided that they are undertaken outside the borough of Barnet and that the Chief Executive is satisfied that the duties are for the purposes of, or connected with, the discharge of the functions of the Council.
3. Attendance as the council's duly authorised representative at meetings of the following bodies.
 - (a) School admission, exclusion and reinstatement appeals panels
 - (b) Statutory complaints boards or panels relating to the council's education or social services functions
4. The conferences and meetings described below (convened by a person or body whose objects are neither wholly nor partly political, and otherwise than in the course of a trade or business, for the purpose of discussing matters which in the council's opinion will relate to the interests of Barnet or its inhabitants or of part of Barnet or the inhabitants of part of it) are approved for the purposes of payment of travel and subsistence allowance. They are those conferences and meetings convened by bodies at present included on the council's 'approved list' of conferences or subsequently added thereto, being conferences where it is considered that there is a direct connection with a function of this council.

The approved list was originally agreed by the former General Purposes Committee at its meeting on 26 March 1979 (Dec. 2) and is attached as Appendix A.

SCHEDULE 3

TRAVEL AND SUBSISTENCE ALLOWANCES

Travel

1. An allowance of £350 per annum shall be payable to each councilor to recognise the cost of all travel within the borough.
2. Other travel allowance shall paid be at the same rates as those applying at the time to council staff for motorcar, motorcycle and bicycle use.

For public transport actual expenditure shall be reimbursed.

Subsistence

3. For a councillor attending an approved duty that takes place inside the borough of Barnet the rate of subsistence and travel allowance shall be nil.

Other subsistence allowance for meals taken on duty shall paid be at the same rates as those applying at the time to council staff.

For overnight costs reasonable approved expenses shall be paid.

Other Reimbursements allowed:

1. Not more than the amount of any expenditure incurred on tolls, ferries or parking fees.
2. Where day subsistence is payable, the reasonable cost of meals taken on trains, subject to a reduction of subsistence allowance of four hours for each meal taken, and a maximum of one main meal during an absence of more than four hours, two for more than eight hours' absence and three for more than twelve hours' absence.
3. The actual cost of overnight garaging of a car or other vehicle.

Payment

4. Evidence of expenditure incurred shall be required when claims are made and any unreasonable claim shall be referred to the Chief Executive.

NOTE:

The Council has agreed that an allowance of £41.40 for any period of 24 hours (for which purpose a period of 24 hours shall begin at 3am) and £20.70 for a 12 hour may be paid to reimburse financial loss incurred by external witnesses giving evidence at any of the Council's overview and scrutiny committees and by external members of the Independent Remuneration Panel for members' allowances.

LONDON BOROUGH OF BARNET
REVISED LIST OF APPROVED CONFERENCES
(MARCH 1979, REVISED 2004)

KEY:

- A = Members to attend
 B = Representatives to attend if papers warrant

Name of Conference	Category	Max. No. of Members to Attend
National Playing Fields Association	A	1
Public Libraries Conference	A	1
LGA Annual Cultural Services Conference	A	1
British Records Association	B	1
London Council of Social Service Conferences on Arts Matters	B	2
Council of Local Education Authorities Conference	A	2
LGA Education Committee Annual Conference	A	2
Chartered Institute of Public Finance & Accountancy	A	1
Local Government Association	A	2
International Union of Local Authorities including British Section Conferences	B	1
Association of London Government	A	According to the matters discussed
National Housing and Town Planning Council (in conjunction with Environment PDC) Annual and Regional Conferences	A	1
Chartered Institute of Housing Annual Conference	A	1
National Road Safety Congress	A	2
Local Government Association	A	2
Association of Directors of Social Services Autumn Conference	A	2
National Association of Mental Health Conference	B	1
Central Council for the Disabled Conference	B	1
Society of Chief Personnel Officers	A	1

COUNCIL – 12 APRIL 2005

ADMINISTRATION POLICY ITEM: Cllr. Fiona Bulmer

Hospital Cleanliness in our Borough

Council notes the superbug MRSA, which every year kills as many as 5,000 people who are admitted to hospital.

Council is dismayed that figures just released show local Barnet General and Chase Farm NHS trust to have the highest infection rate in the UK. This is even worse than last year's result, when the hospital trust had the fourth worst rate in the country. We believe this situation cannot be allowed to continue and urgent action is needed.

Council notes the government's obsession with targets and form filling; we believe this has created a bloated bureaucracy that is undermining patient care nationally and in Barnet in particular.

Council believes our residents deserve the best possible levels of healthcare. We believe this involves cutting back on bureaucracy, investing in technology to keep wards clean, focusing on clinical priorities, and allowing doctors and nurses to use their own professional judgement.

Council notes Conservative policy to reduce wasteful bureaucracy and invest in NHS frontline staff to clean up hospitals.

Council calls on Cabinet to encourage the Primary Care Trust (PCT) to support such moves to reduce MRSA in our hospitals. We understand that this can be the only way to ensure that the health of Barnet's residents can be protected should they be admitted to hospital.

Opposition Policy Item

Community and Environment

This Item covers

- Commercial recycling
- Alternative Fuel vehicles
- Council internal environmental policy
- Microgeneration of energy

This Council Notes

1. That the quality of the environment is integral to the well-being of the borough's communities.
2. That everyone causes an impact upon the local environment.
3. That environmental awareness is part of everyday political and social discussion.
4. That Local Agenda 21 provides a holistic framework for local action.
5. A Bill for small-scale renewable energy provision has been laid before Parliament.
6. A Bill for the allowance of domestic micro-generation of energy has been laid before Parliament
7. A Bill for reduction of stamp duty in regard to energy efficiency works has been laid before Parliament

This Council Believes

1. That this Council is well placed to achieve a substantial beneficial impact upon the local environment as leader, activist and facilitator.
2. That the values of Agenda 21 are still valid.
3. That recycling is currently primarily concentrated on domestic waste.
4. That where compulsory civic duties are imposed, exemplary conduct should be rewarded.
5. That the Council should lead by example where environmental matters are concerned.
6. That reduction of waste, and emphasis on re-usability of materials are also key to efficient resource use and waste management.
7. Traffic pollution is a continuing impact on Barnet's air quality.
8. Micro-generation of electricity brings a medium to long-term benefit to residents, as well as reducing demand on fossil fuel.
9. PV and solar heat and power technologies have become an economically viable and desirable option to home-owners and commercial premises.

This Council Resolves to urge Cabinet to -

- i) Instruct officers to carry out an investigation into the current facilities for the recycling of commercial waste in Barnet, feasibility of the introduction of recycling for commercial entities, thereby increasing the percentages recycled, as well as end-disposal of gathered materials in the best environmentally sustainable manner possible – e.g. The London Waste Exchange.
- ii) Review and to consider expanding the list of collected products for recycling or appropriate disposal, including, but not limited to, Cardboard, Plastics, Other metals, Cooking Oil, etc.
- iii) Introduce Council Tax discounts for those households who have achieved a high rate of domestic recycling.
- iv) Produce a report within six months into the environmental impact of Council operations, with a view to the introduction of a Council-wide recycling and environmental efficiency policy in terms of recycling, heat and light use, resource efficiency.

- v) Identify potential sites and conduct feasibility studies into biomass generation of power from biodegradable waste within Barnet.
- vi) Write to the Secretary of State and the ODPM urging support of the [Small Renewable Energy Developments \(Permitted Development\) Bill](#) in amending the Town and Country Planning (General Permitted Development) Order 1995, to provide that a “small renewable energy development” be classed as a permitted development within the meaning of that Order.
- vii) Write to the Secretary of State and the ODPM in support of the [Stamp Duty \(Lower Rate for Energy Efficiency Measures\) Bill](#), calling for a reduction in Stamp Duty for residential properties where energy efficiency measures are taken by or on the behalf of the purchaser.
- viii) Write to the Secretary of State and the ODPM in support of the [Renewable Energy Bill \[HL\]](#), calling for the allowance of the sale of domestically generated micro-generation of energy, as well as Local Council targets for such facilities.
- ix) To Include a target for domestic micro-generation of energy within the Local Development Strategy.
- x) Assess the feasibility of installation of alternative power generation and passive solar heating units to council premises and schools.
- xi) Regularly review and report on the vehicle use, purchase and maintenance policy with the intention to maximise advantage of alternative fuel vehicle options and quantify impacts.
- xii) To modify the Local Development Strategy accordingly.

Monroe Palmer
Leader of the Liberal Democrat Group on the Council

Report of Cabinet

29 March 2005

Cabinet Members:

*Cllr Victor Lyon BA (Hons) (Chairman)

Councillors:

* Fiona Bulmer	* Anthony Finn BSc	* John Marshall
* Melvin Cohen, LL B	Econ FCA	* Matthew Offord
* Katia David BSc	* Mike Freer	* Brian Salinger
MBA JP	Christopher Harris	
	BA BSc MPhil	

* denotes Member present

\$ denotes Member absent on Council business

1. **SAFER COMMUNITIES STRATEGY 2005 – 2008 (Council 16/04/02) (Report of the Cabinet Member for Housing, Neighbourhoods & Community Safety – Agenda Item 7):**

Cabinet considered the report of the Cabinet Member, which has been circulated separately to all Members of the Council. This being one of the statutory plans which was reserved to the Council for approval, Cabinet, for the reasons set out in the Cabinet Member's report,

RESOLVED TO RECOMMEND – That Council approve the amended draft Safer Communities Strategy 2005-2008.

2. **LONDON LOCAL AUTHORITIES ACT 2004 AND THE PROMOTION OF A NINTH BILL (Council 26/10/04) (Report of the Leader of the Council and the Cabinet Member for Environment– Agenda Item 10):**

Cabinet considered the report of the Cabinet Members, which has been circulated separately to all Members of the Council.

Cabinet discussed a separate proposal that had been made to ban smoking in public places, expressing the reservation that this was a measure that if thought desirable, should be promoted by the Government. It was noted, however, that this was now going forward as a separate Bill, and it would be possible for the Council to choose whether or not to participate in this measure.

Because the Constitution reserved to Council the promotion of Bills, Cabinet, for the reasons set out in the Cabinet Members' report,

RESOLVED TO RECOMMEND

1. **That the Resolution of this Council passed at a Meeting of the Council held on 26 October 2004 to promote a Bill in the present Session of Parliament, pursuant to which the Bill intituled “A Bill to confer further powers upon local authorities in London; and for related purposes”; “A Bill to confer further powers upon local authorities in London and upon Transport for London; and for related purposes” and “A Bill to provide for the prohibition of smoking in places of work in Greater London” have been deposited in Parliament, be and the same is hereby confirmed.**
2. **That the Head of Committee advise the Association of London Government (ALG) accordingly.**

Report of the Special (Constitution Review) Committee 6 April 2005

Members:

* Councillor Victor Lyon (Chairman)

Councillors:

* Jack Cohen	* Alison Moore
* Daniel Hope	* Joan Scannell
* Anthony Finn	* Phil Yeoman

* denotes Member present

Constitution Review 2005

The Committee met on 2 and 14 March and 6 April to consider aspects of the Council's Constitution, which had been raised by both officers and members as matters requiring review.

On 6 April the Committee considered reports of the Heads of Service concerned on the matters on which the Committee considered they should make recommendations for change to Council, a review of the scope and number of Overview and Scrutiny Committees, and were reminded of the matters on which they had agreed to take no action or were being dealt with by another method.

The reports of the Heads of Service concerned were to be circulated separately to all Members of the Council.

The Committee having

- (i) amended the Action Sheet for the meeting held on 14 March the clarification that the report relating to proposals that the Licensing Panel of Chairman be increased and that the membership be selected from the Licensing Committee;
- (ii) noted the summary of the matters on which they had agreed that no recommendation should be made to Council or were being dealt with by a different route;
- (iii)

- agreed to the Heads of Service concerned reporting to the Annual Meeting of the Council on the size of Committees, including political balance implications;
- noted that all political group Leaders would be consulted on the proposals prior to submission to the Annual Meeting
- agreed that any consultations with members of the Committee could take place by email and that a Special Meeting of the Committee would only be called if necessary prior to the Annual Meeting

RESOLVED TO RECOMMEND-

- (1) **That the changes to the sections/parts of the Constitution listed below and as set out in detail in Appendix A to the Report be approved:-**

Article 9 – The Standards Committee

Article 12 – Table of Chief Officers

Article 14 – Finance Contracts, Land Disposal and Legal matters

Part 3 - Responsibility for Functions
Part 4, Section 3 – Panels and Consultative Bodies
Part 4, Section 4 – Public Participation
Financial Regulations –
▪ **Part 1 Financial Management**
▪ **Part 2 Financial Administration**

- (2) That:-**
- (i) subject to the Cabinet Resources Committee agreeing to increase the Members' Allowances budget by £2,333 , the number of members comprising the Licensing Panel of Chairman be increased to six and that membership be selected from the Licensing Committee;**
 - (ii) the Council make the further appointment**
 - (iii) the Cabinet Resources Committee, on 28 April, be requested to increase the Members' Allowances budget.**
- (3) That, with effect from the 2005 Annual Meeting of the Council:-**
- (i) the new Overview and Scrutiny structure comprise one Cabinet Overview and Overview Committee and five standing Overview and Scrutiny Committees, as follows, closely aligned to the Corporate Plan priorities:**
 - **Resources, Performance and Partnerships**
 - **First Class Education and Children**
 - **Cleaner, Greener, Transport and Development**
 - **Supporting the Vulnerable in our Community**
 - **Tackling Crime and Housing**
 - (ii) the Terms of Reference for the new Overview and Scrutiny structure be as set out in Appendix B to this Report;**
 - (iii) in relation to “call – in”, a system of strengthened “specification of items for debate” which will involve members specifying written reasons for items they wish closely to scrutinise at the Cabinet Overview and Scrutiny Committee be approved.**
- (4) That, with effect from the 2005 Annual Meeting of the Council, the introduction of a new, stand alone Audit Committee in the Council's Committee structure, with Terms of Reference as set out in Appendix C to this report be approved.**
- (5) That the Democratic Services Manager be instructed to make the appropriate changes to the Council's Constitution.**

The meeting finished at 8.20pm

APPENDIX A

Amendments to the Constitution

Arising from the report of the Special Committee, 8 December, 2004

Article 9 – The Standards Committee

(Section revised Cl. 12 April 2005)

References: Section 53-55 and Section 81(5) Local Government Act 2000

9.01 Standards Committee

The Council meeting will establish a Standards Committee.

9.02 Composition

- (a) The Standards Committee will be composed of at least:-
 - Three councillors (not including the Leader), comprising one from each political group
 - Four persons who are not councillors
- (b) Independent Members will be entitled to vote at meetings.
- (c) One of the Independent Members will chair the Committee.

9.03 The Standards Committee will have the following roles and functions.

- (a) Promoting and maintaining high standards of conduct by councillors, co-opted members and faith and parent governor representatives.
- (b) Assisting councillors, co-opted members and faith and parent governor representatives to observe the Local Code of Conduct for Members.
- (c) Advising the Council on the adoption and revision of the Local Code of Conduct for Members.
- (d) Monitoring the operation of the Local Code of Conduct for Members.
- (e) Advising, training or arranging to train councillors, co-opted members and faith and parent governor representatives on matters relating to the Local Code of Conduct for Members.
- (f) Granting dispensations to councillors, co-opted members and faith and parent governor representatives from requirements relating to interests set out in the Local Code of Conduct for Members.
- (g) Dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer.
- (h) Following consideration of such reports to take any action prescribed by regulations made by the Secretary of State against any Member or co-opted Member who is the subject of any such report.
- (i) Appointing a Sub-Committee of no less than three persons (including at least three independent Members) drawn from the Standards Committee to carry out any of the roles and functions set out in paragraphs [g] and [h] above.
- (j) To consider and make recommendations to the Council, as necessary, on ethical issues affecting the Council as a whole.

Article 12 – table of Chief Officers

12.01 Management Structure

(a) General. The full council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

(b) Chief Officers. The full council may engage persons for the following posts, who will be designated chief officers:

Table of Chief Officers

Chief Executive
Director of Environment
Director of Community Services/Deputy Chief Executive
Director of Children’s Services
Director of Resources
Head of Environment and Neighbourhood
Head of Highways and Design
Head of Planning
Borough Treasurer
Chief Internal Auditor
Head of Housing
Head of Adult Services
Borough Solicitor
Head of Children & Families (Director of Social Services)
Head of Cultural Services
Head of Education (Chief Education Officer)

(c) Head of Paid Service, Monitoring Officer and Chief Finance

Officer. The council will designate the following posts as shown:

Post	Designation
Chief Executive	Head of Paid Service works with Members and Strategic Directors to deliver the council’s themes.
Borough Solicitor	Monitoring Officer
Borough Treasurer	Chief Finance Officer

Such posts will have the functions described in Article 12.02-12.04 below.

(d) Structure. The Head of Paid Service will determine and publicise a description of the overall departmental structure of the council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.

12.02 Functions of Head of Paid Service

(a) Discharge of functions by the council. The Head of Paid Service will report to full council on the manner in which the discharge of the council’s functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

(b) Restriction of functions. The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

References:

Section 4 and 5, Local Government and Housing Act 1989

- (c) The Head of Paid Service has authority over all other chief offices so far as is necessary for efficient management and for carrying out the council's functions.

12.03

Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision-making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the full council or to the Executive in relation to an executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission would give rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Supporting the Standards Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (d) **Receiving reports.** The Monitoring Officer will receive and act on reports made by ethical standards officers and decisions of the case tribunals.
- (e) **Conducting investigations.** The Monitoring Officer will conduct investigations into matters referred by ethical standards offices and make reports or recommendations in respect of them to the Standards Committee.
- (f) **Proper officer for access to information.** The Monitoring Officer will ensure that Executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (g) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions of the Executive are in accordance with the budget and policy framework.
- (h) **Contributing to corporate management.** The Monitoring Officer will contribute to the corporate management of the council, in particular through the provision of legal advice and advice on probity and good administration.
- (i) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (j) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

References:

(Section 5), Local Government and Housing Act 1989
Sections 60, 64-66, Local Government Act 2000
Chapters 8 and 9, DETR Guidance

12.04

Functions of the Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision-making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Financial Officer will report to the full council or to the Executive in relation to an executive function and the council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the council is about to enter an item of account unlawfully.
- (b) **Estimates and resources.** In accordance with the Local Government Act 2003 to advise on robustness of estimates level of resources. Council
20/4/2004
- (c) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the council.
- (d) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the council, in particular through the provision of professional financial advice.
- (e) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (f) **Give financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

12.05

Deputy to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

12.06

Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Part 5 of this Constitution.

12.07

Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

Article 14 – Finance, Contracts, Land Disposal and Legal Matters

(Section revised May 2003)

References:

Section 135, 151, 223 and 234, Local Government Act 1972

Part VIII, Local Government Finance Act 1988

14.01 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the financial rules set out in Part 4 of this Constitution.

14.02 Contracts

Every contract made by the Council will comply with the Contracts Procedure Rules set out in Part 4 of the Constitution.

14.03 Legal Proceedings

The Borough Solicitor is authorised to institute, defend or participate in any legal proceedings and take all necessary steps in any case where such action is necessary to give effect to decisions of the Council or in any case where the Borough Solicitor considers that such action is necessary to protect the Council's interests.

The Borough Solicitor has delegated powers to authorise officers to appear in court on the Council's behalf.

14.04 Authentication of Documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Borough Solicitor or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract with a value exceeding £75,000, entered into on behalf of the local authority in the course of the discharge of an executive function shall be made in writing. Subject to the Contracts Procedure Rules, such contracts must either be signed by at least two officers of the authority or made under the common seal of the council attested by at least one officer.

In addition to any other person who may be authorised by resolution of the Council, the proper officer for the purposes of authentication of documents under the Local Government Acts shall be

1. the Chief Executive
2. the Borough Solicitor
3. any Chief Officer of the Council concerned with the matter to which the document relates: or
4. any officer authorised in writing by such Chief Officer.

14.05 Common Seal of the Council

Common Seal

The Common Seal of the Corporation shall be kept in a safe place and be secured by two different locks. The Mayor shall have the custody of the key of one lock and the Borough Solicitor shall have the custody of the key of the other.

Sealing and Execution of Documents

The Chief Executive, the Borough Solicitor or the Head of Committee Administration shall have authority:-

1. to affix the Common Seal to any deed or document in the presence of the:-
 - Mayor or the Deputy Mayor; or
 - The Leader of the Council; and
2. to execute any deed or document not required by law to be under seal which is necessary to effect the decisions of the Council.

Members and Officers to Sign Documents Executed under Seal

All deeds, instruments and writings which may require the Common Seal to be affixed shall also be signed after the sealing by the:-

1. Mayor or the Deputy Mayor; or
2. Leader of the Council; and the
3. Chief Executive; or
4. Borough Solicitor; or
5. Deputy Borough Solicitor
6. Democratic Services Manager.

Facsimiles of Common Seal

The following categories of documents may be authorised by a facsimile of the Common Seal of the Council and the printed names or facsimiles of the signatures of the Mayor and the Borough Solicitor. The facsimiles or printed names must be authenticated by entries in the book referred to below and initialled by the Chief Executive, Borough Solicitor or the Head of Committee Administration:-

1. stock certificates and transfers;
2. grants of rights of burials;
3. superannuation fund documents.

Record of Sealing of Documents

Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the Chief Executive, Borough Solicitor or the Head of Committee Administration in a book to be provided for the purpose.

14.06 Disposal of land and real property

Every disposal of land and real property made by the Council will comply with the Disposal of Land and Real Property Rules set out in Part 4 of the Constitution.

Part 3

Responsibility for Functions

Responsibility for Functions

(Section revised Council 12 April 2005)

References: *Chapter 5, Guidance
The Local Authorities (Functions and Responsibilities) (England)
Regulations 2000
Section 13, Local Government Act 2000*

Explanatory Note

1. The Local Government Act 2000 divides the functions of the local authority between the full Council (and its Committees) and the Executive. The Council is no longer the body responsible for all the activities of the local authority in the borough.

The Council's statutory duties are now broadly:

1. Approval of the budget and statutory policy framework.
2. Constitutional and quasi-legislative functions.
3. Dealing with applications for licences, approvals, consents, permissions (including planning permission) and registrations; and related regulation and enforcement action.

All other functions of the local authority are functions of the Executive, i.e. the Leader and Cabinet, and cannot be exercised by the Council (Section 13 (10) Local Government Act 2000).

This Part of the Constitution is the Scheme of Delegation that sets out the detailed arrangements for the allocation and discharge of responsibilities.

2. The principles of the Scheme of Delegation are that functions are delegated from the Council and the Executive to subordinate bodies and persons by exception rather than specifically.

This Part of the Constitution, therefore, also sets out the decisions that are reserved to specific decision takers and cannot be taken by subordinate decision takers.

3. It is a general legal principle that although delegation involves conferring authority on subordinate bodies and individuals, this does not mean that the delegator gives up the authority to act or take decisions. That general principle is expressly recognised in Section 15(9) of the Local Government Act 2000:-

"Any arrangements made by virtue of this section by an executive leader, executive member or committee for the discharge of any functions by an executive, member, committee or officer are not to prevent the executive leader, executive, member or committee by whom the arrangements are made from exercising those functions".

1. ALLOCATION OF LOCAL CHOICE FUNCTIONS

Schedule 2 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 sets out the local choice functions that can be allocated to the Executive or to the Council or to Council Committees. The following table shows which body is responsible for each of these. The bodies are described in the table in section 2.

Function	Decision making body
1. Any function under a Local Act.	1. The Executive

Function	Decision making body
2. Determining an appeal against any decision made by or on behalf of the authority where there is a right of appeal to a Council Committee. (This excludes matters where statutory arrangements exist).	2. Appeals Committee
3. The appointment of housing benefit review boards.	This is no longer a function of the local authority
4-6. Making arrangements for appeals against exclusion of pupils, school admission and appeals by governing bodies.	4-6. The Council but delegated to the Head of Committee Administration.
7-8. Do not apply.	
9. Conducting best value reviews.	9. The Executive has the legal duty, which it will discharge through the approval of an action plan. The Improvement Overview and Scrutiny Committee will oversee a review and evaluate and analyse the findings.
10-15. Any function relating to contaminated land and statutory nuisances.	10-15 Planning and Environment Committee with delegation to Area Committees and Officers.
16. & Planning and other information 17. notices.	16. & Planning and Environment 17. Committee, with delegation to Area Committees and Officers, except in so far as the notice relates to an executive function.
18. Highways agreements.	18. Planning and Environment Committee, with delegation to Area Committees and Officers, except in so far as the agreement relates to an executive function.
19. Appointments.	19. The Council, with delegation to the General Functions Committee.

2. RESPONSIBILITY FOR COUNCIL FUNCTIONS

Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations sets out the Council functions that are not allocated to the Executive. The following table sets out the body responsible for these.

Many decisions are taken by Officers or Sub-Committees under delegated powers. Delegation to Officers is set out in section 6 below. The division of responsibility between Planning and Environment Committee and the Area Committees is also set out below.

(Note: amendments relating to a single Appeals Committee are to take effect as soon as practicable following implementation of the new licensing regime on 7 February 2005)

Body responsible	Functions	Membership
Council	Council can discharge all non-executive functions but most are delegated to committees or officers.	All members of the Council.
Council acting as the Licensing Authority	Agreeing and reviewing the Statement of Licensing Policy.	All Members of the Council
Licensing Committee	All functions under the Licensing Act 2003 and associated Regulations, not otherwise delegated to the Licensing Sub-Committee	15 Non-executive Councillors, based on overall political proportionality of the Council.
Licensing Sub-Committee	All functions under the Licensing Act 2003 and associated Regulations, as delegated to it by the Licensing Committee	<p>Three Members of the Licensing Committee, to include one from the Panel of six Chairmen appointed by that Committee.</p> <p>The Head of Committee Administration selects Members to form the Licensing Sub-Committee as required, having regard to Member availability and the areas that they represent.</p> <p>The Head of Committee Administration arranges suitable hearing times.</p>
Appeals Committee	<p>Determining an appeal or application where there is a right of appeal to a Council committee. This does not include matters which are the responsibility of the Licensing Committee or the Licensing Sub-Committee, nor does it include special statutory appeal or review bodies. It does include:-</p> <ul style="list-style-type: none"> • Applications and appeals relating to Sex Shops, Sex Cinemas and Sex Encounter Establishments • Staffing appeals relating to grading (but not the placing of individuals in a career grade), dismissal and relegation (including by centrally employed teaching staff) 	<p>Each Committee comprises 8 councillors, plus 2 substitutes for each member, from the same political group.</p> <p>The Head of Committee Administration selects each Committee in turn having regard to member availability and the areas that they represent.</p> <p>The Head of Committee Administration arranges daytime or evening meetings to suit the wishes of appellants.</p>

Body responsible	Functions	Membership
	<ul style="list-style-type: none"> • Appeals relating to renovation, disabled facilities, home repair assistance and common parts facilities grants • Statutory complaints against school governing bodies • Appeals under the housing right to compensation scheme. 	
<p>Planning and Environment Committee</p>	<p>1. Town and country planning and development control including tree and hedgerow protection.</p> <p>The following functions are reserved to the Committee and cannot be discharged by an Area Committee or officer.</p> <ul style="list-style-type: none"> • planning applications which involve a significant departure from the statutory development plan; • applications on behalf of the Council or where the Council has an interest in the development; • applications within the categories of development which must be referred to the Mayor of London; and • matters of significance to the entire borough or where major issues extend across geographic boundaries of sub-committees. <p>(Reports on all the matters reserved to the Committee shall be made direct to the Committee and not through an area sub-committee.)</p> <p>2. Contaminated land and all statutory nuisances.</p> <p>3. Commons registration and town and village greens.</p> <p>(Which may include considering the recommendations of a non-statutory inquiry chaired by an independent person).</p>	<p>21 councillors, with a substitute member for each ward.</p>

Body responsible	Functions	Membership
	<p>4. Highways use and Regulation, access to the countryside, arrangements and extinguishment of public rights of way.</p> <p>(Explanatory note: The Council's highways functions are limited to:</p> <ul style="list-style-type: none"> • creating, stopping up and diverting footpaths and bridleways • asserting and protecting public rights to use highways • removing things deposited on highways which cause nuisance <p>All other highway functions are Executive functions.)</p> <p>5. Gaming, entertainment, food and miscellaneous licensing in so far as not otherwise the responsibility of the Licensing Committee or the Licensing Sub-Committee</p> <p>6. Health and Safety regulation (otherwise than as an employer).</p>	
<p>Area Planning Sub-Committees (3)</p>	<p>To discharge the council's functions, within the boundaries of their areas, in accordance with council policy and within budget, that relate to town and country planning and development control, including tree and hedgerow protection.</p> <p>This excludes the functions reserved to the Planning and Environment Committee.</p> <p>(Explanatory note – consideration of planning applications by Area Planning Sub-Committees: The work of the Area Planning Sub-Committees consists mostly of determining applications for planning applications. Delays in determining applications will jeopardise the Council's ability to meet national performance criteria and impact adversely on the interests of applicants and affected residents. One cause of such delays is the deferral by sub-committees of planning applications for further information or for members to undertake site visits. To minimise this there is a general presumption that:</p>	<p>1 councillor for each ward in the area, with a substitute member for each ward.</p>

Body responsible	Functions	Membership
	<ul style="list-style-type: none"> • Chairmen of Area Planning Sub-Committees should arrange for site visits to be made in advance of the Sub-Committee meeting, particularly where the proposals appear to be contentious or they are of major importance to the area; • Sub-Committee members who have queries on applications will raise them either at the site visit, or, in any event, as soon as possible before the meeting at which they will be considered 	
Area Environment Sub-Committees	<p>To discharge the council's functions, within the boundaries of their areas, in accordance with council policy and within budget, apart from matters of significance to the whole borough or crossing sub-committee boundaries that relate to:</p> <ul style="list-style-type: none"> • Highways use and regulation <p>(Explanatory note: The Council's highways functions are limited to:</p> <ul style="list-style-type: none"> • creating, stopping up and diverting footpaths and bridleways • asserting and protecting public rights to use highways • removing things deposited on highways which cause nuisance <p>All other highway functions are Executive functions.)</p> <ul style="list-style-type: none"> • Contaminated land and control of pollution and all statutory nuisances • Management of air quality • Gaming, entertainment, food and miscellaneous licensing (but not hearing individual appeals or applications which are the responsibility of the Licensing Committee, the Licensing Sub-Committee or the Appeals Committee) 	1 councillor for each ward in the area, with a substitute member for each ward.
Standards Committee	<p>Promoting and maintaining high standards of conduct by members and co-opted members. Assisting them to observe the Council's code of conduct, and advising and training them on it. Advising the Council on the Code and monitoring its operation. Consider ethical issues affecting the Council as a whole.</p>	3 non-executive councillors (one from each political group), with three substitute members (also one from each political group), and 4 independent co-opted members.

Body responsible	Functions	Membership
Chief Officers Appointments Panel	<ol style="list-style-type: none"> 1. To interview candidates for the Head of Paid Service and recommend an appointment to the Council. 2. To interview and appoint Directors and Chief Officers. 3. Annually to appraise the performance of the Chief Executive. 	7 councillors including at least the Leader of the Council (or another member of the Executive).
Chief Officers Disciplinary and Capability Investigating Panel	Subject to the Officer Employment Procedures Rules in Part 4 of the Constitution, to act as an investigating committee for the purposes of the disciplinary and capability procedures for the Chief Executive and officers recognised by the council as a Director or Chief Officer, and to suspend such officers for the purposes of the investigation.	5 councillors.
Chief Officers Disciplinary Panel	Subject to the Officer Employment Procedure Rules in Part 4 of the Constitution, to take any disciplinary action and action under the capability procedure in respect of the Chief Executive and officers recognised by the council as a Director or Chief Officer, up to and including dismissal.	5 councillors including at least the Leader of the Council (or another member of the Executive) (membership must be different from any investigating panel).
<p>General Functions Committee</p> <p>Meets as and when required but in practice functions discharged by officers.</p>	<p>All other Council functions that are not reserved to Council including</p> <ul style="list-style-type: none"> • Appointing representatives on outside bodies • Staff matters (i.e. salaries and conditions of service) • Election administration and electoral registration • pensions and superannuation • payments for maladministration in cases where the council has discretion and a payment has not been recommended by the Ombudsman or a court. • Approval of Statement of Accounts 	7 councillors

Body responsible	Functions	Membership
Pension Fund Management Advisory Panel Note: This is an informal body and not a Council Committee.	To advise officers on all matters relating to the use, management and investment of the superannuation fund including matters relating to the appointment and removal of Fund Managers, and major changes in benchmarks for investment. To make recommendations to the General Functions Committee on any matters where a member-level decision is necessary.	3 councillors (one from each political group).

3. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

General

- 3.1 All the local authority functions that are not mentioned in the first two tables, or reserved to Council in Article 4, are executive functions. These are the responsibility of
- Individual members of the Executive (the Leader and members of the Cabinet)
 - The Cabinet Meeting
 - Cabinet Committees
 - Area Sub-Committees (see 3.10 below)
 - Joint Committees (see Article 11)
 - Officers (see section 6 below)

Cabinet Members

- 3.2 Set out below is a table in the first column of which are listed the names, addresses and wards of Cabinet Members. The second column sets out each Cabinet member's functions and the third column summarises what has been delegated.

Executive Member and Portfolio	Responsibilities	Delegation
Cllr Victor Lyon 10 Charnwood Place Whetstone London N20 0PE Totteridge Ward LEADER	The Leader	The Leader may discharge any function of the Executive.
Cllr. Christopher Harris 124 Britten Close, London, NW11 7HF Golders Green Ward CHILDREN	To lead on budget and policy formulation and implementation in relation to children. In particular, to enhance the Council's corporate parenting role and to champion the causes of all children in the London Borough of Barnet, optimising opportunities to reduce and remove disadvantage.	The general powers delegated to Cabinet Members are set out below. Certain functions are delegated to officers, in consultation with the Cabinet Member. These are set out in Paragraph 6 of Part 3 of the Constitution.

Executive Member and Portfolio	Responsibilities	Delegation
	<p>Includes Children's Social Services and the Youth Offending Team and the advantages offered by working with other agencies to secure a seamless approach to all aspects of children's services. To drive forward the Youth Justice Plan and ensure its approval annually, by full Council. Also to be involved in, and promote, discussions in relation to any matters within the portfolio.</p>	
<p>Cllr Katia David 16 Oakleigh Oark South Whetstone London N20 9JU</p> <p>High Barnet Ward</p> <p>CULTURE, COMMUNITY ENGAGEMENT AND HR</p>	<p>To lead on budget and policy formulation and implementation in relation to culture, community engagement, customer care and the effective management of human resources. In particular, to build upon the Council's leadership role in embracing diversity and inclusiveness, removing inequality and promoting the London Borough of Barnet's reputation as a centre of cultural excellence and activity for all and to encourage tourism. To allow staff to reach their full potential to the benefit of the Council and to promote a culture of learning and achievement.</p> <p>Promotion of all aspects of the arts (includes libraries, learning and museums), including events held on council land (including parks) and in council buildings, ensuring that each person and group in the community has opportunities for involvement.</p> <p>Set the strategic direction for the development of effective community involvement in all aspects of the Council's work.</p> <p>Development of effective HR planning, policies and initiatives.</p> <p>To be involved in, and promote discussions in relation to any matters contained within the portfolio.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to</p> <ul style="list-style-type: none"> • Area Sub-Committees as set out in paragraph 3.10 below. • Officers, in consultation with the Cabinet Member, as set out in Paragraph 6 of Part 3 of the Constitution.

Executive Member and Portfolio	Responsibilities	Delegation
<p>Cllr. John Marshall 66 Sandringham Gardens London N12 0PJ</p> <p>Garden Suburb Ward</p> <p>EDUCATION AND LIFELONG LEARNING</p>	<p>To lead on budget and policy formulation and implementation in relation to education and lifelong learning. In particular, to raising and enhancing standards, ongoing education and services to schools, Early Years Provision and the Youth Service. Positively to encourage integration of all schools within the London Borough of Barnet into the community to achieve the best possible opportunities for education and lifelong learning.</p> <p>All matters associated with schools (Community, Voluntary and Foundation) and the teaching and development of children and young persons and the optimising of opportunities to further the same (including pre-school preparation).</p> <p>Positively to encourage and promote adult education to minimise literacy and numeracy problems in adults and to offer opportunities for developing and enhancing their skills and to further this via the current Lifelong Partnership contract with Barnet College, and to encourage other institutions which provide such opportunities.</p> <p>Also to be involved in, and promote discussions in relation to any matters within the portfolio.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to officers, in consultation with the Cabinet Member. These are set out in Paragraph 6 of Part 3 of the Constitution.</p>
<p>Cllr. Matthew Offord 6 Cousins Court Alwyn Gardens NW4 4XW</p> <p>Hendon Ward</p> <p>ENVIRONMENT AND TRANSPORT</p>	<p>To lead on budget and policy formulation and implementation in relation to the environment and transport. In particular, promoting the reputation of the London Borough of Barnet as a clean and green borough, with a transport infrastructure designed to meet the needs of today and the challenges of the future.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to</p> <ul style="list-style-type: none"> • Area Sub-Committees as set out in paragraph 3.10 below. • Officers, in consultation with the Cabinet Member, as set out in Paragraph 6 of Part 3 of the Constitution.

Executive Member and Portfolio	Responsibilities	Delegation
	<p>Also to promote the better integration of privately rented properties into the borough's housing framework, including the distribution of grants, as necessary, for the adaptation of private properties, to further care in the community.</p> <p>All matters relating to the development and management of the environment, including:</p> <ul style="list-style-type: none"> • the street scene including pavements and all classes of roads; • parking provision • refuse and recycling • graffiti removal • waterways • parks and open spaces • trees (includes public highways, council housing estates and in parks) • allotments • transport and transport initiatives. <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	
<p>Cllr. Brian Salinger 32 The Ridgeway London N11 3LJ</p> <p>Oakleigh Ward</p> <p>HOUSING NEIGHBOURHOODS AND COMMUNITY SAFETY</p>	<p>To lead on budget and policy formulation and implementation in relation to housing and housing benefits, neighbourhoods, environmental health and community safety, and licensing, other than matters relating to the Licensing Act 2003.</p> <p>In particular working with the ALMO, Housing Associations and other providers, to secure the optimum provision and associated environmental, neighbourhood development and social facilities for all those members of the community not living in private accommodation, or for those who require public sector housing.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to</p> <ul style="list-style-type: none"> • Area Sub-Committees as set out in paragraph 3.10 below. • Officers, in consultation with the Cabinet Member, as set out in Paragraph 6 of Part 3 of the Constitution.

Executive Member and Portfolio	Responsibilities	Delegation
	<p>The development, promotion and management of all aspects of community safety and to foster a healthy environment, including policies and practices to ensure that the community are not subjected to unscrupulous traders.</p> <p>All matters related to public sector housing and neighbourhood development, and environmental health and trading standards.</p> <p>Working with representatives of the diverse communities of the borough, police, business, voluntary other sectors to promote community safety and awareness.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	
<p>Cllr. Mike Freer 23 Claverley Grove Finchley London N3 3DG</p> <p>Finchley Church End Ward</p> <p>PERFORMANCE, PARTNERSHIPS AND BEST VALUE</p>	<p>To lead on budget and policy formulation and implementation in relation to performance, partnerships and best value.</p> <p>In particular the effectiveness and value in performance of council services, risk management, Asset Management Plan, IT and the distribution of all grants, except those relating to the adaptation of properties in the private sector, after consultation with appropriate portfolio holders. The development of partnerships to further the Council's Community and Corporate Plans and an effective communications and consultation structure.</p> <p>To secure the most beneficial terms for services and goods provided to the council.</p> <p>All aspects of performance and delivery of council services, and to instigate such interventions as required, including consultation with the Cabinet Member for Resources, as necessary, to secure best value.</p>	<p>The general powers delegated to Cabinet Members are set out below. In addition this cabinet Member may approve grants to voluntary organisations, up to £20,000 per annum.</p> <p>Certain functions are delegated to officers, in consultation with the Cabinet Member. These are set out in Paragraph 6 of Part 3 of the Constitution.</p>

Executive Member and Portfolio	Responsibilities	Delegation
	<p>To ensure effective consultation on and communication of the council's key objectives through the strategic management of the print unit, web site, marketing and other initiatives.</p> <p>To be involved at the earliest stages in discussions and consultations for the acquisition and disposal of land and services for recommendation to the Cabinet Member for Resources. To have responsibility for all partnerships, including the Local Strategic partnership. To ensure the securing of the best possible terms for the provision of goods and services to the Council by a robust procurement process.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	
<p>Cllr Melvin Cohen 146 Broadfields Avenue Edgware HA8 8SS</p> <p>Golders Green Ward</p> <p>REGENERATION AND DEVELOPMENT</p>	<p>To lead on budget and policy formulation and implementation in relation to regeneration and development.</p> <p>In particular, building and property construction and related matters, economic and strategic development, town centre regeneration, and development plans, policies and opportunities for the enhancement and enrichment of the London Borough of Barnet.</p> <p>To include all aspects of development and development control, Building Control and the Design Asset Team. Naming and numbering of streets and properties.</p> <p>In consultation, as necessary with the Cabinet Member for Performance, Partnerships and Best Value to promote partnerships and opportunities for the economic development of the borough.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to</p> <ul style="list-style-type: none"> • Area Sub-Committees as set out in paragraph 3.10 below. • Officers, in consultation with the Cabinet Member, as set out in Paragraph 6 of Part 3 of the Constitution.

Executive Member and Portfolio	Responsibilities	Delegation
<p>Cllr Anthony Finn 4 Cheyne Walk Hendon London NW4 3QJ</p> <p>Hendon Ward</p> <p>RESOURCES</p>	<p>To lead on budget and policy formulation and implementation in relation to resources, in particular finance.</p> <p>To include the exploration of investment opportunities, in consultation as necessary with the Cabinet Member for Performance, Partnerships and Best Value.</p> <p>The monitoring of the council's budget and to instigate such interventions as necessary to ensure spending is kept within the limits determined by council.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>In addition this Cabinet Member has the power to agree virements up to £250,000 in consultation with Cabinet Resources Committee and to accept the highest bid on a proposed property disposal subject to that bid not exceeding £1,000,000 and no more than 10% below the estimated disposal value.</p> <p>Certain functions are delegated to officers, in consultation with the Cabinet Member. These are set out in Paragraph 6 of Part 3 of the Constitution.</p>
<p>Cllr. Fiona Bulmer 14 Sellwood Drive Barnet Herts EN5 2RL</p> <p>Underhill Ward</p> <p>SOCIAL CARE AND HEALTH</p>	<p>To lead on budget and policy formulation and implementation in relation to social care.</p> <p>In particular, promoting the best possible adult social services and seamless care in the community by working with and optimising all opportunities offered by the health authorities and other providers to further these aims.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to officers, in consultation with the Cabinet Member. These are set out in Paragraph 6 of Part 3 of the Constitution.</p>

- 3.3 Cabinet Members general powers may be summarised as
1. To discharge the executive functions that fall within their portfolio, whether or not they are also delegated to officers except for matters specifically reserved to Council, Cabinet or cabinet committees.
 2. To consider consultation documents, other than those referred to the Executive and, in consultation with the appropriate officers determine whether the Council's response needs to be approved by them or by the appropriate Director or Chief Officer.
 3. To authorise inviting tenders for and acceptance of tenders or quotations in accordance with the Contract Procedure rules. Acceptance must be following consultation with the Cabinet Member for Resources or the Leader in cases where the Cabinet Member for Resources is the appropriate portfolio holder.

4. To approve any non-statutory plan or strategy requiring approval by the Executive and not reserved to the Cabinet for decision in paragraph 3.8.

- 3.4 Except in cases of urgency, they will not normally take delegated decisions if they
- involve something other than the implementation of an annual Performance Management Plan or a decision previously taken by Council, Committee or Cabinet.
 - are key decisions as defined in Article 13 of the Constitution.

Explanatory Note

This covers urgent (not emergency) decisions that were not anticipated within the budget or PMP but nevertheless relate to everyday business, not major changes/decisions outside the approved budget and 11 statutory plans.

Example: school heating system fails at the beginning of the autumn term.

Cabinet Committees

3.5 Cabinet Committees may discharge the executive functions that fall within their terms of reference, whether or not they are also delegated to officers, except for matters specifically reserved to Cabinet. The Rules in Part 4 of the Constitution may reserve certain decisions to cabinet committees.

3.6 The Cabinet Committees are:

Committee	Functions	Membership
Resources	<p>Capital and revenue finance, forecasting, monitoring, borrowing and taxation.</p> <p>To consider reports on treasury management strategy and activity, including creating and maintaining a Treasury Management Policy Statement.</p> <p>Grants and loans from all sources to voluntary organisations. (Grants above £50,000 are reserved to the Cabinet)</p> <p>Monitor the trading position of appropriate council services, carry out debt analysis and look at income sources and charging policies.</p> <p>To write off debt.</p> <p>To determine external or cross-boundary trading limit.</p>	<p>Councillor Anthony Finn (Chairman)</p> <p>Councillor Mike Freer</p> <p>Councillor Victor Lyon</p> <p>Councillor Matthew Offord</p> <p>Councillor Melvin Cohen</p>

Committee	Functions	Membership
	<p>To agree exceptions to standing orders, all decisions relating to approved lists and agreed national registers, authorise post tender negotiations and accept tenders which are not the lowest.</p> <p>To agree externalisation contracts including any proposal to appoint external cash investment managers.</p> <p>Approval of schemes not in performance management plans but not outside the Council's budget or policy framework.</p> <p>All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the council.</p>	
<p>Equalities and Social Inclusion</p>	<p>To develop a social inclusion strategy for the Borough.</p> <p>To oversee the promotion and delivery of the council's social inclusion strategy.</p> <p>To develop and approve equalities policies, strategies and practice across the council in relation to both employment and service delivery.</p> <p>To consider in detail service equalities audits and to monitor the implementation of equalities audits action plans.</p> <p>To continue to support and review the integration of equalities in the Best Value Review process.</p>	<p>Councillor Katia David (Chairman) Councillor Melvin Cohen Councillor Anthony Finn Councillor Brian Salinger</p>

Committee	Functions	Membership
	<p>To ensure the effective implementation of new legislation as it relates to the Council's policy and practice eg Disability Discrimination Act 1995, Human Rights Act 1998, Race Relations Amendment Act 2000 etc.</p>	
ICT	<p>To develop and recommend to Cabinet for adoption an e-Government strategy and associated ICT policies and strategies</p> <p>To submit to Cabinet each year detailed proposals for all council ICT expenditure in the coming year for consideration as part of the budget and forward plan process.</p> <p>To monitor the implementation of the e-Government and ICT strategies.</p> <p>To co-ordinate and decide priorities for the development of e-government and ICT systems and projects to achieve the council's modernisation objectives in accordance with the approved strategies.</p> <p>All matters relating to the purchase or leasing of ICT equipment and software, provided that it is in accordance with the approved e-Government and ICT strategies and the Council's budget and policy framework.</p> <p>To oversee the performance of the IT service and the balance between internal and external service provision.</p>	<p>Councillor Mike Freer (Chairman) Councillor Anthony Finn Councillor Katia David Councillor Victor Lyon</p>

Committee	Functions	Membership
	For ICT contracts, to agree exceptions to standing orders, all decisions relating to approved lists and agreed national registers, authorise post tender negotiations and accept tenders including those which are not the lowest.	

Cabinet

3.7 The Cabinet Meeting may discharge any executive functions whether or not they are also delegated to officers.

3.8 The following decisions are reserved to the Cabinet meeting

- Those so reserved in the Rules in Part 4 of the Constitution
- Considering an executive function delegated to an area environment sub- committee referred to it for a decision.
- Considering policy initiatives, initiating new policy proposals and determining the way in which policy reviews will be carried out.
- Determining responses to consultation documents on proposals which could result in the council having to provide a new service, discontinue an existing one or change service provision in such a way that there are budgetary implications.
- Determining whether meetings relating to non-key decisions will be held in public or private.
- Agreeing budget virements of up to £2.5m and applications of up to 50% of the latest estimated general fund of housing revenue account balances and to make recommendations to Council on virements over these amounts and those over £100,000 where the amount is more than 10% of the budget head.
- Grants to voluntary organisations above £50,000.
- Considering recommendations made to them by overview and scrutiny committees.
- A decision to adopt, or recommend to Council for adoption, a plan or strategy reserved to Cabinet as listed below, or the Council's budget and virement limits.

This includes the following:

Statutory Framework Policies – For Council Decision

- Best Value Performance Plan
- Children's Services Plan
- Community Plan
- Crime and Disorder Reduction Strategy (incorporating Drug and Alcohol Team Strategy)
- Education Development Plan
- London Transport Strategy – Local Implementation Plan
- Plans and strategies comprising the UDP
- Youth Justice Plan
- Single Education Plan (from 2005)
- Statement of Licensing Policy under the Licensing Act 2003 (for Council decision, acting as Licensing Authority)

Plans and Strategies for Cabinet Decision

- ◆ Corporate Plan
- ◆ Food Law Enforcement Service Plan
- ◆ Housing Strategy
- ◆ Homelessness Strategy
- ◆ Adult Learning Plan
- ◆ Behaviour Support Plan
- ◆ School Organisation Plan
- ◆ Equalities Policy
- ◆ Race Equality Scheme
- ◆ Rights of Way Improvement Plan
- ◆ Waste Plan
- ◆ Accessibility Plan
- ◆ Civil Contingencies Plan (subject to confirmation)
- ◆ Local Development Framework and Supplementary Planning Guidance (subject to confirmation)

Non-statutory plans and strategies for approval by the Executive and not listed above will be approved by the relevant Cabinet member.

3.9 In taking decisions the Executive must act within the law and the Council's Constitution.

Area environment sub-committees

3.10 Area environment sub-committees as well as discharging council functions (see Part 3, Section 2 – Responsibility for Council Functions) perform functions that are the responsibility of the Executive as set out below.

Body responsible	Functions	Membership
Area Environment Sub-Committees	<p>To discharge the Executive's functions, within the boundaries of their areas, in accordance with council policy and within budget, apart from matters which are the responsibility of the Licensing Committee or Licensing Sub-Committee or matters which are of significance to the whole borough or crossing sub-committee boundaries that relate to:</p> <ul style="list-style-type: none"> • Highways use and regulation not the responsibility of the Council <p>(Explanatory note: The Council's highways functions are limited to: - creating, stopping up and diverting footpaths and bridleways - asserting and protecting public rights to use highways - removing things deposited on highways which cause nuisance. All other highways functions are the responsibility of the Executive.)</p> <ul style="list-style-type: none"> • Town centre regeneration and management, including the operation of council markets 	1 councillor for each ward in the area, with a substitute member for each ward.

Body responsible	Functions	Membership
	<ul style="list-style-type: none"> • Private sewers, drains, public conveniences, land drainage and water courses • Refuse collection, cleansing, litter, waste and recycling • Day-to-day promotion, management and development of: <ul style="list-style-type: none"> - parks, open spaces, allotments, recreation and leisure facilities; - libraries, museums, arts and tourism facilities • Local nature reserves, sites of special scientific interest and other controlled areas • Day-to-day environmental issues and management of land on council housing estates • Cemeteries and crematoria • Making recommendation to Cabinet on the designation of conservation areas 	

4. LIMITATIONS ON DELEGATION TO COUNCIL COMMITTEES AND SUB-COMMITTEES

- 4.1 Committees and sub-committees of the Council (or the Council acting as Licensing Authority) are authorised to discharge all functions within their terms of reference with the exception of:
- Those matters referred to in the above tables
 - Decisions reserved to the Council meeting in Article 4 of the Constitution
- 4.2 The Area Planning Sub-Committees can take decisions within their terms of reference provided they are not within the list of matters reserved to the Planning and Environment Committee, or contrary to Council policy or outside budget.
- 4.3 Area environment sub-committees may take decisions within their terms of reference provided they are not matters which are the responsibility of the Licensing Committee or the Licensing Sub-committee or matters of significance to the whole borough, contrary to Council policy (or contrary to the Statement of Licensing Policy) or outside budget and subject to the limitation for deciding matters crossing sub-committee boundaries as set out in Article 10 of the Constitution.

5. MEMBERS' RIGHTS TO REFER MATTERS TO PARENT BODY

- 5.1 Any committee listed in the following schedule may decide to report on any matter to Council and any sub-committee may report to its parent committee. In such cases the decision is reached by the usual process, such as a majority vote. The report may make recommendations or seek instructions.
- 5.2 A chairman of an area sub-committee may refer the sub-committee's recommendations up to the parent committee.

- 5.3 A specified number of members of a committee or sub-committee (see the table below) may require that a matter on which the committee or sub-committee had proposed to take action is referred up to the next meeting of the Council or the parent committee to which the committee or sub-committee would ordinarily report, subject to the exceptions set out in 5.5, 5.6 and 5.7 below.
- 5.4 In such a case:-
- 5.4.1 for committees, the action the committee had proposed to take will be recommended to the Council;
- 5.4.2 for sub-committees, the action the sub-committee had proposed to take will be recommended to the committee;
- 5.4.3 no action shall be taken on the matter in the meantime.
- 5.5 The first exception is that no matter that has been the subject of a decision by the Council or, in the case of sub-committees, the parent committee in the previous six months may be referred up.
- 5.6 The second exception is Area Planning Sub-Committees, no matter relating to the regulatory and enforcement functions of the Council relating to town and country planning and the control of buildings and new streets may be referred up.
- 5.7 The third exception is the Planning and Environment Committee, no matter relating to the regulatory and enforcement functions of the Council relating to town and country planning may be referred up to the Council meeting.

Committee/Sub-Committee	No. of members required to support a reference	Council/parent committee
Planning and Environment	6	Council
Area planning sub-committees	2	Planning and Environment
Area environment sub-committees (council functions)	2	Planning and Environment
Area environment sub-committees (executive functions)	2	The Executive
General Functions Committee	3	The Council

- 5.8 Where area environment sub-committees are discharging executive functions a reference up can only be to the Executive.
- 5.9 This provision shall not apply to the Licensing Committee, the Licensing Sub-Committee, the Appeals Committees, Overview and Scrutiny Committees and Chief Officers Appointments, Investigating and Disciplinary Panels.

6. POWERS DELEGATED TO OFFICERS

General Powers

- 6.1 Chief Officers (ie the Chief Executive, Directors and Heads of Service as listed in Article 12) can take decisions, in consultation with the Cabinet Member concerned:

- to discharge the functions allocated to them or dealt with by them or their staff, except for matters specifically reserved to Executive Members, Cabinet meeting, Cabinet Committees, Committees or Council.
- in all matters where they have managerial or professional authority
- to authorise and accept quotations for contracts up to £75,000 for approved schemes with sufficient estimate provision.
- to agree settlements of up to £1,000 subject to budget and audit trails.
- to agree financial settlement where recommended by the Ombudsman or a Court.
- without exception, in cases of emergency.

Explanatory Note

This covers emergency decisions that were not anticipated within the budget or PMP but nevertheless relate to everyday business, not major changes/decisions outside the approved budget and 11 statutory plans.

Example: school heating system fails during mid-winter, or a school roof collapses today.

- 6.2 They may use whatever means they consider appropriate to discharge those functions, including
- incurring expenditure and collecting income
 - engaging and deploying staff
 - deploying other resources within their control
 - placing contracts and procuring other resources within or outside the Council.
- 6.3 Besides having delegated powers to deal with executive matters, specific chief officers have powers to deal with regulation, licensing and enforcement matters which are functions for which the Council is responsible, or for which the Council, acting as Licensing Authority, is responsible.
- 6.4 Before any delegated powers report is signed by a Chief Officer he or she must consider whether the issues involved are likely to raise significant levels of public concern or comment or give rise to policy considerations. Where this is the case, the matter must be referred to the appropriate Cabinet Member as to whether or not it is appropriate to use the delegation. All delegated powers reports must indicate that this process has been undertaken.
- 6.5 All Directors and Chief Officers will draw up a list of specific powers delegated to them which is published on the internet.

Specific Powers

- 6.6 In addition, in consultation with the Cabinet member concerned:
- Strategic Directors have the power to agree virements up to £100,000 between Budget Heads, and
 - Heads of Service, the power to agree virements up to £100,000 within a budget head.
- 6.7 The Borough Treasurer has the powers set out in the Financial Standing Orders and in particular:
- To agree to revenue or capital expenditure not provided for within the control budget being incurred if the Borough Treasurer is satisfied that it is wholly reimbursable to the Council, or compensatory savings have been identified. In all circumstances the expenditure must be consistent with performance management plans.
 - To take the most appropriate form of borrowing from the approved sources, and to make the most appropriate form of investments in approved instruments.

- Subject to a report being submitted to Resources Cabinet Committee on the action taken, to write off debt up to £5,000, in consultation with the Borough Solicitor.

6.8 The following Officers also have the powers indicated:

- the Borough Treasurer to make grants to voluntary organisations up to £2,000 per annum.
- the Director of Economic and Community Development, in consultation with the Cabinet Members for Resources to make decisions about:
 - leases of not more than 30 years,
 - licences and easements,
 - to acquire land for under £5,000 and
 - to dispose of interests in property for consideration not exceeding £100,000 plus proper fees.

Restrictions and Conditions

6.9 Directors and Chief Officers will not take decisions that are reserved to another decision making body under this constitution, and in particular

- they will only take Key Decisions as defined in Article 13 of the Constitution, or which do not involve the implementation of an annual Performance Management Plan or a decision previously taken by Council, Committee or Cabinet, if it is impractical for the relevant Executive Member to do so
- they will only take decisions that are reserved to Council or Cabinet under this Constitution in an emergency and if it is lawful for them to do so.

6.10 When exercising delegated powers officers must act within the law and the Council's constitution, and follow Council policy (including the Statement of Licensing Policy) and the lawful instructions of Council Committees, Licensing Authority Committees, and the Executive. If exceptionally they need to depart from Council policy or those instructions, they must report to the relevant body as soon as possible.

6.11 Key decisions taken by officers will be published and recorded in accordance with the Access to Information Procedure Rules. Other decisions taken by officers must be recorded and made available to members of the Council either as individual or summary decisions published on the Members Internet or as a performance indicator reported to an Overview and Scrutiny Committee.

6.12 They may authorise other officers to exercise these powers in practice, but they are taken in their name and they remain their responsibility.

6.13 Emergency action taken under delegated powers must be reported to the relevant body as soon as possible.

7. JOINT ARRANGEMENTS

The following are the joint arrangements for the discharge of functions which are the responsibility of the Executive:

- London Boroughs Grants Scheme under Section 48 Local Government Act 1985.
- Transport Committee for London agreement dated 15 January 1998.
- Association of London Government agreement dated 1 April 2000.

Section 4 – Public Participation

(Section Revised Council 12 April 2005)

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8. CIRCULATION OF QUESTIONS AND REQUESTS TO MAKE COMMENTS

Explanatory Note – petitions, public comments and questions

The public may make representations at meetings in three ways:-

1. Question time – the first 30 minutes of committee and sub-committee meetings are reserved for question time. Members of the public may send in a written question about two weeks before the meeting and the Chairman will answer the question at the next meeting;
2. Petitions – If a group of residents are concerned about a council service or a decision that is about to be made, they may send the Council a petition. The petition will be considered by the committee, sub-committee or forum dealing with the issue; or
3. Public comments – If a group of residents are concerned about a decision that is about to be made, they may nominate someone to speak on their behalf to the committee or sub-committee dealing with the matter, or at an area forum. They may also speak about planning applications at the Area Planning Sub-Committees or area forums.

Area sub-committees and forums

The Council has a number of Environment Sub-Committees covering different areas of the borough, together with area forums. The Environment Sub-Committees make decisions on local issues, except planning issues. (*see area Planning Sub-Committees below*). The purpose of the area forums is to consult and involve local people in local issues.

Where there is a need to consult local people on a particular issue before the Environment Sub-Committee makes a decision, the area forums will be the main consultative mechanism. Therefore, all public comments, petitions etc will normally be considered at the area forum and, when an issue is to be considered by the environment sub-committee, a summary of the forum's views will be reported to the Environment Sub-Committee before it makes its final decision. All members of the sub-committee and ward councillors will also be members of the area forums.

In this way, the area forum will be able to consider the collective views of a particular area. Unless circumstances have changed significantly, it will be rare for the Environment Sub-Committee to consider further representations from individual members of the public once it has heard the collective views of local people at an area forum meeting.

There will also be a number of other mechanisms for consulting the public on policy issues and about reviews of services.

Area Planning sub-committees

Each area will also have an Area Planning Sub-Committee which will consider local planning applications. Normally, the sub-committee will consider individual representations on planning applications but occasionally planning issues may be considered by the forum.

Cabinet and Cabinet committee meetings

Whilst meetings of the Executive are excluded from these provisions, the Leader (or in the Leader's absence the member chairing the Cabinet) and the chairman of a Cabinet committee has discretion to issue invitations to speak at Cabinet and Cabinet committee meetings where he or she considers it appropriate upon application.

Application should be made to the Leader's Office at the Town Hall, Hendon, NW4 4BG by 10am on the second working day before the day of the meeting.

NOTE ON THE CONDUCT OF LICENSING HEARINGS

All Hearings relating to the Authority's functions under the Licensing Act 2003 will be conducted within the framework and requirements of the Hearings Regulations made by the Secretary of State under that Act. It should be noted that the Act and Regulations make detailed provision for the hearing of representations in relation to licensing applications which will apply in the conduct of this Authority's licensing hearings. Accordingly, such hearings, and any business of the Licensing Authority, are excluded from the following procedure rules relating to public participation in Council Committees and Sub-Committees.

Petitions, question time and public comments - rules

1. Excluded meetings

These Rules do not apply to

- The Council meeting
- The Council acting as Licensing Authority, the Licensing Committee or the Licensing Sub-Committee
- Appeals Committee
- Chief Officers Appointments, Investigating and Disciplinary Panels
- Pension Fund Management Advisory Panel
- Meetings of the Executive and its Committees or any other public meetings at which executive decisions are taken apart from Area Environment Sub-Committee meetings (but see Explanatory Note above).

2. General rules

- 2.1 The matter must be relevant to the relevant body's powers and duties or to the borough.

- 2.2 Any matter that may involve the disclosure of exempt or confidential information will be considered in private session (*as defined in the Access to Information Procedure Rules in Part 4 of the Constitution.*)
- 2.3 The following may not be considered:
- 2.3.1 requests from or in connection with the aims and activities of a political party;
 - 2.3.2 if the matter would result in the release of information to which the public does not have access, and which would prejudice effective enforcement action of any kind;
 - 2.3.3 any matter where there is a right of appeal against any decision of the Council, whether to a Council appeals committee or panel, the courts, a tribunal, a review body or a government minister;
 - 2.3.4 matters which are defamatory, abusive or offensive;
 - 2.3.5 submissions from any legal or professional representatives acting as such (except on planning applications – Rule 6.9).
 - 2.3.6 requests from council employees or their trade unions on employment matters, all of whom have other processes for accessing decision takers.
 - 2.3.7 requests from members of the council, members of Parliament, the member for the GLA and members of other public bodies except at the discretion of the chairman of the body who may give consent where he or she considers it appropriate. Where the Chairman exercises such discretion, the speaker will speak in addition to any of those members of the public speaking in accordance with the provisions of Rule 3.
- 2.4 If the relevant committee or sub-committee has established a forum or other consultative body, the Head of Committee Administration may decide that the consultative body should consider the matter first. If so, the consultative body shall consider the petition, joint letter or hear any public comments or questions and the committee or sub-committee shall consider a written summary.

3. Rules for public comments and questions only

- 3.1 No more than four persons shall be heard on any single item of business or topic (including any person applying for consent or permission of any kind).
- 3.2 Where public comments relate to an application, the applicant will have a right to reply immediately after the public comments.
- 3.3 Public comments and questions may not be considered:
- 3.3.1 on any matter which has been the subject of a decision by the Council or any committee, or sub-committee in the previous six months, unless there has been a material change in the circumstances;
 - 3.3.2 on any matter where public comments have previously been made to a sub-committee or committee and it was known at that time by those making comments that the matter would be referred to committee or Council for a decision, unless legally necessary;
 - 3.3.3 from any person applying to the Council for consent or permission of any kind, except in response to public comments
- 3.4 Where a person wishes to speak on a matter which is already before the committee for decision, the speaker shall always have the opportunity of being heard before a decision is reached on the item.

4. Petitions and joint letters and procedure

- 4.1 Any petition or joint letter signed by 25 people or more who live or have businesses in the borough will be submitted to the next meeting of the committee or sub-committee or forum within whose terms of reference it falls, together with an officer's report.
- 4.2 Petitions or joint letters must be delivered to the Head of Committee Administration. If a member or officer of the Council receives a petition or joint letter, he or she must pass it immediately to the Head of Committee Administration. The Head of Committee Administration will arrange for the relevant chief officer to report the petition or joint letter to the next ordinary meeting of the relevant committee, sub-committee or forum.
- 4.3 The Head of Committee Administration shall notify the lead petitioner, if known, of the date of the meeting that will consider the petition or joint letter.

5. Public question time and procedure

- 5.1 Anyone who lives or has a business in the borough may ask the Chairman of any committee, or sub-committee, a question on any matter within its terms of reference. Questions will be dealt with strictly in order of receipt, but a second question submitted by an individual (other than a supplementary question permitted under Paragraph 5.7) will not be dealt with until all first questions submitted from members of the public have been dealt with. Similarly a third question from an individual will not be dealt with until all "second questions" have been dealt with and so on. This Standing Order does not apply to Council meetings.
- 5.2 The time allowed for questions to the Chairman shall be limited to 30 minutes or a maximum of 20 questions, whichever occurs first.
- 5.3 The Chairman shall reply in writing to any questions not dealt with at the meeting within 14 working days from the date of the meeting.
- 5.4 Questions must be asked and answered without discussion, but the Chairman may decline to answer a question and his/her decision shall be final.
- 5.5 The Chairman will normally decline to answer any question, which is about an individual or which is about current or imminent litigation.
- 5.6 An answer may take the form of:-
 - 5.6.1 a direct oral answer; or
 - 5.6.2 a written answer to the questioner where information is in a publication or a reply cannot be given orally.
- 5.7 The questioner may ask one supplementary question to the original question. These do not count towards the limit of 20 questions.
- 5.8 The Head of Committee Administration shall send copies of all written replies and the questions to which they relate to all members of the committee for information. The number of questions that the Chairman has answered or declined to answer will be recorded in the minutes.

6. Public comments at meetings and procedure

- 6.1 Any committee or sub-committee may consider allowing anyone who lives or has a business in the borough or is affected by a decision to talk to it on matters within its terms of reference. This must relate to an item of business being considered by the committee or sub-committee.

- 6.2 If more than four requests to speak have been received and approved, those wishing to speak will be asked to agree amongst themselves which of them should address the committee. If they are unable to agree, the committee will decide which four people they shall hear. An applicant will always have the right to respond to objectors' oral representations.
- 6.3 The Chairman, who may vary the order of business, will determine the order in which public comments are to be heard at any meeting.
- 6.4 The representative of the public shall speak immediately following the officers' presentation of the item of business, to which the comments relate.
- 6.5 Each speech shall be limited to a maximum of five minutes (three minutes for planning applications – Rule 6.8), save for any time spent in replying to questions put by members. The speaker shall be allowed to speak without interruption. Any response from an applicant shall be limited in the same way.
- 6.6 Following all the speeches, any response from applicants present and any questions which may be put by members, the committee or sub-committee shall proceed to debate and determine the item of business under consideration and shall not hear any further representations or comment from any speaker or applicant.

Additional Rules for planning applications only:

- 6.7 The following additional rules apply to public comments on planning applications at the Planning and Environment Committee or an area planning sub-committee.
- 6.8 Each speech shall be limited to a maximum of three minutes.
- 6.9 Four speakers shall be allowed, to include where there are objectors the applicant or the applicant's representative named on a planning application, except:
- 6.9.1 multiple applications for the same site shall be treated as one application for public speaking purposes and a maximum of four speakers shall be permitted on the applications combined;
- 6.9.2 where the applicant does not wish to speak the number of speakers shall be restricted to three objectors only.

7. Notification of requests to speak and ask questions

- 7.1 Any request to speak at a meeting (other than on a planning application – see below) and the reasons for it, or a question (exact wording), must be received by the Head of Committee Administration, in writing,
- (i) in the case of requests to speak, by no later than 10am on the 2nd working day before the day of the meeting;
- (ii) in the case of questions, by 10am on the 7th working day before the meeting.

The request or question must be delivered by post, hand, fax or e-mail.

- 7.2 The Head of Committee Administration shall decide the appropriate body that should consider the request or question and shall approve the requests to speak under his delegated powers.
- 7.3 As soon as is practicable before the meeting, the Head of Committee Administration shall notify any person wishing to speak or to ask a question of the date of the committee, sub-committee or panel or forum where it will be considered.

7.4 Notification for planning applications only

The request to make comments on a planning application shall be notified, in writing, to the relevant area planning officer no later than 10 am on the second working day before the day of the meeting.

The area planning officer shall inform the person who submitted the planning application and those wishing to make comments of the date of the meeting at which the application will be considered and representations are to be heard.

8. Circulation of questions and requests to make comments

8.1 Details of the questions to be asked at the meeting or requests to talk at the meeting will not be set out on the agenda.

Questions

Three clear days before the meeting the Head of Committee Administration shall:

- 8.1.1 circulate written details of any questions to be asked to members of the committee or sub-committee; and
- 8.1.2 place copies on deposit for public inspection.

Requests to make comments

On the working day before the meeting the Head of Committee Administration shall:

- 8.1.3 circulate, via e-mail, details of any requests to speak at the meeting to members of the committee or sub-committee; and
- 8.1.4 place copies on deposit for public inspection.

8.2 Where a matter relates solely to a particular ward the Head of Committee Administration shall invite the members for that ward to the meeting at which the public comments will be heard, if practicable. This invitation will be delivered by e-mail. This Standing Order does not apply to questions.

Section 3 – Panels and Consultative Bodies

(Section revised Cl. 12 April 2005)

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1. Consultative bodies

The Council has established consultative bodies for the purpose of consultation with the trades unions, and determined their constitution and terms of reference. They do not discharge statutory functions and are not Council committees. Their Constitutions are attached as Appendices 1, 2 and 3. Their membership is set out below:

Body	Council Members	Substitute Members	Substitute Members
Corporate Joint Negotiation and Consultation Committee	14	3	14
Teachers Joint Negotiation and Consultation Committee	10	6	Up to 14
Corporate Joint Consultation (Health, Safety and Welfare) Committee	6	6	10

2. Other boards and panels

- 2.1 The Head of Committee Administration is authorised to appoint, nominate and convene boards and panels for specific statutory purposes.

Explanatory note – substitute members

This standing order enables the Head of Committee Administration to make all the necessary arrangements for bodies which are set up by the Council, which:

- Are not effectively external bodies to which the Council nominates members; and
- Are not committees or sub-committees.

These bodies are:

- (1) The following boards and panels appointed by the Head of Committee Administration under delegated powers:
 - Social Services Review Panels (Children and Community Care)
- (2) School Admission and Exclusion Panels are nominated by the Head of Committee Administration under delegated powers.
- (3) The following bodies which are treated as outside bodies to which appointments are made by the Council:
 - Standing Council for Religious Education
 - Adoption and Permanency Panel

- 2.2 The Council shall appoint members to the School Organisation Committee, which is a statutory body but not a committee of the Council, at its Annual Meeting or when vacancies arise.

3. Other advisory or consultative bodies

The Council and its committees and sub-committees can establish other informal advisory or consultative bodies, which are not Council committees or sub-committees.

<u>Panel</u>	Membership	Substitute Members	Quorum
Pension Fund Management Advisory Panel	3	3 (1 for each political group)	Not applicable

Financial Regulations (Revised Council 12/4/05)

Financial Regulations govern the way the council undertakes financial forward planning, annual budget setting, budget monitoring and closing of the accounts. These aspects are set out in Part 1 (Financial Management).

Financial Regulations also govern the way day to day financial administration is conducted and financial controls are exercised. These aspects are set out in Part 2 (Financial Administration).

Financial Regulations are supported by other elements of the Council Constitution, in particular:-

- Scheme of Delegation
- Budget & Policy Framework Procedure Rules
- Contract Procedure Rules
- Rules on the Disposal of Land & Property.

Part 1 – Financial Management

- 1 Financial Forward Planning
- 2 Annual Budget Setting
- 3 Budget Management & Monitoring
 - Latest Approved Budget
 - Budget Monitoring
 - Central Contingency
 - Reporting to Members
 - Authorisation of Non-Budgeted Expenditure
- 4 Further Responsibilities of Heads of Service
 - Budget Monitoring
 - External Funding
 - Full Year Effects
 - Impact on Other Services
 - Partnership Working
 - General Requirements
- 5 Closing of Accounts & Statement of Accounts
- 6 Treasury Management Framework

1 FINANCIAL Forward Planning

- 1.1 The Borough Treasurer, in consultation with the Cabinet Member with responsibility for Resources, will maintain a Financial Forward Plan that covers a period of at least four financial years, including the current financial year.
- 1.2 The Financial Forward Plan will be reported in conjunction with the annual budget, council tax and rent proposals to Cabinet and Council. Further updates may be reported during the year.
- 1.3 The Financial Forward Plan will cover revenue and capital budgets, and will highlight proposals for directing resources to achieving Corporate Plan priorities.
- 1.4 In respect to resources, the Financial Forward Plan will take account of the following:-
 - forecasts of formula grant;

- anticipated changes in specific grants and subsidies;
- increases in fees and charges, and the introduction of new charges;
- interest earnings (net);
- levels of reserves and balances;
- increased income from rents and council tax.

1.5 In respect to expenditure, the Financial Forward Plan will take account of the following:-

- full year effects of previous decisions;
- changes in responsibility arising from new or amended regulations, net of increased income from associated new fees and charges;
- re-direction of resources to achieving Corporate Plan priorities and targets;
- forecast changes in service demand;
- forecasts of inflation, pay awards and interest rates;
- efficiency savings;
- planned service reductions.

1.6 The Financial Forward Plan may be a mixture of estimates and targets. The status of all figures will be clearly set out, together with associated risks.

Note : For the Financial Forward Plan to be a comprehensive expression of the Council's future net expenditure plans, it would be unreasonable to expect only firm estimates of expenditure and income to be included.

Clearly, all estimates have a varying degree of confidence associated with them (e.g. estimates of Formula Grant three years ahead are likely to be more speculative), but there are also instances where Council might want to set targets (not estimates) and reflect these in the Financial Forward Plan so that it can provide residents, local businesses and partners with a more detailed picture of its future intentions.

Some items will be a mixture of estimates and targets, e.g. efficiency targets, where a certain level of savings can be included as a reasonable estimate of the outcome of known changes in business processes, with a higher level being included as a target.

Risks associated with both estimates and targets need to be clearly set out.

2. ANNUAL BUDGET SETTING

- 2.1 The Executive will publish a draft budget and performance management plans for consultation, usually after the Provisional Local Government Finance Settlement has been announced. Arrangements for budget consultation will be determined by the Executive
- 2.2 The Borough Treasurer will set the council taxbase for tax-setting purposes before 31 January of the preceding financial year, and notify precepting and levying bodies of this figure by this date. The Borough Treasurer will, at the same time, notify all Council Members.
- 2.3 The Executive will finalise its recommendations to Council on the budget, council tax and rent levels taking account of the results of budget consultation. This will normally be in February, following announcement of the Final Local Government Finance Settlement.

- 2.4 The Executive's recommendations to Council must be made in time for Council to set the budget and council tax before 11 March of the preceding financial year to the financial year to which the recommended budget and council tax relate.
- 2.5 The budget that the Executive recommends to Council must be based on reasonable estimates of expenditure and income, and take account of:-
- outturn forecasts for the current year;
 - guidance from the Borough Treasurer on the appropriate level of reserves, balances and contingencies;
 - financial risks associated with proposed budget developments, reductions and ongoing projects;
 - affordability of prudential borrowing over the period of the council's financial forward plan;
 - recommendations from the external auditor on matters such as the level of reserves and provisions.
- 2.6 The budget recommended by the Executive to Council will incorporate the latest projection of income from fees and charges.
- 2.7 Heads of Service may approve changes to fees and charges annually where the change is broadly in line with inflation. The date for annual increases need not be 1 April.
- 2.8 Cabinet Resources Committee may approve changes to fees and charges that are significantly different from inflation, the introduction of new fees and charges, and changes to fees and charges outside the normal annual cycle.

3. BUDGET MANAGEMENT & MONITORING

Latest Approved Budget

- 3.1 The latest approved budget for a service or capital project is the budget determined by Council prior to the start of the year, as amended by approved variations throughout the year (e.g. virements, returns to the central contingency and allocations from it).
- 3.2 The Borough Treasurer is responsible for maintaining the latest approved budget.
- 3.3 It is envisaged that the Scheme of Virement for revenue and capital budgets will be determined by the Leader as part of the scheme of delegation. If this is not the case, the Borough Treasurer must determine a scheme in consultation with the Cabinet Member with responsibility for Resources.
- 3.4 Commitment of capital expenditure will be subject to the Borough Treasurer confirming that sufficient resources are available.

Budget Monitoring

- 3.5 Heads of Service have no authority to overspend revenue or capital budgets, or under-recover income budgets under their control, and are responsible for monitoring their budgets to ensure this situation does not arise.
- 3.6 Forecast overspends of less than £50,000 on a service revenue budget or capital project budget will be reviewed as part of normal budget monitoring arrangements.
- 3.7 Forecast overspends of £50,000 and above on a service revenue budget or capital project budget must be notified to the Borough Treasurer immediately, regardless of whether the overspend can be contained within the overall service or capital programme budgets.

- 3.8 Having notified the Borough Treasurer of a forecast revenue or capital budget overspend, the Head of Service must submit proposals to the Borough Treasurer for offsetting the forecast overspend, together with an assessment of the impact these corrective actions will have on service delivery and performance targets. Approval to these budget variations will be in line with the Scheme of Virement (see 3.3).
- 3.9 Heads of Service are required to notify the Borough Treasurer of all underspends, over-recovery of income or windfall benefits arising within their revenue and capital budgets, which must in the first instance be returned to central contingencies.

Central Contingency

- 3.10 The Borough Treasurer will determine which budget developments are to be held within the central contingency.
- 3.11 Allocations from the central contingency relating to planned developments will be approved by the Borough Treasurer, in consultation with the Cabinet Member for Resources, following the receipt from a Head of Service of a fully costed proposal to incur expenditure that is in line with planned development (including full year effect). Where there is a significant increase in the full year effect, the contingency allocation must be approved by Cabinet Resources Committee.
- 3.12 Allocations from the central contingency for unplanned expenditure up to £250,000, including proposals to utilise underspends previously generated within the service, will be approved by the Borough Treasurer in consultation with the Cabinet Member with responsibility for Resources.
- 3.13 Allocations for unplanned expenditure over £250,000 must be approved by Cabinet Resources Committee.

Note : The requirement for Cabinet Resources Committee to approve contingency allocations in certain circumstances in 3.10 and 3.11 above is to ensure that proposals for new expenditure are in accordance with Corporate Plan priorities or are otherwise unavoidable.

Reporting to Members

- 3.14 The Borough Treasurer will make regular reports to Cabinet Resources Committee on revenue and capital budget monitoring, including performance against prudential indicators and the continued affordability of capital expenditure funded from prudential borrowing.
- 3.15 Reports on the revenue budget will normally include:-
- a revised forecast outturn;
 - progress in achieving budgeted savings;
 - the position on budgets that were overspent (or income budgets not achieved) in the previous financial year;
 - advice from the Borough Treasurer on whether action is required to address any diminution in reserves and, if necessary, proposals and/or options for action that needs to be taken.
- 3.16 These reports will make recommendations for varying the Latest Approved Budget (revenue and capital) in the following circumstances:-
- allocations from the central contingency for unplanned expenditure over £250,000 (see 3.12), or for planned expenditure where there are significant full year effects (see 3.11);

- underspends and windfall benefits returned to the centre (see 3.9);
- increases in service revenue budgets where overspends are considered unavoidable and cannot be contained within the overall budget managed by a Head of Service;
- variations in capital project budgets.

3.17 These reports will also include the revised forecast outturn variations on revenue and capital budgets where recommendations have not been made to amend the Latest Approved Budget.

Authorisation of Non-Budgeted Expenditure

3.18 In cases of urgency or emergency, the Chief Executive may approve revenue or capital expenditure in excess of the latest approved budget.

3.19 The Borough Treasurer may approve revenue or capital expenditure not provided for within the latest approved budget if satisfied that:-

- the expenditure is wholly reimbursable to the Council; or
- compensatory savings have been identified; and
- there are no significant full year effects.

In all circumstances, the expenditure must be consistent with the Corporate Plan and performance management plans.

4. FURTHER RESPONSIBILITIES OF HEADS OF SERVICE

Budget Monitoring

4.1 Heads of Service must establish local arrangements for monitoring revenue and capital budgets within their services.

4.2 Heads of Service must put in place local management information systems, where appropriate, to supplement information obtained from the corporate financial systems.

Note : Local arrangements should be designed to increase control over the commitment of expenditure since financial information systems in the main reflect decisions already taken. The development of non-financial information is often very effective (e.g. regular reviews of staffing levels compared to budgeted turnover expectations and numbers of agency staff employed to cover vacancies). A good understanding of average/unit costs within a service, combined with good monitoring of "throughput" can also enhance budget monitoring.

4.3 Heads of Service should establish Cost Centre Management Schemes that clarify day to day responsibility for budget monitoring and management within their services, and identify who has authority to take all budget management decisions in the absence of the Head of Service. These schemes should be copied to the Borough Treasurer.

External Funding

4.4 External funding covers bids to Government and other organisations that are offering funding for projects that meet certain criteria. It also covers contributions being sought from participating organisations and individuals.

4.5 Heads of Service must provide the Borough Treasurer will details of all bids for external funding. In particular, the following information must be provided:-

- how the bid supports achievement of Corporate Plan targets;
- whether the bid is for capital and/or revenue funding;

- revenue and capital matched funding contributions required from the council, and how these will be identified;
- revenue and capital matched funding contributions required from other organisations and individuals, how these amounts will be secured, and the risks associated with them;
- where the bid is for revenue funding;-
 - whether this is to support existing levels of activity or enhanced / new activities;
 - proposals for reducing the activity OR incorporating it in the base budget once the external funding is exhausted;
- where the bid is for capital funding :-
 - whether an asset will be created, and if so, how this fits in with the council's Asset Management Strategy;
 - how the ongoing cost of maintaining the asset will be funded;
 - whether the asset can / will be disposed of at a later date.

4.6 Heads of Service may not normally commit expenditure on projects requiring matched funding contributions if the external funding has not been confirmed. There may be instances, however, where the risk of proceeding is considered appropriate to the benefits that the council / borough will derive if the activity or project proceeds. In these instances, the Head of Service should seek approval of Cabinet Resources Committee to commit expenditure ahead of external funding being confirmed.

4.7 Heads of Service must advise the Borough Treasurer of all grant and subsidy notifications as soon as they are received. Where the amount notified is greater than the budget, the excess will be deemed a windfall and must in the first instance be returned to the central contingency. Where the amount notified is less than the budget, the Head of Service must notify the Borough Treasurer of proposals for containing any potential overspend.

4.8 Heads of Service must ensure that all conditions associated with external funding attributed to their revenue and capital budgets are met.

Full Year Effects

4.9 In preparing all estimates of expenditure and income, Heads of Service must give proper consideration to full year effects of their proposals. Where appropriate, financial risk assessments and exit strategies should be prepared in advance of committing expenditure.

Note : Problems with full year effects can arise in a variety of circumstances, including:-

- *restructures and regradings*
- *pilot projects*
- *bids for external funding*
- *allocating specific grants or other funding*
- *tender evaluation*
- *submitting tenders for external work*
- *forecasting overspends.*

Impact on Other Services

4.10 Before a Head of Service makes a decision that could affect the budget of another Head of Service they must first consult with the other Head(s) of Service.

Partnership Working

- 4.11 Before entering into a partnership with another organisation that involves pooling some of the council's revenue and/or capital budgets, the Head of Service must undertake a risk assessment to ensure adequate controls are designed and embedded before finalising the partnership arrangements.

General Requirements

- 4.12 Heads of Service must consult the Borough Treasurer at an early stage on any current or future matter or decision that has financial implications.

5. CLOSING OF ACCOUNTS & STATEMENT OF ACCOUNTS

- 5.1 The Borough Treasurer is responsible for making arrangements for closing the accounts and producing the annual Statement of Accounts, as well as all matters relating to their audit and public inspection.
- 5.2 The Statement of Accounts will be prepared in accordance with the CIPFA Code of Accounting Practice, which includes the deadline for their production and the requirement to include a Statement on Internal Control (SIC).
- 5.3 Heads of Service must provide the Borough Treasurer with information required to close the accounts and complete all grant and subsidy claims.
- 5.4 In closing the accounts, the Borough Treasurer may amend the funding of individual services and capital projects if this is to the council's financial benefit.

Note : Projects may be approved during the year, to be funded from particular sources (e.g. capital receipts, prudential borrowing, grants, s.106 monies). Circumstances may change during the year such that it is to the council's advantage to amend the method of funding, e.g. if a capital receipt is achieved late in the financial year that was not anticipated until the following year, it may be advantageous to utilise that receipt instead of undertaking the planned level of prudential borrowing.

- 5.5 The Annual Audit Letter from the Audit Commission includes the external auditor's report and opinion on the audit of the accounts, as well as comments and recommendations on the council's financial standing, the legality of financial transactions and internal financial control. This will be reported to Cabinet, together with an appropriate action plan, after which it will be referred to the Audit & Resources Overview & Scrutiny Committee for further consideration.

6. TREASURY MANAGEMENT FRAMEWORK

- 6.1 The Council adopts the key recommendations contained in "The Prudential Code for Capital Finance in Local Authorities - Interim Guidance & Notes Supplement" (CIPFA, February 2004), "Treasury Management in the Public Services: Code of Practice" (CIPFA, 2001) and any subsequent recommended good practice by CIPFA.
- 6.2 Cabinet Resources Committee will create and maintain a Treasury Management Policy Statement (TMPS), stating the policies and objectives of its treasury management activities.
- 6.3 The Borough Treasurer will create and maintain suitable Treasury Management Practices (TMPs), setting out the manner in which the Authority will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

6.4 Cabinet Resources Committee will receive reports on its treasury management policies, practices and activities, including an annual strategy and plan in advance of the year, and an annual report after its close in the form prescribed in the TMPs. These reports will incorporate the prudential borrowing limits and performance indicators.

Part 2 – Financial Administration

- 1 Introduction
- 2 Accounting
- 3 Internal Audit
- 4 Corporate Anti-Fraud Team
- 5 Banking Arrangements
- 6 Security of Assets
- 7 Imprest Accounts
- 8 Income
- 9 Insurance
- 10 Investments, Borrowing, Capital Financing & Trust Accounts
- 11 Ordering of Goods, Works & Services
- 12 Payment of Accounts
- 13 Salaries, Wages & Pensions
- 14 Travelling, Subsistence, & Financial Loss Allowance
- 15 Amenity & Unofficial Funds

1. INTRODUCTION

- 1.1 These Financial Management Rules apply to all financial transactions of the Council with the exception of schools with delegated budgets, which have their own set of financial regulations.
- 1.2 They are designed to safeguard the interests of the Council and individual officers by setting out clear procedures to be followed under the various sections.
- 1.3 This should be used in conjunction with other points of the constitution, legal requirements and other codes of practice which may be issued under 1.5 of this section.
- 1.4 The Borough Treasurer or Chief Internal Auditor, after discussion with the relevant Chief Officer, may report any breach of this Code to the Cabinet Meeting or Cabinet Resources Committee.
- 1.5 These Financial Management Rules may be supplemented at any time by other codes of practice or instructions issued by the Borough Treasurer.

2. ACCOUNTING

- 2.1 All accounting arrangements across the council shall be in a manner approved by the Borough Treasurer, taking into account best practice guidance issued by relevant external bodies, such as CIPFA and the Audit Commission.
- 2.2 There must be adequate separation of duties to ensure that no one officer is able to handle any financial transaction from start to finish without there being some mechanism for independent checking. By finish is meant the completion of the accounting for the transaction.

3. INTERNAL AUDIT

- 3.1 Under the Accounts and Audit Regulations 1996 the Council has a statutory obligation to have an adequate and effective system of internal audit. The Chief Internal Auditor has the delegated authority for providing and maintaining this service.

Objective & Scope

- 3.2 The Internal Audit Service is an independent, objective assurance and consulting activity designed to add value and improve the council's operations. It helps the council achieve its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management control and governance processes.
- 3.3 The objective of internal auditing is to assist officers and Members in the effective discharge of their responsibilities. To this end, internal auditing furnishes them with assurance, analyses, appraisals, recommendations, counsel, and information concerning the activities reviewed. This objective includes promoting effective control at reasonable cost.
- 3.4 The scope of internal auditing encompasses the examination and evaluation of the adequacy and effectiveness of the organisation's system of internal control and the quality of performance in carrying out assigned responsibilities. Internal auditors:-
- review the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information;
 - review the systems established to ensure compliance with those policies, plans, procedures, laws, regulations and contracts which could have a significant impact on operations and reports, and should determine whether the organisation is in compliance;
 - review the means of safeguarding assets and, as appropriate, verify the existence of such assets.
 - appraise the economy and efficiency with which resources are employed.
 - review operations or programmes to ascertain whether results are consistent with established objectives and goals and whether the operations or programmes are being carried out as planned.

Independence

- 3.5 Internal Audit is independent of the activities audited. Internal Auditors are independent when they can carry out their work freely and objectively. Independence permits internal auditors to render the impartial and unbiased judgements essential to the proper conduct of audits. It is achieved through organisational status and objectivity.
- 3.6 The organisational status of the internal auditing service permits the accomplishment of its audit responsibilities. The Chief Internal Auditor is responsible to the Borough Treasurer, Chief Executive and Audit & Resources Overview & Scrutiny Committee, thereby promoting independence and ensuring a broad audit coverage, adequate consideration of audit reports, and appropriate action on audit recommendations.
- 3.7 Objectivity is an independent mental attitude which internal auditors maintain in performing audits. Internal auditors do not subordinate their judgement on audit matters to that of others. Drafting procedures for systems, and designing, installing and operating systems are not audit functions. Performing such activities impairs audit objectivity.

Responsibility & Authority

- 3.8 Internal Audit is an integral part of the organisation and functions under the policies established by management and the council.
- 3.9 The purpose, scope, authority and responsibility of the internal auditing service is defined in a formal charter. The charter makes clear the independence of the internal auditing service and emphasises that it must not be restricted when carrying out its responsibilities.

- 3.10 Any suspected irregularity involving any asset, or the exercise of any function, of the Council must be reported by the appropriate Chief Officer to the Chief Internal Auditor to inform the overall assurance that can be delivered. The primary responsibility for the prevention, detection and investigation of fraud lies with line management.
- 3.11 The Chief Internal Auditor and Borough Treasurer, or authorised representative, shall have authority to:-
- enter any Council land or premises;
 - have access to all records, documents, correspondence and assets of the Council;
 - receive such explanations as are necessary concerning any matter under examination, and
 - require any employee of the Council to produce cash, stores or any other Council property under his or her control
- 3.12 The Council's Chief Officers shall have regard to the principles of risk management, and to the Council's risk management policy. It is the responsibility of Internal Audit to review the adequacy and effectiveness of the council's arrangements for risk management and to produce an Annual Statement of Internal Control.

4 Corporate Anti-Fraud Team

Under Section 151 of the Local Government Act 1985 the Council has a statutory obligation to ensure the protection of public funds and to have an effective system of prevention and detection of fraud and corruption. The Head of the Corporate Anti-Fraud Team (CAFT) has the delegated authority for providing and maintaining this service.

Objective & Scope

The CAFT is an independent, objective activity designed to add value and improve the council's operations. It helps the council achieve its objectives by bringing a systematic, disciplined approach to investigation evaluating and improving the effectiveness of fraud prevention and detection and the subsequent prosecution of individuals and organisations where appropriate.

The objective of the CAFT is to assist officers and Members in the effective discharge of their responsibilities. To this end, the CAFT furnishes them with assurance, analysis, appraisals, recommendations, counsel, and information concerning the activities it is required to become involved with. The objective includes promoting fraud awareness across the authority.

The scope of the CAFT encompasses both the investigation and examination of the effectiveness of the council's systems of fraud control when subject to breach. In carrying out assigned responsibilities, Investigation Officers:-

- review the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information;
- provide protocols and systems which ensure accurate reporting of any such fraud (including "Whistleblowing" and a "Fraud Hotline"), create and promote policies, plans, procedures, law, regulations and guidance which have a significant impact on the organisation;
- provide an effective, efficient and value for money investigation service;
- provide the organisation, its employees and business partners with a comprehensive guide in areas such as money laundering and other legislation relating to the proceeds of crime.

Independence

CAFT officers are independent when they can carry out their work so act freely and objectively. Independence permits Investigators to render the impartial and unbiased judgements essential to the proper investigation and conclusion of fraud.

Responsibility & Authority

The primary responsibility for the prevention detection and deterrence of fraud lies with Heads of Service. This responsibility includes ensuring that staff and partners are aware of both the implications of fraud and the risks of fraud across their service area. The primary responsibility for the investigation of any suspected fraud found in a service area lies with the CAFT. All details must be immediately forwarded to the CAFT, to preserve the chain of evidence linked to such investigations within the law.

The Head of the CAFT is the officer designated by the Secretary of State under the provisions of the Social Security & Administration Act 2001 to act as Authorised Officer (Warrant Holder) in the obtaining of data prescribed within the Act which may otherwise be protected, in connection with the prevention and/or detection of a crime.

The Head of the CAFT is also the Barnet responsible officer for the authorisation of arrest and prosecution of offenders including deciding on any appropriate sanction action available within the law. The officer is responsible for ensuring that all investigations are conducted in accordance with the Criminal Procedures & Investigations Act (CPIA) the Police & Criminal Evidence Act (PACE), Human Rights and Regulation of Investigative Powers Act (RIPA) including the authorisation of surveillance powers.

Any suspected irregularity involving fraud/corruption within any function of the Council or its partner organisations or suppliers and contractors must be reported to the CAFT. Responsibility for the subsequent investigation of potential fraud and corruption lies with the CAFT.

The Head of the CAFT, the Borough Treasurer, or other authorised representative, shall have authority to:-

- enter any Council land or premises;
- have access to all records documents correspondence and assets of the Council;
- receive such explanations as are necessary concerning any matter under examination, and
- require any employee of the Council to produce cash, stores or any other Council property under his or her control
- interview any and all individuals in connection with investigations including interviews in accordance with the Police & Criminal Evidence Act (on tape).

5. BANKING ARRANGEMENTS

- 5.1 The Borough Treasurer must approve all banking arrangements across the council, and must be satisfied over the safe keeping of all controlled banking stationery.
- 5.2 Cheques drawn on the Council's main bank accounts shall be authorised by the pre-printed title "Borough Treasurer, London Borough of Barnet".
- 5.3 Cheques above certain financial limits set by the Borough Treasurer shall be manually countersigned by those designated officers set out in writing by the Borough Treasurer.

6. SECURITY OF ASSETS

General

- 6.1 Heads of Service are responsible for the proper security of all buildings, stocks, furniture, equipment and cash etc. within their service. The Chief Executive shall exercise a co-ordinating role on security issues and shall be consulted where it is felt that security is inadequate or in special circumstances.
- 6.2 Maximum limits for cash holdings shall be set by the Borough Treasurer, which may not be exceeded without prior authority.
- 6.3 All keys to safes and the like items shall be carried on the person of the officer responsible. Heads of Service shall keep a record of key holders. Any loss of keys shall be reported to the Head of Service.
- 6.4 Heads of service are responsible for the proper security and privacy of all information held in computer systems under their control, and for ensuring that these systems are can only be accessed by authorised personnel.

Land & Property

- 6.5 The Chief Valuer shall maintain an indexed register (terrier) of all properties owned by the Council (except houses and flats provided under the Housing Acts).
- 6.6 This record will show the purpose for which the property is held, its location, extent and plan reference, and details of interest and rents payable and tenancies granted.
- 6.7 The Borough Solicitor shall have secure custody of title deeds.

Other Assets

- 6.8 Heads of Service must maintain inventories of all assets employed in their service, and make arrangements for these to be checked at least annually.
- 6.9 Any surpluses/deficits in excess of a figure set by the Borough Treasurer shall be reported to him/her. The Borough Treasurer shall agree the action to be taken in relation to these differences, including, if necessary reporting to the Cabinet Meeting or Cabinet Committee.
- 6.10 Council assets may only be used for council business, and may only be removed from council premises with the consent of the Head of Service. The officer removing the asset then becomes responsible for the safekeeping of the asset.
- 6.11 All Council assets shall, wherever possible, be security marked.
- 6.12 Heads of Service are responsible for the sale or disposal of assets employed in their service, and for accounting for these transactions. All disposals in excess of £6,000 (or a higher figure that is consistent with capital accounting regulations) are to be notified to the Borough Treasurer.

Stocks & Stores

- 6.13 Heads of Service are responsible for the safekeeping of stocks and stores held and shall not allow levels held to exceed reasonable levels. All records, returns and accounts shall be held in a form approved by the Borough Treasurer and returns will be submitted as and when required.

- 6.14 Stores shall only be issued against properly authorised requisition notes, which shall be received by the person collecting the goods.
- 6.15 Unused items returned to stores shall be recorded on a stores return note.
- 6.16 The condition of stocks shall be checked on a regular basis by the Officer responsible for them.
- 6.17 Heads of Service must ensure that stock items above a value determined by the Borough Treasurer are checked at least once each financial year.
- 6.18 All surpluses or deficits identified during stock takes shall be entered onto an adjustment record and the appropriate Head of Service, with the agreement of the Borough Treasurer, may write-off deficiencies or bring surpluses into account.
- 6.19 The Borough Treasurer or authorised representative may have access to all stock and stores and may make such checks as thought necessary.

7. IMPREST ACCOUNTS

- 7.1 The Borough Treasurer must authorise all imprest accounts.
- 7.2 The imprest account holder must:-
- provide a certificate showing the state of the account, when requested by the Borough Treasurer;
 - only reimburse expenditure up to a limit set by the Borough Treasurer;
 - obtain receipts for all payments made, which should be proper VAT receipts wherever possible;
 - properly account for VAT in all float reimbursements;
 - not allow the account to be overdrawn and shall arrange for reimbursement at regular intervals;
 - not pay any salaries or wages from the account;
 - not pay income into the account;
 - provide the Borough Treasurer with a full account for the advance when ceasing to be the imprest account holder.

8. INCOME

- 8.1 Officers should encourage payment in advance or at point of service delivery wherever possible, and minimise the amount of credit given to customers.
- 8.2 All records relating to income due to the Council, accounts raised, and receipts issued shall be in a format agreed by the Borough Treasurer.
- 8.3 Officers responsible for controlled stationery must keep it secure.
- 8.4 Methods of payment must be agreed by the Borough Treasurer.
- 8.5 The Borough Treasurer may authorise payment by instalments if full payment cannot be obtained immediately.
- 8.6 Officers receiving monies shall keep an accurate and chronological account of all receipts and bankings.

- 8.7 Monies received must be banked on the day of receipt wherever possible, and not later than the next working day. All amounts paid in must be referenced to enable subsequent identification of the accounts to which they relate. All cheques, postal orders etc. shall be crossed with the crossing stamp provided.
- 8.8 No deductions may be made from monies received.
- 8.9 Internal transfers of official money shall be acknowledged in the records of the service concerned by the signature of the receiving officer.
- 8.10 Heads of Service must notify the Borough Treasurer of all monies due to the Council under contracts, leases or other agreements and the cessation of use or change of user affecting this income.

Invoicing & Debt Recovery

- 8.11 Officers responsible for raising invoices must ensure that VAT has been properly accounted for and that the debt is recorded in a format approved by the Borough Treasurer.
- 8.12 Officers responsible for the collection of amounts invoiced should only put forward amounts for write-off after all appropriate steps to recover the debts have been exhausted.
- 8.13 A review of every debt should be undertaken at least quarterly.

9. INSURANCE

- 9.1 The Borough Treasurer is responsible for arranging adequate insurance cover for the Council and keeping comprehensive records of all risks covered.
- 9.2 Heads of Service must notify the Borough Treasurer immediately of all new areas of risk and of any change of circumstances likely to affect existing insurance risks. The Borough Treasurer will at least annually provide Heads of Service with a statement of existing insurances for verification.
- 9.3 Any incident which could give rise to an insurance claim must be promptly notified to the Borough Treasurer by the relevant officer, who shall also inform the Police if appropriate.
- 9.4 The Borough Treasurer will handle all insurance claims, in conjunction with the Borough Solicitor and/or the insurance company if proceedings are issued.
- 9.5 The Borough Treasurer will examine all new, or amendments to existing policies as required in respect to contractors, mortgagors or other persons in which the Council has an interest.
- 9.6 Officers must consult the Borough Treasurer and Borough Solicitor in all cases where the Council is requested to give an indemnity.
- 9.7 Officers in receipt of a motor vehicle allowance must produce registration documents, insurance policy, certificate of insurance and test certificate if required by the Borough Treasurer. Insurance policies must be comprehensive and cover use on official business.

10. INVESTMENTS, BORROWING, CAPITAL FINANCING & TRUST FUNDS

- 10.1 All investments, except bearer securities, controlled by the Council shall be made in the Council's name or in the name of nominees approved by the Cabinet Meeting or Cabinet Committee.
- 10.2 All securities shall be held securely by the Council's bankers, the Borough Treasurer or custodians approved by the Cabinet Meeting or Cabinet Committee.
- 10.3 All borrowing and, whenever possible all trust funds, shall be in the name of the Council.
- 10.4 The Borough Treasurer shall be the Council's registrar of stocks and bonds and shall maintain records of all monies borrowed and lent.
- 10.5 Officers acting as trustees by virtue of their official position shall deposit all securities etc. which relate to the trust with persons authorised by the Borough Treasurer unless the deed provides otherwise.
- 10.6 All relevant legislation and limits set by the Cabinet Meeting or Cabinet Committee shall be complied with.

11. ORDERING OF GOODS, WORKS & SERVICES

- 11.1 Procurement of goods, works and services must be in accordance with Contract Procedure Rules.
- 11.2 Heads of Service must have systems in place to ensure that only authorised officers are allowed to place orders, and that orders are only raised when there is sufficient budget available.
- 11.3 Processes for ordering goods, works and services must be in accordance with arrangements approved by the Borough Treasurer.

12. PAYMENT OF ACCOUNTS

- 12.1 Methods of payment (e.g. cheque, BACS) must be agreed by the Borough Treasurer.
- 12.2 The names of officers authorised by Heads of Service to certify invoices must be notified in advance to the Borough Treasurer. When certifying invoices for payment these officers must first check that:-
- the works, goods or services to which the account relates corresponds to those shown on the relevant official order or that one of the exemptions set out in the Contracts Procedure Rules applies;
 - the works, goods or services to which the account relates have been received or satisfactorily carried out and have been examined or approved;
 - the prices, additions, calculations, discounts, other allowances and VAT are correct, and that the invoice is a proper VAT invoice;
 - the expenditure has been properly incurred (official order raised, committee authority given), there is budgetary provision and the expenditure has been correctly coded;
 - the appropriate entries have been made in inventories, stores records or stock books;
 - the invoice has not previously been passed for payment.
- 12.3 To enable the council to comply with the Late Payment of Commercial Debts Act, no amended invoices will be accepted. Heads of Service must:-
- return an invoice to the supplier and seek a new invoice with a revised date, whenever:-

- the invoice is dated prior to receipt of goods, works or services and this is contrary to the agreed payment terms;
- the invoice is incorrect;
- when certifying an invoice for payment that was initially disputed, record on the certification form the date on which the invoice was actually validated.

12.4 Invoices that are not produced in an acceptable format will not be passed for payment. This includes invoices that do not comply with VAT Regulations.

12.5 Heads of Service should explore the possibility of early payment discounts with all suppliers of goods, works and services. This must be done within the context of the overall Procurement Strategy.

12.6 Heads of Service, prior to authorising payments in advance, must undertake a risk assessment of the supplier or service provider defaulting. All payments in advance in excess of £100,000 must be notified to the Borough Treasurer.

13. SALARIES, WAGES & PENSIONS

13.1 All appointments shall be made in accordance with the terms and conditions of the Council and the approved establishments, grades and rates of pay.

13.2 The Head of Human Resources shall calculate and pay all remuneration, pensions, compensation and other emoluments to current and former employees or shall approve and control alternative arrangements for this.

13.3 School Governing Bodies shall be responsible for assessing teachers' remuneration and the Head of Human Resources shall maintain teachers' salary and pensions.

13.4 Heads of Service must provide to the Head of Human Resources:-

- the names and specimen signatures of all officers authorised to sign personnel records;
- relevant details of appointments, leavers and any other change of circumstances that may affect payment or the nature of duty of any of their staff;
- details of absences due to sickness, accidents on or off duty, special leave without pay or other paid leave or absence;
- certified time-sheets for staff paid at hourly or weekly rates, at intervals and in the format determined by the Head of Human Resources.

13.5 At regular intervals the Head of Human Resources shall require that each pensioner shall provide a life certificate and statement of any employment which may affect the payment of pension. An undertaking to notify the Head of Human Resources should such employment be taken up shall also be obtained.

13.6 Salaries and wages shall normally be paid direct to the employee's bank account. Pensions and gratuities shall be at the discretion of the Head of Human Resources. All payments shall be made direct to the person concerned unless that person authorises otherwise.

13.7 Payment will normally only be made on the normal date except in respect of holidays or the person leaving the Council before that date. The Head of Human Resources has discretion to make an advance in exceptional circumstances.

13.8 The Head of Human Resources will periodically circulate a list of all salaried staff for Heads of Service to verify.

14. TRAVELLING, SUBSISTENCE & FINANCIAL LOSS ALLOWANCE

- 14.1 All claims for payment of car allowances shall be properly certified and in a format approved by the Borough Treasurer. The names of certifying officers and specimens of their signatures shall be forwarded to the Borough Treasurer.
- 14.2 The certification of any claim shall mean that the certifying officer is satisfied that the journeys were authorised, expenses were properly and necessarily incurred and that the allowances should be paid by the Council.
- 14.3 The Borough Treasurer shall make payments of travelling or other allowances to Members of the Council (including co-opted Members), or its Committees or the Executive or its bodies, or members of the public who attend other Council bodies who are entitled to make such claims. All claims shall be made on the approved form.

15. AMENITY & UNOFFICIAL FUNDS

- 15.1 Amenity or Unofficial Fund relates to all sums of money other than those which are required to be paid into the Council's General Account (or such other account so authorised by the Borough Treasurer) or Trust Fund monies outside the authority of the Council.
- 15.2 All accounts shall be opened by the Borough Treasurer and their names shall include the name of the Borough and the establishment concerned.
- 15.3 Provided the Borough Treasurer approves and is satisfied with accounting and security arrangements, separate accounts need not be opened for funds of small amounts.
- 15.4 The head of each establishment which sets up such a fund shall inform the relevant Head of Service of its existence (and the Governing Body in the case of schools without delegated budgets).
- 15.5 Responsibility for the administration of the fund shall rest with the head of the establishment and with such other member(s) of staff as that person shall decide.
- 15.6 Expenditure from the fund shall be at the discretion of the establishment head in conjunction with other member(s) of staff as felt necessary.
- 15.7 Cheques shall be signed and countersigned by the head and deputies of the establishment. All transactions above a limit set by the Borough Treasurer shall be signed by at least two authorised officers.
- 15.8 Auditors shall be appointed by the head of the establishment and the fee (if any) shall be charged to the fund. Where the turnover of the fund exceeds an amount set by the Borough Treasurer, the fund must be audited by auditors approved by that officer. The Borough Treasurer shall have the right to inspect the accounts.
- 15.9 At the end of each financial year the head shall submit an audited summary of the fund to the Borough Treasurer (and Governing Body if appropriate).

THE NEW TERMS OF REFERENCE FOR OVERVIEW AND SCRUTINY

CABINET OVERVIEW AND SCRUTINY COMMITTEE

Membership

11 Non-executive Councillors subject to a further report at the Annual Meeting

Terms of Reference

1. Scrutinising Cabinet and other Executive decisions as appropriate before they are implemented by means of the call-in arrangements in Rule 16 of the Overview and Scrutiny Procedure Rules.

RESOURCES, PERFORMANCE AND PARTNERSHIPS OVERVIEW AND SCRUTINY COMMITTEE

Membership

7 Non-executive Councillors

Terms of Reference

To perform the scrutiny role in relation to:

1. The overall performance, effectiveness and value for money of council services, including the planning, implementation and outcomes of all corporate improvement strategies;
2. The effectiveness of the council's partnerships in furthering the council's community and corporate plans, communication and public consultation;
3. The robustness of Best Value reviews and implementation of Best Value improvement plans;
4. The council's Information and Communications Technology systems including e-government, investment, implementation and service delivery.
5. Scrutinising the Council's annual budget process, reviewing and scrutinising its performance in relation to budget management, and assisting the Council in developing the three year budget strategy.
6. The financial management of resources available to the council including property and asset acquisitions and disposals, reviewing the council-wide property and asset strategy and the capital investment programme.
7. The promotion of customer care and the development of community involvement with all aspects of the Council's work;
8. The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

Additionally, and in so far as relating to matters within its remit, to perform the overview and scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety

FIRST CLASS EDUCATION AND CHILDREN OVERVIEW AND SCRUTINY COMMITTEE

Membership

7 Non-executive Councillors

3 voting voluntary-aided school representatives

2 voting parent governor representatives

Terms of Reference

To perform the overview and scrutiny role in relation to:

1. The Council's functions as an education authority including raising and enhancing standards in schools, services to schools, Early Years Provision and the Youth Service for clients up to the age of 19;
2. The provision of opportunities for ongoing education, skills development and training including adult education and literacy;
3. Services for children, young people and their families including Children's Social Services, the Council's corporate parenting role, the Youth Offending Team and the Youth Justice Plan.
4. Local NHS services and health-related issues which impact upon the health of Barnet children and young people aged up to 18, in accordance with the powers granted under Section 7 of the Health and Social Care Act 2001.
5. Cultural and recreational services including sports and leisure facilities, libraries, arts, museums, countryside sites and public events;
6. Any other:
 - non-educational issues relevant to supporting vulnerable children and young people in Barnet or improving their life chances, directly or in partnership with others;
 - issues relevant to the provision and development of first class education and lifelong learning in Barnet, directly or in partnership with others;
 - issues relevant to the promotion and development of culture, recreation, sport and tourism, directly or in partnership with others.

Additionally, and in so far as relating to matters within its remit, to perform the overview and scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

CLEANER, GREENER, TRANSPORT AND DEVELOPMENT OVERVIEW AND SCRUTINY COMMITTEE

Membership

7 non-executive Councillors

Terms of Reference

To perform the overview and scrutiny role in relation to:

1. Development and management of the environment including the Council's functions in relation to roads and pavements, refuse and recycling, street cleansing, graffiti removal, street lighting, waterways, green spaces, parks trees and allotments;
2. Transportation services and transport planning;
3. The Council's environmental health and consumer protection functions;
4. The Council's role in relation to regeneration and development including economic and strategic development, building and property construction, town centre regeneration and associated matters;

5. The functions of the Council as local planning authority including planning policy and development control;
6. The Council's property, design and building control services;
7. The Unitary Development Plan (UDP), Section.106 Agreements and Local Development Frameworks.
8. Any other issues relevant to the promotion of a cleaner greener Barnet, directly or in partnership with others.

Additionally, and in so far as relating to matters within its remit, to perform the overview and scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

SUPPORTING THE VULNERABLE IN OUR COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE

Membership

7 non-executive Councillors

Terms of Reference:

To perform the overview and scrutiny role in relation to:

1. Community care services for older people and vulnerable adults including those who have physical disabilities, sensory impairment, learning disabilities, mental health needs or other special needs, and such preventative, advice and advocacy (including welfare rights), transport, respite and other services as may be needed to help people remain independent in their own homes;
2. The promotion of effective partnerships with health and other agencies in the public, private and voluntary sectors to support the above.
3. Local NHS services and health-related issues which impact upon the health of adult Barnet residents aged 18 and over, in accordance with the powers granted under section 7 of the Health and Social Care Act 2001.
4. Any other issues relevant to supporting vulnerable adults in the community or promoting good health in Barnet, directly or in partnership with others.

Additionally, and in so far as relating to matters within its remit, to perform the overview and scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

TACKLING CRIME AND HOUSING OVERVIEW AND SCRUTINY COMMITTEE

Membership

7 non-executive Councillors

2 non-voting co-opted tenant representatives appointed by Barnet Housing Consultative Panel

Terms of Reference

To perform the overview and scrutiny role in relation to:

1. The supply and development of social housing in the borough with associated environmental, neighbourhood and social facilities, in partnership with other housing providers;
2. The assessment of housing need, allocation of housing resources, provision of services for people who are homeless and prevention of homelessness, including the role of the public, voluntary and private housing sectors;
3. The arm's length management, maintenance and improvement of the Council's housing stock by Barnet Homes, in consultation with tenants and leaseholders;
4. The operation of the housing benefits service;
5. The development, promotion and management of all aspects of community safety, including the various roles of the council, the police and other public agencies, the business and voluntary sectors and the wider community;
6. Any other issues relevant to the Council's functions as a housing authority or tackling crime and anti-social behaviour in the borough, directly and in partnership with others.

Additionally, and in so far as relating to matters within its remit, to perform the overview and scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

THE TERMS OF REFERENCE OF THE AUDIT COMMITTEE

AUDIT COMMITTEE

Membership

7 Non-executive Councillors

Terms of Reference

1. Ensuring that the council's financial reports, annual financial statements, Statement of Internal Control and the action taken by the council to implement fully a risk management system are balanced, fair, conform to accountancy standards and meet prevailing best practice.
2. Reassuring the Council that the scope and depth of external audit work and the annual External Audit Plan are sufficient and conducted competently, including communication with the external auditor on audit findings and material weaknesses in accounting and internal control systems, including endorsing the annual External Auditor's Letter. Meeting independently with the external auditor periodically, ensuring the independence and objectivity of the external auditor and in matters relating to the provision of non-audit services.
3. Satisfying the Council that the internal auditor carries out sufficient systematic reviews of the internal control arrangements, both operational (relating to effectiveness, efficiency and economy) and financial.
4. Reviewing the major findings of any relevant internal council investigations by the Corporate Anti Fraud Team into control weaknesses, fraud, whistle blowing or misconduct and the management's response.
5. Reporting as appropriate to the Council and Cabinet.

Council Meeting

12 APRIL 2005

REPORT OF THE CHIEF EXECUTIVE

Agenda item 15 .1

1. Colindale By-election

I have to report formally the results of the by-election held in Colindale Ward on 7April 2005.

The results were as follows:

Colindale Ward

BECIROVIC Mirsad	29
JACOBS Geoffrey Alan	220
MAUND Alan Roy	299
SMALLMAN Melvyn	45
WILLIAMS David Gustav	73
ZUBAIRI Zakia	1154

Zakia Zubairi was therefore duly elected as Councillor for the Colindale Ward.

Leo Boland
Chief Executive

Council Meeting

12 April 2005

SUPPLEMENTAL REPORT OF THE DEMOCRATIC SERVICES MANAGER

Agenda item 15.2

6. Representation of the Council on Outside Bodies

Due to the resignation of Vanessa Gearson from the Council, two further vacancies in the Council's representation on Outside Bodies have occurred, which are listed below in bold.

1. Organisation: School Organisation Committee

Special Conditions:

1. The Council appoints seven Members as representatives.
2. The organisation meets about once a term, i.e. about three times a year. Meetings start at 7.30pm, with pre-meetings at 7.00pm.

No. of Representatives: 7

Current Representatives

Vac Ref

1 - Mrs Vanessa Gearson (Vacant 29/03/2005) 9800 Member

Period of appointment: 19/05/2004 to 17/05/2005

2 - Councillor John Marshall (Appointed 06/07/2004) 9801 Member

Period of appointment: 07/07/2004 to 17/05/2005

3 - Councillor Christopher Harris (Appointed 18/05/2004) 9802 Member

Period of appointment: 19/05/2004 to 17/05/2005

4 - Councillor Matthew Offord (Appointed 18/05/2004) 9803 Member

Period of appointment: 19/05/2004 to 17/05/2005

5 - Councillor Fiona Bulmer (Appointed 18/05/2004) 9804 Member

Period of appointment: 19/05/2004 to 17/05/2005

6 - Councillor Susan Steinberg (Appointed 18/05/2004) 9805 Member

Period of appointment: 19/05/2004 to 17/05/2005

7 - Councillor Jack Cohen (Appointed 18/05/2004) 9806 Member

Period of appointment: 19/05/2004 to 17/05/2005

2. Organisation: Standing Advisory Committee for Religious Education

Special Conditions:

(a) Six representatives should be Councillors plus one Officer who should be the Chief Education Officer or his/her representative.

(b) The term of office is until the next Council election.

No. of Representatives: 6 Councillors + 1 Officer

Current Representatives

Vac Ref

1 - Councillor Brian Coleman (Appointed 14/05/2002) 1155 Member

Period of appointment: 14/5/2002 to next Council election

2 - Mrs Vanessa Gearson (Vacant 29/03/2005) 1155a Member

Period of appointment: 14/5/2002 to next Council election

3 - Councillor Aba Dunner (Appointed 14/05/2002) 1155b Member

Period of appointment: 14/5/2002 to next Council election

4 - Councillor Barry Rawlings (Appointed 19/11/2003) 1155c Member

Period of appointment: 19/11/2003 to next Council election

5 - Ms Gillian Palmer (Appointed 10/09/2003) 1155d Member

Period of appointment: 10/09/2003 to next Council election

6 - Councillor Jack Cohen (Appointed 14/05/2002) 1155e Member

Period of appointment: 14/5/2002 to next Council election

7 - Councillor Anne Hutton (Appointed 14/05/2002) 1155f Member
Period of appointment: 14/5/2002 to next Council election

The Group Secretaries have been advised of the vacancies.

RECOMMEND: That the Council make appointments to fill the vacancies reported.

7. Part 1 of the Agenda – Statutory Formalities

There is a further item of Business, which will be dealt with after Official Announcements, as Agenda item 4A -Resolution of Appreciation.

8. Committee Memberships – Panel of Licensing Chairman

Subject to the Council agreeing the recommendations of the Special Committee (Constitution Review) of 6 April relating to the increase in the number of the Panel of Licensing Chairmen to six, at Agenda Item 14.1, the Council are asked to make one further appointment to that Panel from the membership of the Licensing Committee.

RECOMMEND: That subject to the approval of the recommendations of the Special Committee (Constitution Review), dated 6 April, relating to the increase in the Panel of Licensing Chairmen to six, a further appointment be made to the Panel from the membership of the Licensing Committee.

**9. Amendments to items on the Agenda
Agenda item 9.2– Opposition Policy Item**

The following amendment in the name of Councillor Susette Palmer

“Add at the end:

“ xiii) to sign up to the Nottingham Declaration on Climate Change and prepare a plan with local communities to address the causes and effects of climate change and to identify ways in which council policy can be adapted.””

10. Agenda item 10: Comments on the work of Cabinet

Councillor Wayne Casey has submitted the following Comment, which will be dealt with at Agenda Item 10.3:

“To the Cabinet Member for the Environment. To comment on the funding of the Management Plan for Sheepwash Pond, Mill Hill.”

John Marr
Democratic Services Manager

FURTHER SUPPLEMENTAL REPORT OF THE DEMOCRATIC SERVICES MANAGER

Agenda item 15.2

11. Amendments to items on the Agenda

Agenda Item 8.2 – Motion in the name of Councillor Lynne Hillan.

The following amendment in the name of Councillor Sean Hooker:

“In the final paragraph: Remove words, "to support the Conservative party plans for 370 " and replace with "to support the Borough Commander in his efforts to get"

Final para will read. Council urges Cabinet to support the Borough Commander's efforts to get more Police for Barnet and to press for these Officers to work on the front line.....”

Agenda Item 9.2 – Opposition Policy Item.

The following amendment in the name of Councillor Matthew Offord:

“Delete all and insert

“That this Council notes:

The environmental initiatives and actions produced by this administration since 2002 including:

Energy Efficiency

- Barnet Homes ongoing programme of enhancements to the housing stock, including a range of energy efficiency improvements that will ensure that new homes built as a result of regeneration programmes will usually exceed those they replace in terms of their energy efficiency, reducing CO₂ emissions and residents’ fuel bills
- The 2.5% improvement in energy efficiency across all housing types in Barnet, equivalent to a reduction in CO₂ emissions of 17,953 tonnes
- Energy Efficiency measures incorporated into the Council's property assets including: Building Energy Management Systems to control the heating in larger buildings, installation of commercial condensing boilers in larger buildings, and Combined Heat and Power in main swimming pools
- 20 Council sites supplied with green energy together with the whole of the street lighting portfolio
- Council parking meters powered by solar panels
- This administration’s creation of an Energy Efficiency Advisor, focussing on Council and social housing tenants and reducing fuel poverty
- Barnet’s active engagement in the Warm Front scheme, the Energy Action Partnership and the Home Repairs Assistance (HRA) grants for energy efficiency improvements
- An energy advice line providing general energy efficiency advice and signposting for sources of grant funding and discounts on energy efficiency measures
- The distribution of 1000 energy efficient light-bulbs to vulnerable households throughout Barnet

Renewable Energy

- School talks on renewable energy and energy efficiency delivered by the Council’s Waste & Sustainability Team, as part of a wider environmental educational programme
- The installation of a number of solar thermal panels installed in schools and the successful application of grants under the Clear Skies initiative
- The harvesting of rain water into one school to date
- The success of our bid for funding for a solar panel (photovoltaic panels generating electricity) for St James school, Colindale

- The work between the Waste & Sustainability Team, Education Service Architects and REAL to integrate renewable energy into major programmes for school rebuilding works
- The training event on renewable energy and energy efficiency for planning and other relevant council and Barnet Homes staff in March 2005

Recycling

- The 8 percent recycling rate achieved under the last administration in 2002 and the 20 percent recycling rate achieved now
- The successful compulsory recycling pilot, covering 21,000 households, that achieved a recycling increase of 18 percent
- The comprehensive publicity campaign that has been underway since summer 2003 to promote recycling services
- An outreach letter sent to 320 Community Groups, Residents' Associations, Faith and Ethnic Groups requesting that they circulate leaflets, display posters and include articles on recycling in their newsletters to reach specific audiences
- Articles agreed for inclusion in 26 newsletters to date, reaching over 14,000 households
- Recycling Service displays held at 40 community events, festivals and libraries since January 2004
- The Schools Recycling Service which provides a free recycling collection service for paper, cans and glass and the participation rate of 88% of Barnet's schools
- Work is continuing to involve those schools who have yet to make use of the service.
- Barnet Schools Recycling Challenge, designed to increase recycling at school and at home
- Cycler the rapping robot who visited 2000 school children in Barnet in 2004 and 2005
- Approximately 25 schools actively working on Barnet Environmental Action for Real in Schools (BEARS) projects
- The successful BEARS conference held in July 2003 which was attended by over 100 children from 8 schools attended
- Over 600 school pupils from all over Barnet who learnt more about recycling and sent in their designs and ideas for a recycling poster in a Schools Recycling Poster Competition
- The setting up of white paper recycling at North London Business Park on 9 April 2004
- A Waste Audit of Hendon Town Hall carried out with Waste Watch Business Network and facilities managers at the Town Hall to identify areas where the council can improve its own environmental performance
- A survey by Friends of the Earth published in March 2004 that assessed the quality of kerbside recycling services provided by all English local authorities, in terms of the proportion of households served, the range of materials collected and the frequency of collections. Barnet was ranked the 4th best doorstep collection service in England and the only London Borough in the top ten.

Council recognises the important environmental work on-going within the London Borough of Barnet, this administration's commitment to the environment and resolves to thank its staff for the work they do and further seeks that the Cabinet Member for Environment and Transport establishes a dialogue with the Carbon Trust in order to establish an environmental audit to assist in the reduction of carbon emissions through the council's work, housing, property and vehicle fleets.

12. Part 7 of the Council's Constitution: Management Structure Charts

In accordance with the provisions of the paragraph 12.01(d) of Article 12 of the Council's Constitution, the Head of Paid Service determines and publicises a description of the overall departmental structure and deployment of officers which is set out in Part 7 of the Constitution.

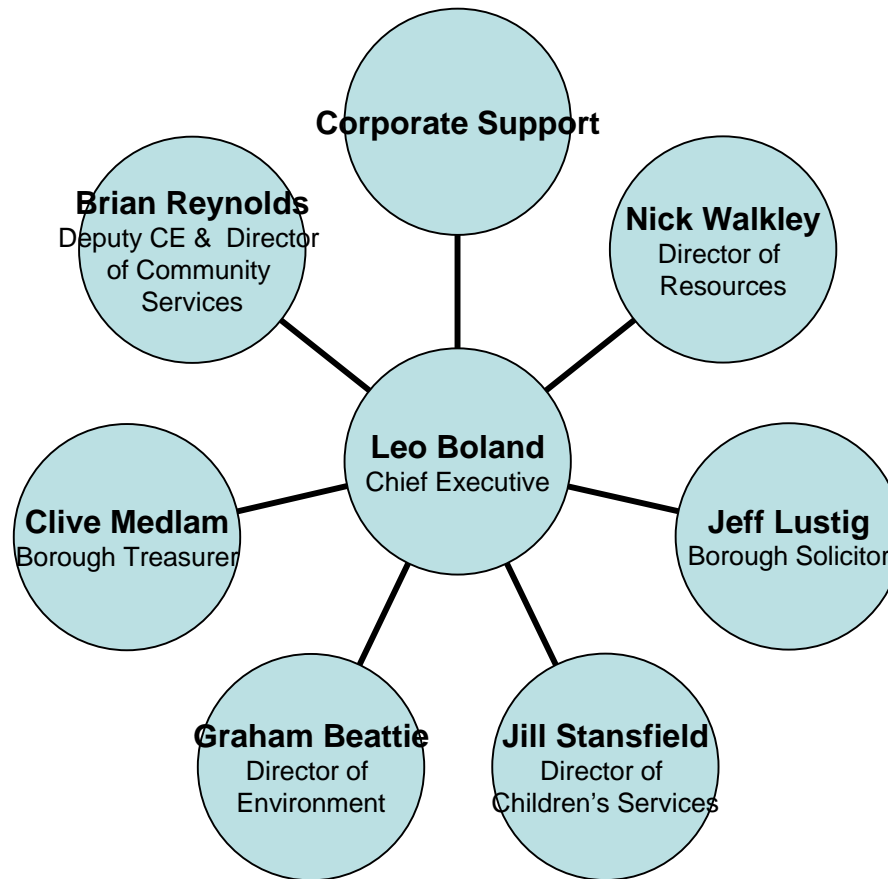
Following approval by the Council of the 2005 – 2006 budget, the Chief Executive restructured the senior management of the Council.

Consequently, the Head of Paid Service determined the overall structure of the Council, which is set out as an Appendix to this report and will form Part 7 of the Constitution

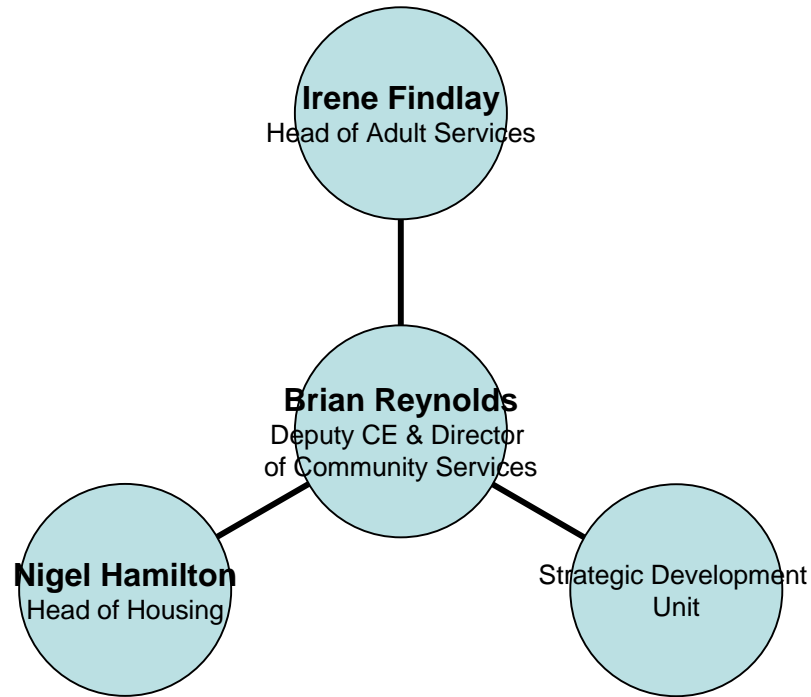
RECOMMEND – That the Democratic Services Manager make the necessary amendments to the Council’s Constitution.

John Marr
Democratic Services Manager

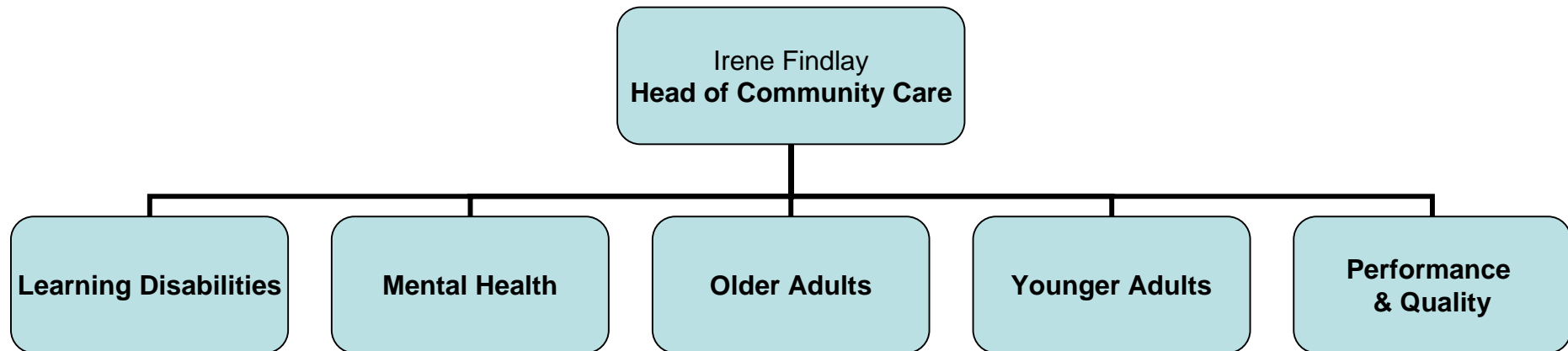
London Borough of Barnet



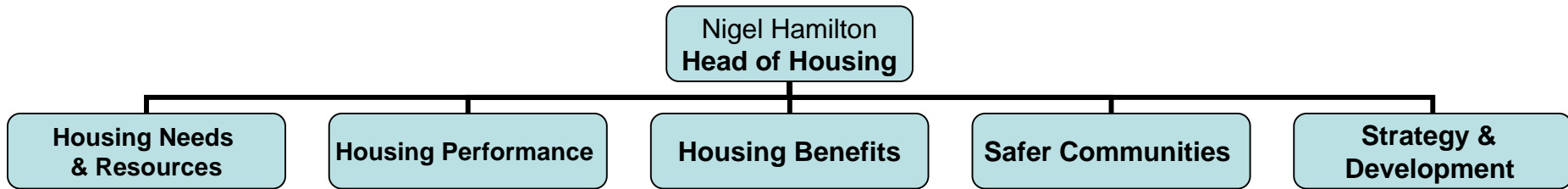
Director of Community Services



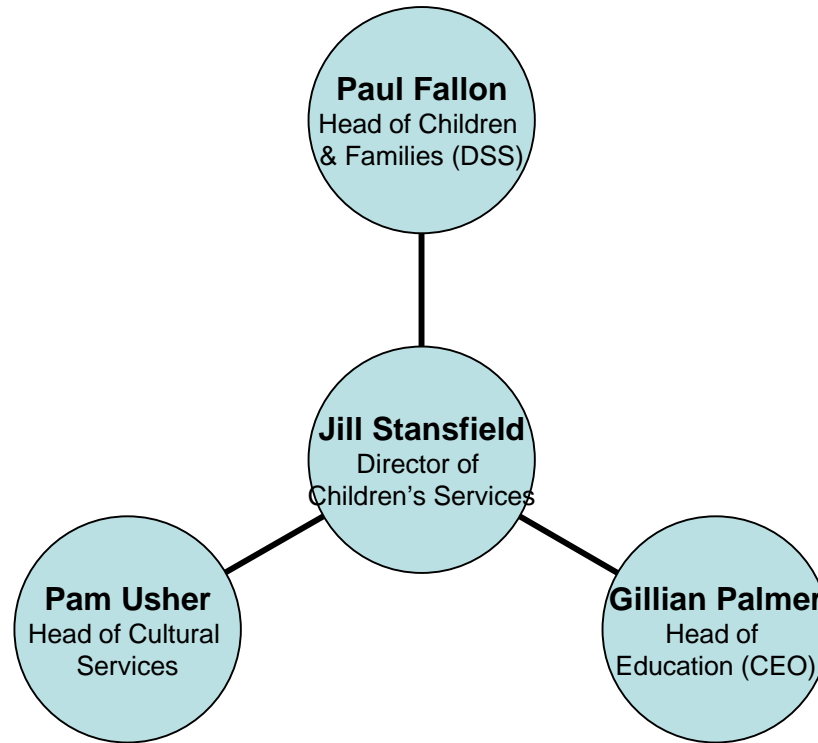
Adult Services



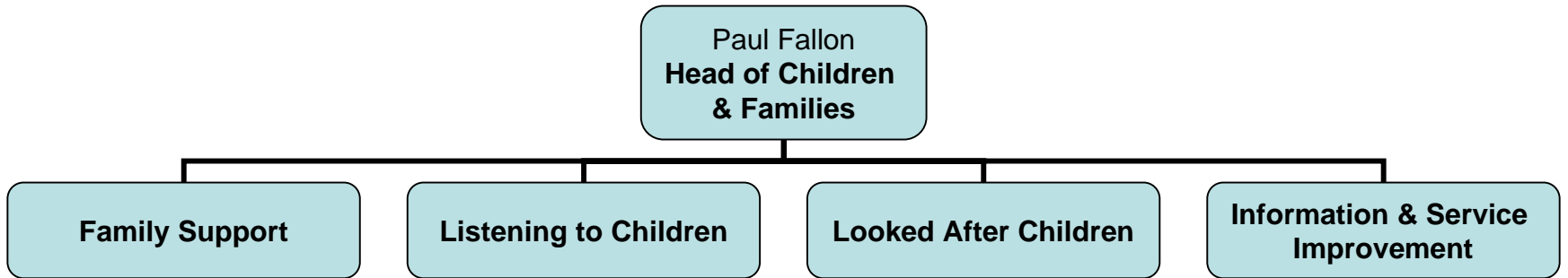
Housing



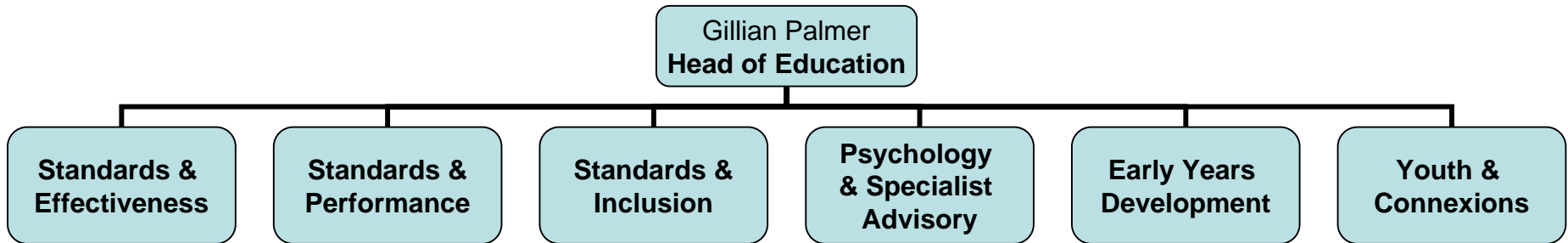
Director of Children's Services



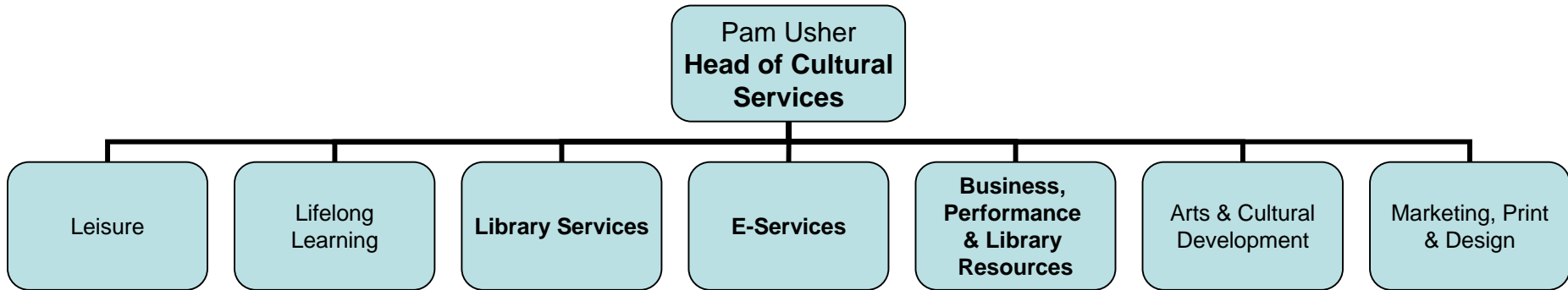
Children & Families



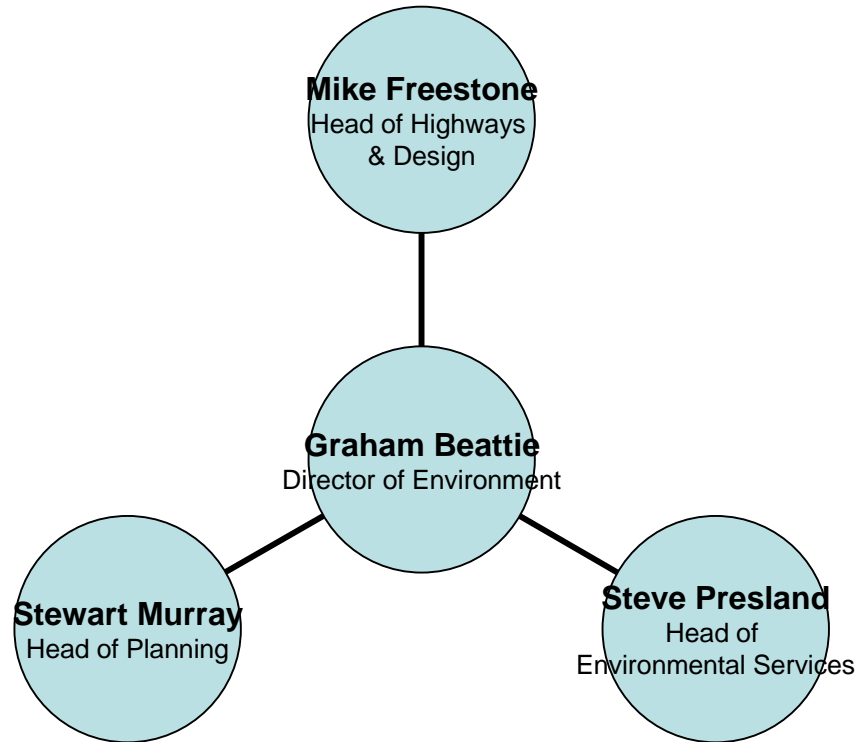
Education



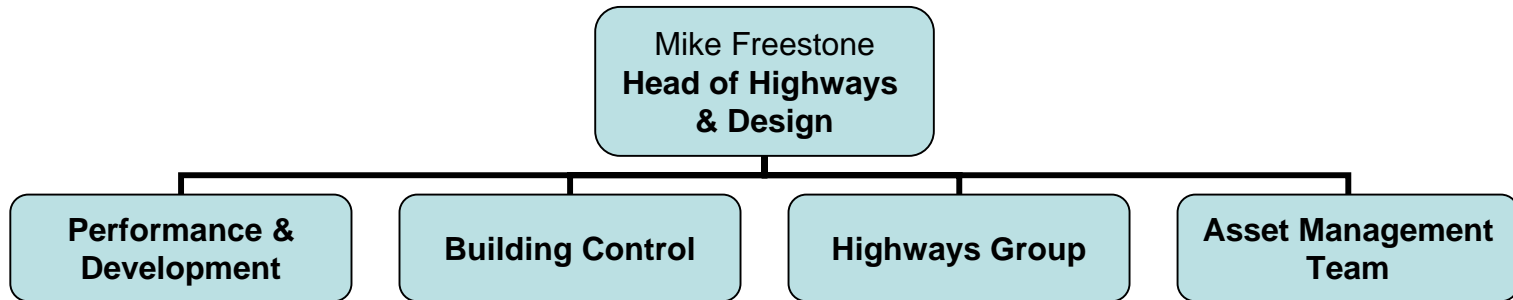
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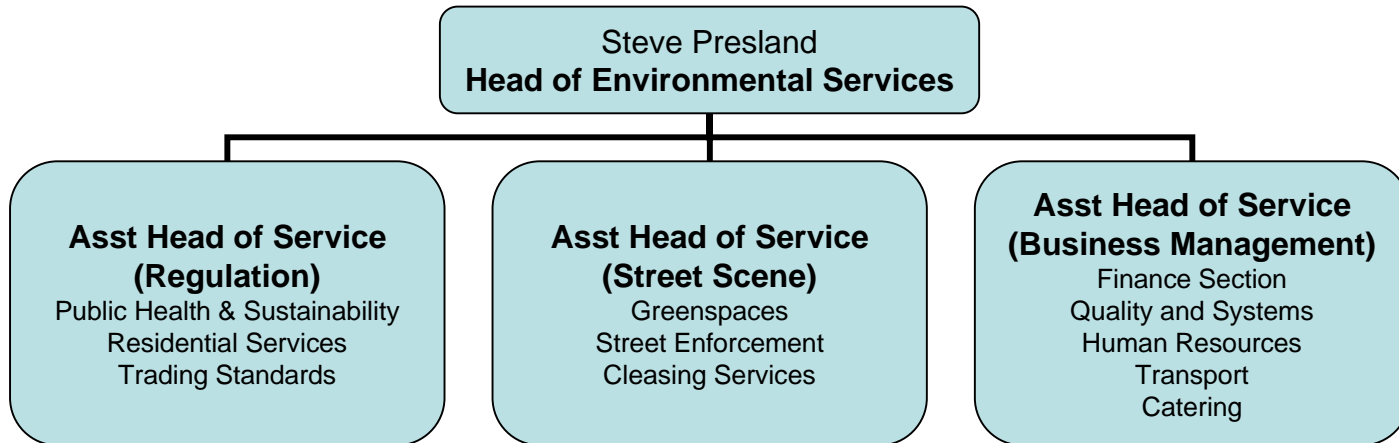
Director of Environment



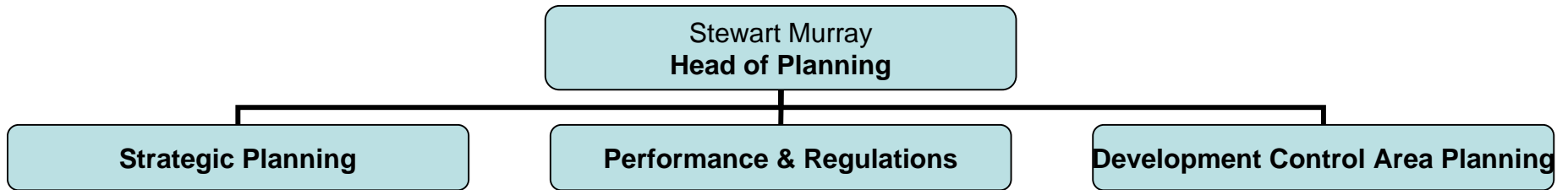
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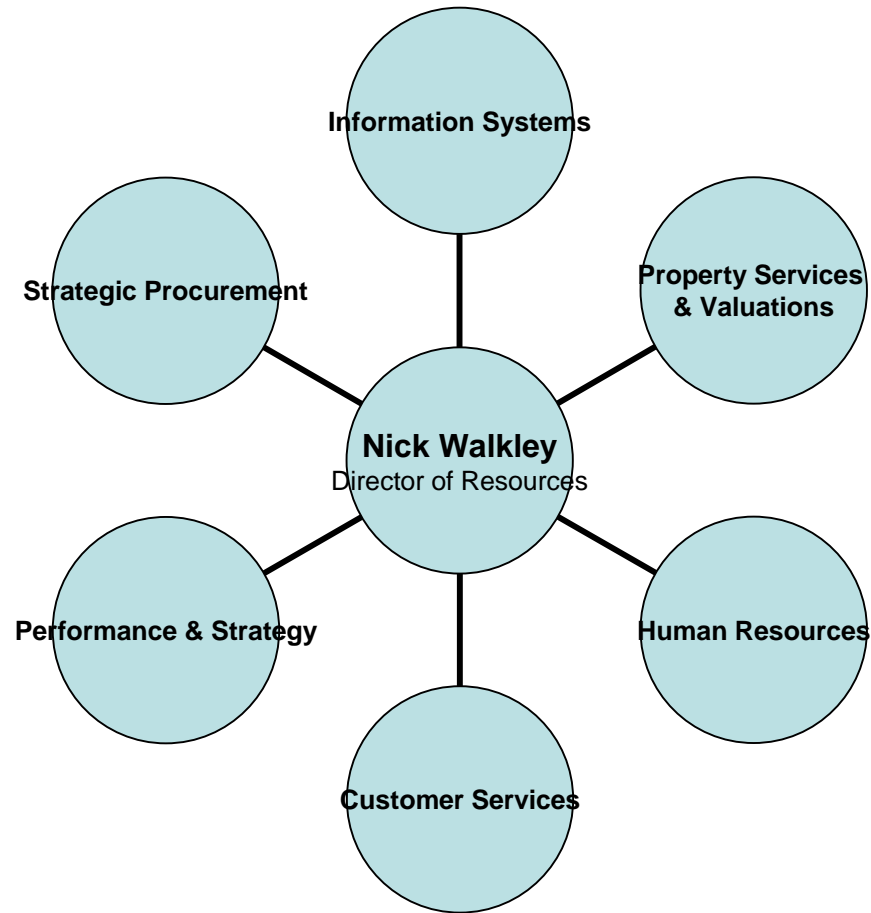
Environmental Services



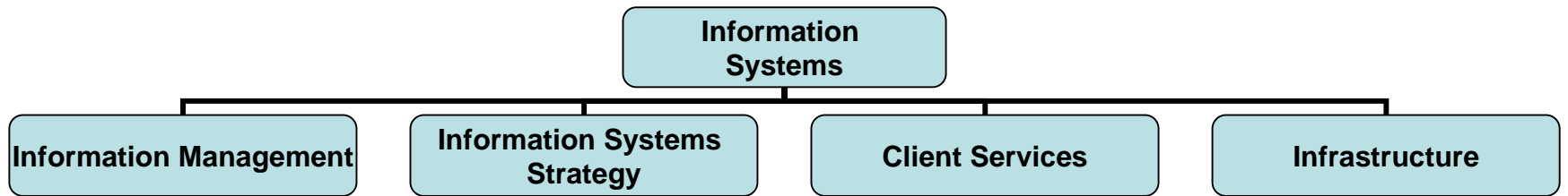
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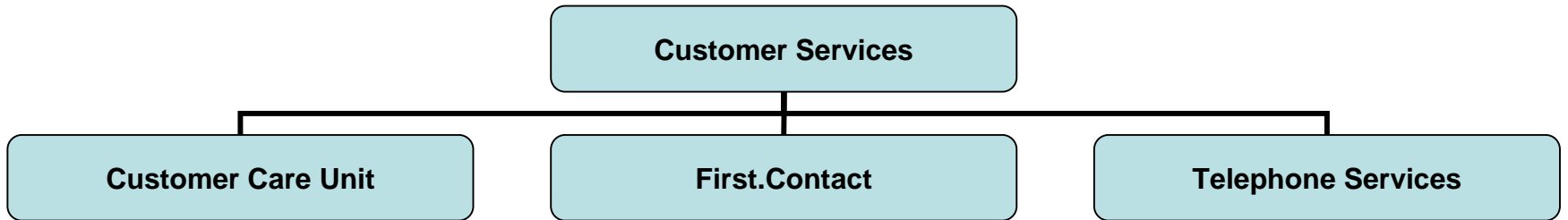
Director of Resources



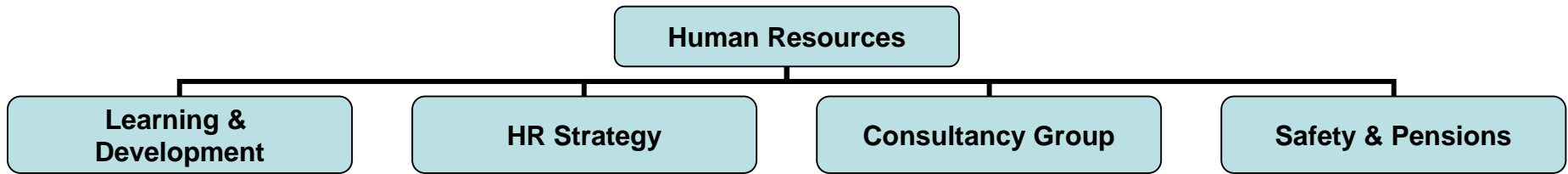
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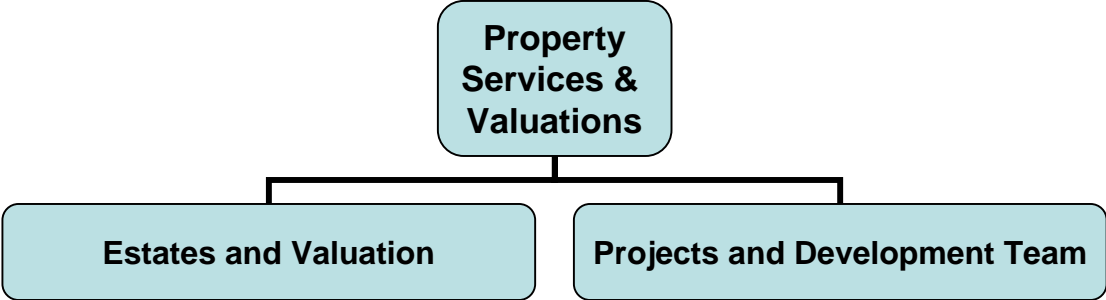
Customer Services



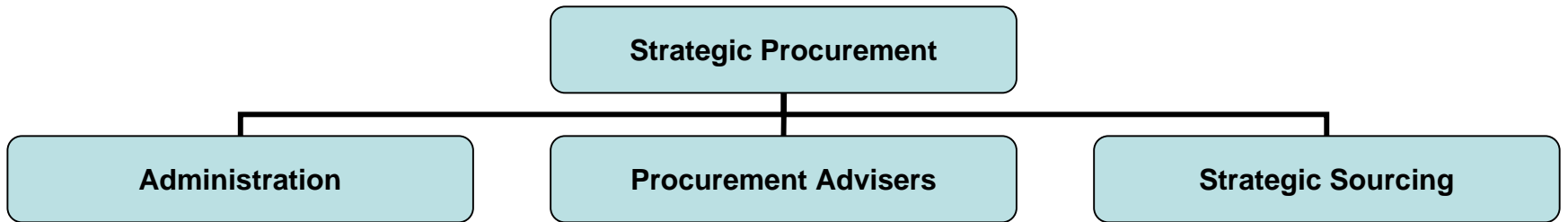
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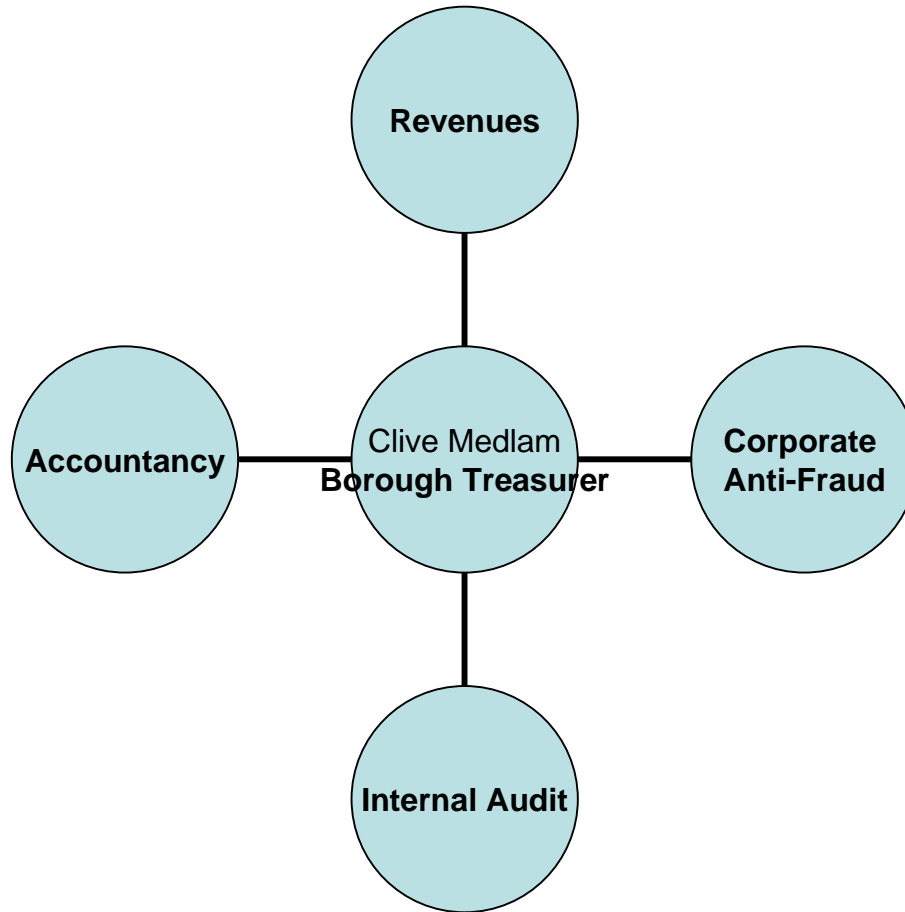
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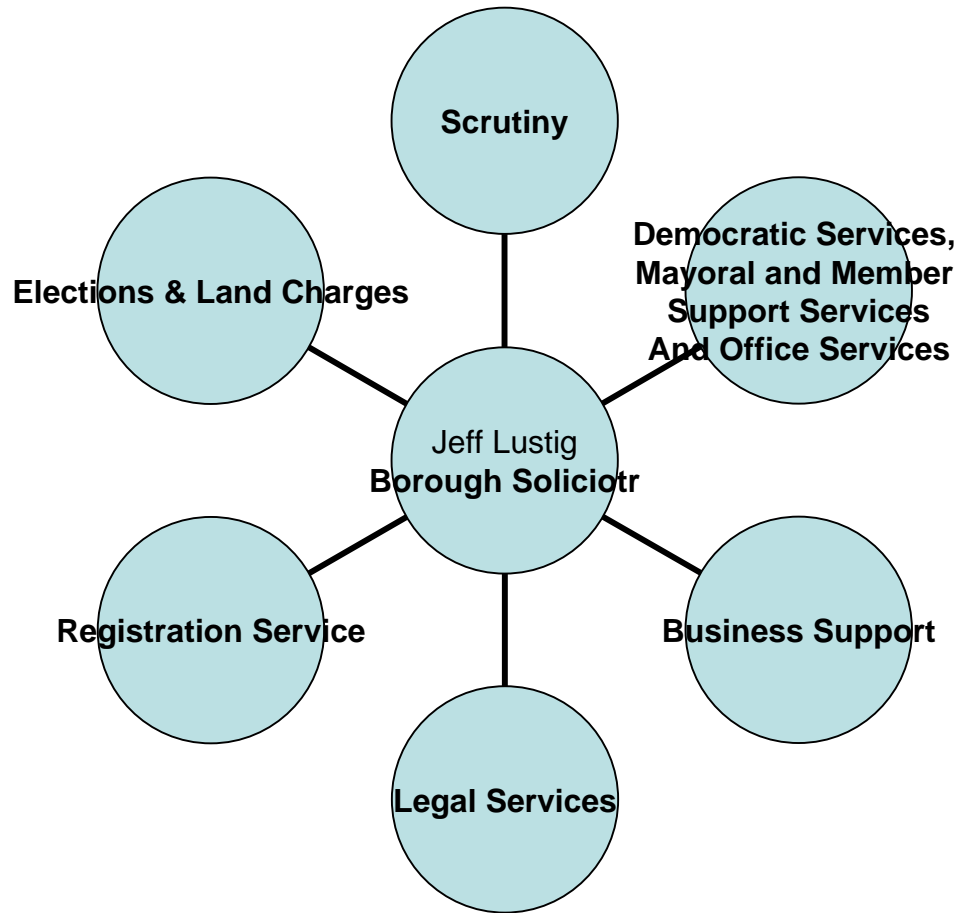
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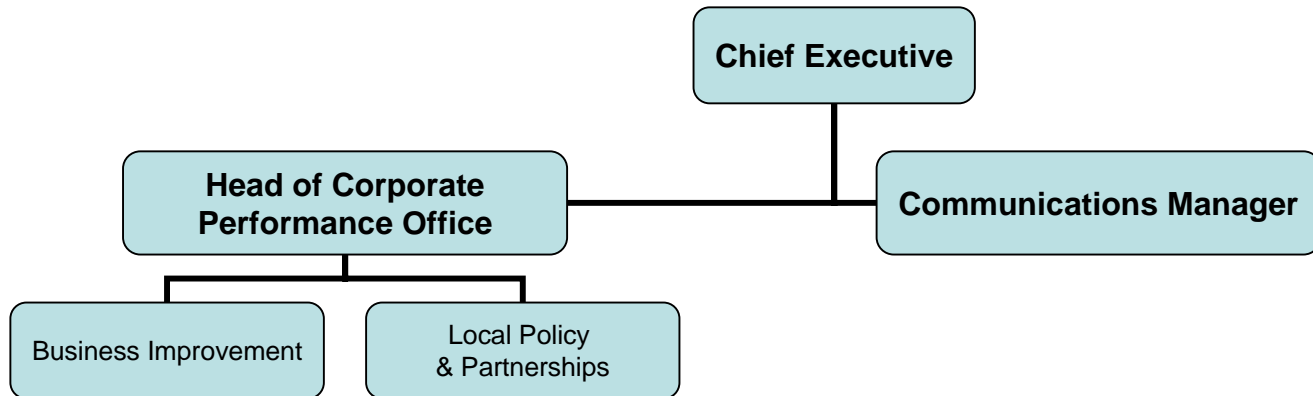
Borough Treasurer



Borough Solicitor



Corporate Support



Council Meeting

12 April 2005

REPORT OF THE DEMOCRATIC SERVICES MANAGER/ HEAD OF COMMITTEE

Agenda item 15.2

1. Amendments to items on the Agenda

(a) Agenda Item 8.4: Motion in the name of Councillor Kath McGuirk

The following amendment in the name of Councillor Danish Chopra:

“Council urges the Cabinet to re-introduce the pest control service at the earliest opportunity, preferably ensuring that the cost to residents is subsidised and/or low enough to ensure pensioners and hard-working families on low incomes are able to afford the service. Council disagrees with the comments of Cllr Coleman at the March 2005 council meeting that DLO services such as pest control “do not have a future.”

Councillor Chopra has requested under the Council’s Constitution, Part 4, Section 1, 31.5 that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

(b) Agenda item 8.5: Motion in the name of Councillor Alan Schneiderman

Then following amendment in the name of Councillor Claire Farrier:

“Council welcomes Mayor of London Ken Livingstone’s Safer Communities police teams providing additional police officers and police community support officers dedicated to serving Burnt Oak, Childs Hill, Colindale, East Barnet, East Finchley, Edgware, High Barnet and West Hendon.

Council supports the Mayor of London’s plans to expand neighbourhood policing to every ward in Barnet.

Council welcomes and supports the Anti-Social Behaviour Act 2003, the *Together* campaign and the measures promoted by the Labour Government to tackle anti-social behaviour, including ABCs, fixed penalty notices, parenting contracts and orders, revised injunction powers, ASBOs, dispersal orders, and crackhouse closure powers.

Council believes tackling anti-social behaviour, particularly in council housing estates, is a priority for residents and should also be a priority for the Council.

Council welcomes the use of these powers by Barnet Police and the authority, and urges the powers to be used more often and more effectively to support victims of crime and anti-social behaviour. Council believes that Barnet Council should offer residents a free removal of graffiti service (when the graffiti can be seen from the street) in order to crack down on the blight of graffiti across the borough.

Council supports the Labour Government’s plans to expand the ‘Together’ campaign on anti-social behaviour, and to introduce specialist anti-social behaviour prosecutors and anti-social behaviour courts. “

Councillor Farrier has requested under the Council’s Constitution, Part 4, Section 1, 31.5 that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

2. Executive decisions exempted from the call – in process

The Overview and Scrutiny Rules in the Council's constitution provide that executive decision-makers may exempt decisions from call-in and consideration by the Cabinet Overview and Scrutiny Committee on the grounds of urgency, subject to the consent of the Chairman of the Cabinet Overview and Scrutiny Committee, and to such decisions being reported to the next available meeting of Council together with the reason for urgency. The following decisions have been exempted from the call- in process:

(i) Decision of the Cabinet Members for Resources, Performance, Partnerships and Best Value and Social Care and Health: Annex to the former Friern Barnet Town Hall – proposals for securing vacant possession

The use of part of the capital receipts from property disposals to finance the moves of the occupiers of the annex to the former Friern Barnet Town Hall had previously been agreed by the Cabinet Resources Committee. The costs involved in the proposals could be contained within the approved level of spend. As the transaction needed to be completed by 21 March if the Council was to secure the outstanding capital sum in the financial year and the next meeting of the Cabinet Overview and Scrutiny Committee was not until 11 April, the terms agreed by the Cabinet Members for securing vacant possession of the premises were exempted from the call – in process.

(ii) Decision of the Leader of the Council : Audit of 2001/02 Accounts – External Audit Investigation – Sale of Land at Underhill

The Council is legally obliged to pay the external auditors' costs of the Investigation. The Council also had the powers to pay the associated legal costs of individuals who were the subject of the external investigation. Price Waterhouse Cooper (PWC), the external auditors at the time, were conducting an investigation by means of a Hearing by Correspondence into a valid objection lodged under the Audit Commission Act, in relation to the audit of the 2001/02 accounts. In addition to PWC's costs, estimates have additionally been received from six individuals named in the objection in respect of their own legal costs. As three previous investigations found no evidence that would substantiate any allegation of misconduct on the part of the individuals, and on the grounds that those performing public duties should be able properly to discharge their duties without concern over their personal liability, the Leader agreed that there was a "public interest case" for indemnifying the individuals against such costs, currently estimated at £60,000. A decision was needed urgently as the costs were already being incurred.

(iii) Decision of the Cabinet Member for Regeneration and Development: Additional Amendments to the Draft Local Development Scheme

On 22 November, 2004, Cabinet approved the Draft Local Development Scheme (LDS) for Barnet and delegated authority to the Member for Regeneration and Development to approve any subsequent amendments required prior to submission to the Government Office for London (GOL). Minor changes have been made to the LDS following comments from GOL. and the production timetable has been escalated. Additional Supplementary Planning Documents have been introduced on Planning Contributions from Development and Contributions to Health Facilities from Development.

As the LDS had to be submitted to the GOL by 28 March, and as failure to submit the LDS on time would affect the Planning Delivery Grant settlement for 2005/06, and the next scheduled Cabinet Overview and Scrutiny Committee was not until April 11 2005, the Cabinet Member's decision was exempted from the call – in process.

(iv) Decision of the Cabinet Members for Environment and Transport and Resources:
Expansion of green garden waste recycling services

Operation of the new service required a procurement of new refuse collection vehicles for which there was an order to delivery period of approximately 12 weeks. Any delay in implementing the expanded service could have jeopardised the council's ability to achieve the Local Public Service Agreement target of 30% and, consequently, put at risk the opportunity to accrue the performance reward target grant of up to £639,000. Therefore, in view of these circumstances and as the next meeting of the Cabinet Overview and Scrutiny Committee was not until 11 April, the Cabinet Members' decisions to (i) amend the 2005/2006 budget, (ii) implement the expansion of the garden waste recycling service and (iii) review the budgets for 2006/07 onwards to take account of Government grant allocations to be met by consideration being given to reconfiguring the service in the light of issues such as levels of participation etc, were exempted from the call – in process.

3. Vacancies on School Governing Bodies

The Federation of Schools (Community Schools, Community Special Schools, Voluntary Controlled Schools and Maintained Nursery Schools) (England) Regulations 2003 permits schools which have separate governing bodies to change their arrangements to have a shared governing body. The governing bodies of Edgware Infant and Nursery School and Edgware Junior School intend to federate, in this manner, with effect from 28 April 2005. There are four vacancies for LEA governors on the new governing body. The appointments will be for four years. The old governing bodies for the two schools will cease to exist once the new governing body is established.

The current LEA governors on the two existing school governing bodies are shown below.

Organisation: Edgware Infant and Nursery School

No. of Representatives:3

Current Representatives

		Vac Ref
1 - Mrs Barbara Sherling	(Appointed 18/01/2005)	P.43a.1
Period of appointment:	19/01/2005 to 18/01/2009	Conservative
2 - Dr O Evans	(Appointed 19/11/2002)	P.43a.2
Period of appointment:	19/11/2002 to 18/11/2006	Conservative
3 - Mr Vinay Sharma	(Appointed 11/11/2003)	P.43a.3
Period of appointment:	11/11/2003 to 10/11/2007	Conservative

Organisation: Edgware Junior School

No. of Representatives:3

Current Representatives

		Vac Ref
1 - Dr M Grenfell	(Appointed 19/11/2002)	P.43b.1
Period of appointment:	19/11/2002 to 18/11/2006	Conservative
2 - Councillor Joan Scannell	(Appointed 01/03/2005)	P.43b.2
Period of appointment:	22/03/2005 to 21/03/2009	Conservative
3 - Mr K Dyll	(Appointed 11/11/2003)	P.43b.3
Period of appointment:	11/11/2003 to 10/11/2007	Conservative

Appendix A lists (in bold) all other current vacancies now needing to be filled in the Council's representation on school governing bodies. There is a further vacancy at Queenswell Junior School, however this does not need to be filled at present as the school will shortly be considering reconstitution of their governing body, which may result in a reduction in the number of governors.

In order to reflect the political balance of the Council, the political balance on school governing bodies (as at 1 April 2005) should be: -

Conservative	156
Labour	114
Liberal Democrat	28
Total	298

The current balance on school governing bodies is: -

Conservative	151
Labour	94
Liberal Democrat	20
Vacancies	33
Total	298

All persons appointed will hold office for four years from the date of appointment.

The Group Secretaries have been advised of the vacancies.

RECOMMEND: That the Council make appointments to fill the vacancies reported.

4. Representation of the Council on Outside Bodies

Appendix B lists in bold the vacancies in the Council's representation on Outside Bodies.

The Group Secretaries have been advised of the vacancies.

RECOMMEND: That the Council make appointments to fill the vacancies reported.

John Marr
Democratic Services Manager/Head of Committee

Register of Appointments and Nominations on School Governors

1. Organisation: Barnet Hill JMI and Nursery School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-------------------------------|----------------------------------|---------------------|
| 1 - Mr Gordon Massey | (Appointed 27/06/2001) | P2.1 |
| Period of appointment: | 28/06/2001 to 27/06/2005 | Labour |
| 2 - Mr J Tyler | (Disqualified 13/06/2003) | P2.2 |
| Period of appointment: | 27/07/2001 to 26/07/2005 | Conservative |
| 3 - Councillor Linda McFadyen | (Appointed 10/09/2002) | P2.3 |
| Period of appointment: | 10/09/2002 to 09/09/2006 | Labour |

2. Organisation: Beis Yaacov Primary School

No. of Representatives: 1

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|-------------------------|
| 1 - Mr Jason Moleman | (Resigned 18/10/2004) | VP33.1 |
| Period of appointment: | 11/06/2003 to 10/06/2007 | Liberal Democrat |

3. Organisation: Broadfields Primary School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|------------------------|--------------------------|---------------|
| 1 - Mrs L Evans | (Appointed 18/01/2005) | P.44.1 |
| Period of appointment: | 19/01/2005 to 18/01/2009 | Conservative |
| 2 - Dr P Bhattacharyya | (Appointed 01/03/2005) | P.44.2 |
| Period of appointment: | 02/03/2005 to 01/03/2009 | Labour |
| 3 New Vacancy | | P.44.3 |

4. Organisation: Brookhill Nursery School

No. of Representatives: 2

Current Representatives

Vac Ref

- | | | |
|---------------------------------------|----------------------------------|---------------------|
| 1 - Mrs J Last | (Appointed 18/01/2005) | NP.46.1 |
| Period of appointment: | 04/02/2005 to 03/02/2009 | Conservative |
| 2 - Councillor Susan Steinberg | (Disqualified 29/04/2003) | NP.46.2 |
| Period of appointment: | 19/03/2002 to 18/03/2006 | Conservative |

5. Organisation: Brookland Infant and Brookland Junior Schools

No. of Representatives: 4

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|---------------|
| 1 - Mr Simon Berger | (Deceased 20/09/2004) | P.23.1 |
| Period of appointment: | 02/04/2004 to 01/04/2008 | Labour |
| 2 - Mr Jeffrey Leifer | (Appointed 01/04/2004) | P.23.2 |
| Period of appointment: | 02/04/2004 to 01/04/2008 | Labour |
| 3 - Councillor Leslie Sussman | (Appointed 01/04/2004) | P.23.3 |
| Period of appointment: | 02/04/2004 to 01/04/2008 | Conservative |
| 4 - Councillor John Marshall | (Appointed 01/04/2004) | P.23.4 |
| Period of appointment: | 02/04/2004 to 01/04/2008 | Conservative |

6. Organisation: Brunswick Park Primary School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-----------------------------------|---------------------------------|---------------------|
| 1 - Ms Elizabeth Lawrence | (Appointed 09/07/2002) | P.10.1 |
| Period of appointment: | 09/07/2002 to 08/07/2006 | Conservative |
| 2 - Mr Robert Pavitt | (Appointed 14/05/2003) | P.10.2 |
| Period of appointment: | 14/05/2003 to 13/05/2007 | Conservative |
| 3 - Councillor Daniel Hope | (Resigned 24/06/2004) | P.10.3 |
| Period of appointment: | 26/07/2001 to 26/07/2005 | Conservative |

7. Organisation: Childs Hill School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|---------------------------------|---------------------------------|---------------------|
| 1 - Ms Beverley Burchell | (Resigned 18/03/2005) | P.29.1 |
| Period of appointment: | 12/10/2004 to 11/10/2008 | Conservative |
| 2 - Ms Margo Clegg | (Appointed 09/07/2002) | P.29.2 |
| Period of appointment: | 09/07/2002 to 08/07/2006 | Labour |
| 3 - Mr Simon Kovar | (Appointed 11/11/2003) | P.29.3 |
| Period of appointment: | 11/11/2003 to 10/11/2007 | Liberal Democrat |

8. Organisation: Church Hill School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|---------------------|
| 1 - Ms Kelly Liza Tebb | (Resigned 02/03/2005) | P.11.1 |
| Period of appointment: | 19/03/2002 to 18/03/2006 | Labour |
| 2 - Mr Stanley Blitz | (Resigned 09/09/2004) | P.11.2 |
| Period of appointment: | 19/11/2002 to 18/11/2006 | Conservative |
| 3 - Mrs Joanna Tambourides | (Appointed 14/05/2003) | P.11.3 |
| Period of appointment: | 14/05/2003 to 13/05/2007 | Conservative |

9. Organisation: Coppetts Wood Primary School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|---------------|
| 1 - Mrs V Tyas | (Appointed 02/03/2004) | P.14.1 |
| Period of appointment: | 30/03/2004 to 29/03/2008 | Labour |
| 2 - Mr G Old | (Appointed 06/07/2004) | P.14.2 |
| Period of appointment: | 09/07/2004 to 08/07/2008 | Conservative |
| 3 - Ms M Mitchell | (Expires 19/04/2005) | P.14.3 |
| Period of appointment: | 20/04/2001 to 19/04/2005 | Labour |

10. Organisation: Courtland JMI School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|-------------------------|
| 1 - Mrs J Burton | (Resigned 13/07/2003) | P.39.1 |
| Period of appointment: | 09/07/2000 to 08/07/2004 | Liberal Democrat |
| 2 - Mr K Dyall | (Appointed 06/07/2004) | P.39.2 |
| Period of appointment: | 09/07/2004 to 08/07/2008 | Conservative |
| 3 - Mrs A Pottinger | (Appointed 06/07/2004) | P.39.3 |
| Period of appointment: | 09/07/2004 to 08/07/2008 | Labour |

11. Organisation: Dollis Infant School

No. of Representatives: 4

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|------------------|
| 1 - Mr Vinod Sodha | (Resigned 27/09/2004) | P.41.1 |
| Period of appointment: | 11/01/2001 to 10/01/2005 | Labour |
| 2 - Councillor Wayne Casey | (Appointed 10/09/2002) | P.41.2 |
| Period of appointment: | 10/09/2002 to 09/09/2006 | Liberal Democrat |
| 3 - Councillor Jeremy Davies | (Appointed 26/07/2001) | P.41.3 |
| Period of appointment: | 27/07/2001 to 26/07/2005 | Liberal Democrat |
| 4 - Mr G O Williams | (Resigned 30/09/2002) | P.41.4 |
| Period of appointment: | 24/10/2001 to 23/10/2005 | Labour |

12. Organisation: Grasvenor Avenue Infant School

No. of Representatives: 2

Current Representatives

Vac Ref

- | | | |
|-------------------------------|----------------------------------|---------------------|
| 1 - Mrs Pat Dunton | (Appointed 18/01/2005) | P.45.1 |
| Period of appointment: | 19/01/2005 to 18/01/2009 | Conservative |
| 2 - Mr J Tyler | (Disqualified 30/05/2003) | P.45.2 |
| Period of appointment: | 27/07/2001 to 26/07/2005 | Conservative |

13. Organisation: Hampden Way Nursery School

No. of Representatives: 2

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|---------------------|
| 1 - Mrs J G Lodhi | (Appointed 06/07/2004) | P.48.1 |
| Period of appointment: | 09/07/2004 to 08/07/2008 | Conservative |
| 2 - Mrs Sandra Hope | (Resigned 15/09/2004) | P.48.2 |
| Period of appointment: | 19/05/2004 to 18/05/2008 | Conservative |

14. Organisation: Monkfrith JMI School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|------------------------------------|---------------------------------|---------------|
| 1 - Councillor Andreas Tambourides | (Appointed 19/11/2003) | P.09.1 |
| Period of appointment: | 19/11/2003 to 18/11/2007 | Conservative |
| 2 - Mrs J G Lodhi | (Appointed 06/07/2004) | P.09.2 |
| Period of appointment: | 09/07/2004 to 08/07/2008 | Conservative |
| 3 - Mrs Jackie Carlowe | (Resigned 21/07/2003) | P.09.3 |
| Period of appointment: | 07/12/2000 to 06/12/2004 | Labour |

15. Organisation: Northway School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-------------------------------|---------------------------------|---------------------|
| 1 - Mrs M Stannard | (Appointed 16/12/2003) | SP.02.1 |
| Period of appointment: | 06/01/2004 to 05/01/2008 | Conservative |
| 2 - Mr Hugh Rayner | (Resigned 25/11/2003) | SP.02.2 |
| Period of appointment: | 09/07/2002 to 08/07/2006 | Conservative |
| 3 - Ms Dadia Conti | (Appointed 08/07/2003) | SP.02.3 |
| Period of appointment: | 01/09/2003 to 31/08/2007 | Labour |

16. Organisation: Oakleigh School

No. of Representatives: 2

Current Representatives

Vac Ref

- 1 - Mr John Tiplady (Appointed 06/07/2004) SP.03.1
Period of appointment: 09/07/2004 to 08/07/2008 Conservative
- 2 - **Mrs Anne Jarvis** (Resigned 25/07/2004) SP.03.2
Period of appointment: 09/07/2002 to 08/07/2006 Labour

17. Organisation: St Catherines RC JMI School

No. of Representatives: 2

Current Representatives

Vac Ref

- 1 - Mr David J Barton (Appointed 10/09/2002) VP14.1
Period of appointment: 10/09/2002 to 09/09/2006 Liberal Democrat
- 2 - **Councillor Gerard Silverstone** (Resigned 28/06/2004) VP14.2
Period of appointment: 27/07/2001 to 26/07/2005 Conservative

18. Organisation: St Johns CE Primary N11

No. of Representatives: 2

Current Representatives

Vac Ref

- 1 - Mrs Eileen Botham (Appointed 10/02/2004) VP.32.1
Period of appointment: 17/02/2004 to 16/02/2008 Conservative
- 2 - **Councillor Terry Burton** (Resigned 05/02/2003) VP.32.2
Period of appointment: 30/03/2000 to 29/03/2004 Conservative

19. Organisation: St Johns NW4

No. of Representatives: 1

Current Representatives

Vac Ref

- 1 - **Mrs R Levy** (Expired 16/02/2004) VP.21a.1
Period of appointment: 17/02/2000 to 16/02/2004 Conservative

20. Organisation: St Josephs RC Junior School

No. of Representatives: 1

Current Representatives

Vac Ref

- 1 - **Mr P Theobald** (Deceased 31/08/2004) VP.16.1
Period of appointment: 07/11/2000 to 08/11/2004 Conservative

21. Organisation: Summerside Primary School

No. of Representatives: 3

Current Representatives

Vac Ref

- 1 - **Mrs J Underhill** (Resigned 25/09/2004) P.16.1
Period of appointment: 09/07/2004 to 08/07/2008 Conservative
- 2 - Mr T Renouf (Appointed 06/07/2004) P.16.2
Period of appointment: 09/07/2004 to 08/07/2008 Conservative
- 3 - Councillor Mark Langton (Appointed 07/01/2003) P.16.3
Period of appointment: 08/01/2003 to 07/01/2007 Labour

22. Organisation: The Hyde Primary School

No. of Representatives: 4

Current Representatives

Vac Ref

- | | | |
|------------------------|--------------------------|--------------|
| 1 - Mr R Braun | (Resigned 22/05/2004) | P.33.1 |
| Period of appointment: | 19/11/2002 to 18/11/2006 | Conservative |
| 2 - Mr Gordon Mott | (Appointed 18/11/2004) | P.33.2 |
| Period of appointment: | 07/12/2004 to 06/12/2008 | Labour |
| 3 - Mr G Kirby | (Appointed 26/08/2004) | P.33.3 |
| Period of appointment: | 12/10/2004 to 11/10/2008 | Conservative |
| 4 - Mr A Bornstein | (Appointed 19/11/2002) | P.33.4 |
| Period of appointment: | 19/11/2002 to 18/11/2006 | Conservative |

23. Organisation: The Orion Primary and Goldbeaters Primary Schools

No. of Representatives: 4

Current Representatives

Vac Ref

- | | | |
|------------------------------|--------------------------|--------------|
| 1 - Ms Nargis Narenthira | (Appointed 14/09/2004) | P.50.1 |
| Period of appointment: | 15/09/2004 to 14/09/2008 | Labour |
| 2 - Councillor Gill Sargeant | (Appointed 14/09/2004) | P.50.2 |
| Period of appointment: | 15/09/2004 to 14/09/2008 | Labour |
| 3 - Mr Vinay Sharma | (Appointed 14/09/2004) | P.50.3 |
| Period of appointment: | 15/09/2004 to 14/09/2008 | Conservative |
| 4 - Mr J Hart | (Resigned 04/11/2004) | P.50.4 |
| Period of appointment: | 15/09/2004 to 14/09/2008 | Conservative |

24. Organisation: Underhill Infant School

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-------------------------------|--------------------------|------------------|
| 1 - Councillor Anita Campbell | (Appointed 11/11/2003) | P.1a.1 |
| Period of appointment: | 11/11/2003 to 10/11/2007 | Labour |
| 2 - Mr Duncan Macdonald | (Appointed 11/11/2003) | P.1a.2 |
| Period of appointment: | 11/11/2003 to 10/11/2007 | Liberal Democrat |
| 3 - Ms R Burrage | (Expired 05/01/2004) | P.1a.3 |
| Period of appointment: | 06/01/2000 to 05/01/2004 | Liberal Democrat |

25. Organisation: Wessex Gardens Primary School

No. of Representatives: 4

Current Representatives

Vac Ref

- | | | |
|------------------------------|--------------------------|------------------|
| 1 - Mr F Dannenburg | (Appointed 18/05/2004) | P.27.1 |
| Period of appointment: | 19/05/2004 to 18/05/2008 | Conservative |
| 2 - Councillor Eva Greenspan | (Appointed 26/07/2001) | P.27.2 |
| Period of appointment: | 27/07/2001 to 26/07/2005 | Conservative |
| 3 - Dr John Gearson | (Expired 21/03/2005) | P.27.3 |
| Period of appointment: | 22/03/2001 to 21/03/2005 | Conservative |
| 4 - Councillor Monroe Palmer | (Appointed 23/10/2001) | P.27.4 |
| Period of appointment: | 24/10/2001 to 23/10/2005 | Liberal Democrat |

26. Organisation: Whitefield School

No. of Representatives: 5

Current Representatives

Vac Ref

- | | | |
|-----------------------------|--------------------------|--------------|
| 1 - Mr Mark Landau | (Resigned 11/01/2005) | S.13.1 |
| Period of appointment: | 08/01/2003 to 07/01/2007 | Conservative |
| 2 - Councillor Melvin Cohen | (Appointed 06/07/2004) | S.13.2 |
| Period of appointment: | 09/07/2004 to 08/07/2008 | Conservative |

- | | | |
|-------------------------------|--------------------------|------------------|
| 3 - Mr S Deller | (Appointed 11/11/2003) | S.13.3 |
| Period of appointment: | 11/11/2003 to 10/11/2007 | Liberal Democrat |
| 4 - Councillor Agnes Slocombe | (Appointed 06/07/2004) | S.13.4 |
| Period of appointment: | 09/07/2004 to 08/07/2008 | Labour |
| 5 - Mr Dave Robinson | (Appointed 08/07/2003) | S.13.5 |
| Period of appointment: | 01/09/2003 to 31/08/2007 | Labour |

Register of Appointments and Nominations on Outside Bodies

1. Organisation: Almshouse Charities of Samuel Atkinson and Others

Special Conditions:

Persons appointed need not be Members of the Council but they must be nominated by the Councillors representing the Edgware Ward.

Appointment is four years, or for the remaining unexpired term if an appointee is replaced mid-term.

No. of Representatives: 3 (Representative Trustees)

Current Representatives

Vac Ref

- | | | |
|-------------------------------------|---------------------------------|--------------------|
| 1 - Councillor Joan Scannell | (Resigned 02/12/2003) | 1002 Member |
| Period of appointment: | 09/07/2003 to 06/12/2004 | |
| 2 - Mrs Jackie Page | (Appointed 20/03/2002) | 1003 Member |
| Period of appointment: | 20/03/2002 to 19/03/2006 | |
| 3 - Councillor Brian Gordon | (Appointed 26/11/2002) | 1004 Member |
| Period of appointment: | 26/11/2002 to 25/11/2006 | |

2. Organisation: Hampstead Garden Suburb Institute Council

Special Conditions:

(a) One representative must be a Garden Suburb Ward member.

(b) The other two representatives must not be elected members of the Council.

(c) Appointments are for three years and must be ratified by the Institute before taking effect.

No. of Representatives: 3

Current Representatives

Vac Ref

- | | | |
|-------------------------------------|---------------------------------|--------------------|
| 1 - Councillor John Marshall | (Resigned 18/11/2003) | 1167 Member |
| Period of appointment: | 08/07/2003 to 07/07/2006 | |
| 2 - Mr Gerald Shamash | (Appointed 08/07/2003) | 1168 Member |
| Period of appointment: | 08/07/2003 to 07/07/2006 | |
| 3 - Ms Marjorie Harris | (Appointed 08/07/2003) | 1169 Member |
| Period of appointment: | 08/07/2003 to 07/07/2006 | |