

Minutes

OF THE ANNUAL MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET held at The Town Hall, Hendon, NW4, on Tuesday 17 May 2005

PRESENT:

*The Worshipful the Mayor (Councillor Wendy Prentice)

*The Deputy Mayor (Councillor Brian Coleman)

Councillors:

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

*denotes Member present

1. PRAYERS (Agenda Item 1):

The Mayor's Chaplain offered prayer.

2. ELECTION OF THE MAYOR (Agenda Item 2):

The Mayor called for nominations for the election of Mayor of the London Borough for the ensuing municipal year.

Councillor Lynne Hillan moved, seconded by Councillor Robert Newton, that Councillor Andreas Tambourides be elected Mayor.

Upon the motion being put, the motion was declared carried and

RESOLVED – That Councillor Andreas Tambourides be elected Mayor of the London Borough for the ensuing municipal year.

Councillor Andreas Tambourides then left the Council Chamber to robe. Upon his return, Councillor Andreas Tambourides was invested by the retiring Mayor with the badge and chain of office of Mayor.

The Mayor made the declaration prescribed by law accepting the office of Mayor and thanked the Council for the honour conferred upon him by his election and advised Council that his Charity would be MIND in Barnet.

THE WORSHIPFUL THE MAYOR (COUNCILLOR ANDREAS TAMBOURIDES)
IN THE CHAIR

3. DEPUTY MAYOR:

The Worshipful the Mayor announced the appointment of Councillor Victor Lyon to act as Deputy Mayor during his term of office.

4. MAYOR'S CHAPLAIN:

The Worshipful the Mayor announced the appointment of Archimandrite Konstandinou as Mayor's Chaplain during his term of office.

5. MINUTES (Agenda Item 3 and 13.4.2. 10):

RESOLVED – That the minutes of the meeting of the Council held on 12 April 2005 be approved as a correct record, subject to the completed Supplemental Question 31 reading:

“There is so much waste of cardboard and plastics in the bins. If somebody is able to do something to use it, whereby the council would then increase its recycling rate and help the environment, then that's for the good and that's why I put the question. There has to be some time when this council will have to look at what other boroughs do to recycle plastics and cardboard. So what's wrong with Barnet doing just that and review?”.

6. APOLOGIES FOR ABSENCE (Agenda Item 4):

Apologies for absence were received from Councillor Anita Campbell, as she was ill, and Councillor David Mencer for lateness.

7. OFFICIAL ANNOUNCEMENTS (Agenda Item 5):

There were no Official Announcements.

8. SUSPENSION OF COUNCIL PROCEDURE RULES

Councillor Brian Salinger, under the provisions of Council Procedure Rule 14.1.2, moved suspension of Council Procedure Rule 1, 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 1 be suspended to allow a motion to be moved and debated.

9. GENERAL ELECTION RESULTS (Agenda item 13.4.2. 12)

Councillor Brian Salinger moved a motion in respect of the outcome of the General Election in so far as the London Borough of Barnet was concerned. An amendment in the name of Councillor John Marshall was moved. Debate ensued. On being put to the vote the amendment was declared carried. On being put to the vote the substantive motion was declared carried.

RESOLVED – That Council notes the General election results for the three Parliamentary Constituencies in the London Borough of Barnet.

Council congratulates the three successful Candidates in that election, and wishes them well in their work to represent the people of this Borough at Westminster.

Council thanks Sir Sydney Chapman for his service to the Borough as Member for Chipping Barnet for over 25 years during which he served his constituents and the borough well

10 TO ELECT THE LEADER OF THE COUNCIL (Agenda Item 6):

Councillor Kanti Patel, seconded by Councillor Katia David, moved that Councillor Brian Salinger be elected Leader of the Council for the ensuing municipal year.

Upon being put to the vote,

RESOLVED – That Councillor Brian Salinger be elected Leader of the Council for the ensuing municipal year.

Councillor Salinger thanked Members for their support.

11. TO APPOINT THE LEADER AND NINE OTHER MEMBERS TO THE CABINET AND DECIDE WHETHER TO APPOINT ONE OF THEM TO BE DEPUTY LEADER (Agenda Item 7):

Councillor Scannell moved the nominations in her name. There being no contests, it was

RESOLVED –

(1) That the following members be appointed to serve on the Cabinet:

- (i) Councillor Brian Salinger**
- (ii) Councillor Anthony Finn**
- (iii) Councillor Fiona Bulmer**
- (iv) Councillor Matthew Offord**
- (v) Councillor Chris Harris**
- (vi) Councillor Katia David**
- (vii) Councillor Mike Freer**
- (viii) Councillor John Marshall**
- (ix) Councillor Kanti Patel**
- (x) Councillor Melvin Cohen**

(2) That Councillor Kanti Patel be elected Deputy Leader of the Council for the ensuing municipal year.

12. TO NOTE THE APPOINTMENT OF LEADER OF THE OPPOSITION (Agenda Item 8):

RESOLVED – That the appointment of Councillor Phil Yeoman as the Leader of the Opposition be noted.

13. APPOINTMENT OF COMMITTEES (Agenda Item 13.4.2.1 and 13.4.2.8):

The Democratic Services Manager's report presented the outcome of the Report of the Special Committee (Constitution Review) dated 11 May 2005 together with recommendations for a proposed Committee structure based on that outcome.

An amendment in the name of Councillor Daniel Hope was moved. Debate ensued. Upon being put to the vote

(1) RESOLVED – That

(i) Resolution 7 of Minute 86 of the Council's decisions dated 26 October, 2004, be rescinded to enable the Council to appoint three Appeals Committees, instead of just one;

(ii) the Special Committee's proposals relating to the numbers and proportionality of the standing committees, Overview and Scrutiny Committees and Standards Committee be amended as shown below;

(iii) the Cleaner, Greener, Transport and Development Overview and Scrutiny Committees have a membership of 8.

Committee (Cttee)	No of members	Cons	Lab	Lib Dem
Cabinet Overview and Scrutiny (O and S) Members	11	6	4	1
O and S Cttee Members	8	4	3	1
O and S Cttee Members	7	4	2	1
O and S Cttee Members	7	4	2	1
O and S Cttee 10 Members	7	4	2	1
O and S Cttee Members	7	4	2	1
General Functions Cttee Members	7	4	2	1

Planning and E Cttee Members	21	11	8	2
Appeal Cttee1 Members	8	3	4	1
Appeal Cttee 2 Members	7	3	4	0
Appeal Cttee 3 Members	7	3	4	0
Audit	7	4	2	1
Total	104	54	39	11
Political balance		(54.47)	(39.61)	(9.88)

Each political group nominated members for seats in accordance with those principles and that allocation. Upon the nominations being moved by Councillors Joan Scannell, Alison Moore and Jeremy Davies it was

(2) RESOLVED –

(i) That the members indicated be appointed to serve on the committees set out in Appendix A and to the other offices indicated for the municipal year 2005/2006:

(ii) That the following be appointed as voting representatives of the voluntary – aided schools to the First Class Education and Children Overview and Scrutiny Committee for the year 2005/2006:

- **Mr Denis Carey, representative of the Roman Catholic Church**
- **Ms Cathy Goldin, representative of persons who appoint Foundation Governors to Voluntary Aided Jewish Schools**
- **Ms Gladys Vendy, representative of the Church of England**

(iii) That two – non – voting representatives be appointed to the Tackling Crime and Housing Overview and Scrutiny Committee for the year 2005/2006;

(iv) That

- **Ms Marguerite Argles, JP, Reverend Berndt Koschland, Mrs Susan Riddle and Mr Stephen Ross be appointed to serve as Independent Persons on the Standards Committee for the municipal year 2005/2006;**
- **Reverend Berndt Koschland be appointed Chairman and Ms Marguerite Argles, JP, be appointed Vice – Chairman for the municipal year 2005/2006.**

14. REPORT OF THE LEADER OF THE COUNCIL – DELEGATION OF EXECUTIVE FUNCTIONS (Agenda Item 10):

In accordance with the Constitution the Leader of the Council presented a written record of the delegations made by him to Cabinet Members, Cabinet Committees, area committees, officers and joint arrangements for the discharge of Executive functions.

15. TO APPROVE A PROGRAMME OF ORDINARY MEETINGS OF THE COUNCIL FOR THE MUNICIPAL YEAR 2005/2006 (Agenda Item 11):

RESOLVED – That the meetings of the Council during the ensuing municipal year be held on the following dates at 7.00pm.

- (a) 28 June 2005
- (b) 13 September 2005
- (c) 8 November 2005
- (d) 20 December 2005
- (e) 31 January 2006
- (f) 7 March 2006 (including Mayoralty nomination and Council tax)
- (g) 11 April 2006
- (h) 16 May 2006 (Annual Meeting)

14. APPOINTMENT OR NOMINATION OF REPRESENTATIVES TO OUTSIDE BODIES AND SCHOOL GOVERNING BODIES (Agenda Items 12, 13.4., 2, 13.4.7):

Vacancies on Outside Bodies

The Democratic Services Manager's report set out details of the appointments or nominations to be made

Upon nominations in the names of Councillors Joan Scannell, Alison Moore and Jeremy Davies, it was

RESOLVED –

- (i) That the Council agree that no further representatives will be appointed to Friern Barnet Voluntary Care for the Elderly
- (ii) That the Council note that Council representation on the Barnet Care Attendant Scheme Management Committee is no longer required.
- (iii) That the following persons be appointed or nominated as the case may require to fill the vacancies referred to:

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0111	Adoption and Permanency Panel	Cllr Susan Steinberg
0005	Age Concern Barnet	Cllr Malcolm Lester (Cllr Soon – Hoe Teh was unsuccessful)

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0006 1002	Age Concern Barnet Almshouse Charities of Samuel Atkinson and Others	Cllr Terence Burton Defer
ALGCYPF1	Association of London Government – Children, Young People and Families Forum (Nominee)	Cllr Christopher Harris (Cllr Barry Rawlings was unsuccessful)
ALGCYPF2	Association of London Government – Children, Young People and Families Forum (Deputy)	Cllr Susan Steinberg (Cllr Soon – Hoe Teh was unsuccessful)
0208	Association of London Government – Crime and Public Protection Forum (Nominee)	Cllr Brian Salinger (Cllr Alan Schneiderman was unsuccessful)
0208a	Association of London Government – Crime and Public Protection Forum (Deputy)	Cllr Brian Gordon
0202	Association of London Government – Culture and Tourism Forum (Nominee)	Cllr Katia David (Cllr Alan Schneiderman was unsuccessful)
0202a	Association of London Government – Culture and Tourism Forum (Deputy)	Cllr Victor Lyon (Cllr Ansuya Sodha was unsuccessful)
0209	Association of London Government – Economic Development Forum (Nominee)	Cllr Anthony Finn (Cllr Danish Chopra was unsuccessful)
0209a	Association of London Government – Economic Development Forum (Deputy)	Cllr Melvin Cohen (Cllr Paul Rogers was unsuccessful)
0109	Association of London Government – Grants Committee	Cllr Michael Freer (Cllr Jim Tierney was unsuccessful)
0109a	Association of London Government – Grants Committee (Substitute)	Cllr Katia David (Cllr Alison Moore was unsuccessful)
0109b	Association of London Government – Grants Committee (Substitute)	Cllr John Marshall
0109c	Association of London Government – Grants Committee (Substitute)	Cllr Christopher Harris
0204	Association of London Government – Greater London Provincial Council (Deputy)	Cllr Katia David (Cllr Ansuya Sodha was unsuccessful)
0204a	Association of London Government – Greater London Provincial Council (Deputy)	Cllr Leslie Sussman

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0207	Association of London Government – Health and Social Care Forum (Nominee)	Cllr Fiona Bulmer (Cllr Linda McFadyen was unsuccessful)
0207a	Association of London Government – Health and Social Care Forum (Deputy)	Cllr Helena Hart (Cllr Claire Farrier was unsuccessful)
0206	Association of London Government – Housing Forum (Nominee)	Cllr Anthony Finn (Cllr Soon-Hoe Teh was unsuccessful)
0206a	Association of London Government – Housing Forum (Deputy)	Cllr Fiona Bulmer (Cllr Paul Rogers was unsuccessful)
0110	Association of London Government – London Caribbean Partnership	Cllr Agnes Slocombe
0110a	Association of London Government – London Caribbean Partnership (Deputy)	Cllr Katia David
6400	Association of London Government – London Housing Unit Committee	Cllr Anthony Finn (Cllr Paul Rogers was unsuccessful)
6401	Association of London Government – London Housing Unit Committee (Deputy)	Cllr Fiona Bulmer (Cllr Soon-Hoe Teh was unsuccessful)
6402	Association of London Government – London Housing Unit Executive Sub-Committee	Cllr Anthony Finn
6403	Association of London Government – London Housing Unit Executive Sub-Committee (Deputy)	Cllr Fiona Bulmer
0198	Association of London Government – S101 Leaders Committee	Cllr Brian Salinger
0198a	Association of London Government – S101 Leaders Committee (Deputy)	Cllr Kanti Patel
0198b	Association of London Government – S101 Leaders Committee (Deputy)	Cllr Anthony Finn
0227	Association of London Government – Transport and Environment Committee	Cllr Brian Coleman (Cllr Kath McGuirk was unsuccessful)
0227a	Association of London Government – Transport and Environment Committee (Deputy)	Cllr Matthew Offord (Cllr Colin Rogers was unsuccessful)

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0227b	Association of London Government – Transport and Environment Committee (Deputy)	Cllr Peter Davis
0227c	Association of London Government – Transport and Environment Committee (Deputy)	Cllr John Marshall
0227d	Association of London Government – Transport and Environment Committee (Deputy)	Cllr Daniel Hope
0022	Barnet Borough Arts Council	Cllr Peter Davis (Cllr Zakia Zubairi was unsuccessful)
0023	Barnet Borough Arts Council	Cllr Wendy Prentice (Cllr Soon-Hoe Teh was unsuccessful)
0024	Barnet Borough Arts Council	Cllr Susan Steinberg
0025	Barnet Borough Arts Council	Head of Cultural Services
1032	Barnet Community and Police Consultative Group	Cllr Olwen Evans
1033	Barnet Community and Police Consultative Group	Cllr Christopher Harris
1034	Barnet Community and Police Consultative Group	Cllr Aba Dunner
1035	Barnet Community and Police Consultative Group	Cllr Brian Salinger
1036	Barnet Community and Police Consultative Group	Cllr Soon-Hoe Teh
1037	Barnet Community and Police Consultative Group	Cllr Sean Hooker
1038	Barnet Community and Police Consultative Group (Substitute)	Cllr Peter Davis
1039	Barnet Community and Police Consultative Group (Substitute)	Cllr Melvin Cohen
1040	Barnet Community and Police Consultative Group (Substitute)	Cllr Gerard Silverstone
1041	Barnet Community and Police Consultative Group (Substitute)	Cllr Terence Burton
1042	Barnet Community and Police Consultative Group (Substitute)	Cllr Alan Schneiderman
1043	Barnet Community and Police Consultative Group (Substitute)	Cllr Susette Palmer
9898	Barnet Community Homes	Cllr Fiona Bulmer
0044	Barnet Housing Aid Centre	Cllr Allan Turner
0045	Barnet Housing Aid Centre	Cllr Brian Salinger (Cllr Anne Hutton was

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
		unsuccessful)
0046	Barnet Housing Aid Centre	Cllr Brian Gordon
0047	Barnet Housing Associations Liaison Group	Cllr Fiona Bulmer
0048	Barnet Housing Associations Liaison Group	Cllr Brian Gordon
0049	Barnet Housing Associations Liaison Group	Head of Housing
0050	Barnet Housing Associations Liaison Group	Director of Community Services
0029	Barnet Voluntary Service Council	Cllr Fiona Bulmer
0030	Barnet Voluntary Service Council	Cllr Terence Burton
0031	Barnet Voluntary Service Council	Cllr Helena Hart
0055	Brent Cross Association Limited	Cllr Anthony Finn
4526	Continuing Care Review Panel	Mrs Helena Davis
0058	Court of the City University (Northampton College)	Cllr Eva Greenspan
0010	Darlands Lake Nature Reserve Management Group	Cllr Brian Coleman
0011	Darlands Lake Nature Reserve Management Group	Cllr Jeremy Davies
0060	Disability Action in the Borough of Barnet	Cllr Robert Newton
0061	Disability Action in the Borough of Barnet	Mr Alan Brackpool (Acting Asst Director – Younger Adults)
0169	East Finchley Neighbourhood Centre Management Committee	Cllr Colin Rogers
0170	East Finchley Neighbourhood Centre Management Committee	Cllr Leslie Sussman
0171	East Finchley Neighbourhood Centre Management Committee	Cllr Kitty Lyons
0172	East Finchley Neighbourhood Centre Management Committee	Cllr John Marshall
0173	East Finchley Neighbourhood Centre Management Committee	Cllr Mark Langton
1054	Eleanor Palmers Charity	Mr Stephen Payne (Cllr Paul Rogers was unsuccessful)
1055	Eleanor Palmers Charity	Mr Martyn Woolf
1058	Finchley Charities	Defer
1059	Finchley Charities	Mr Andrew Galatopolous
1060	Finchley Charities	Cllr Colin Rogers
1061	Finchley Charities	Mrs Elizabeth Davies (Mr

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
		Peter Hart was unsuccessful)
0190	Friend in Need Community Centre	Cllr Susan Steinberg
0191	Friend in Need Community Centre (Substitute)	Cllr Terence Burton
0075	Friends of Barnet Borough Libraries	Cllr Alan Schneiderman
0076	Friends of Barnet Borough Libraries (Substitute)	Cllr Wendy Prentice
0164	Friern Park Centre Management Committee	Cllr Alison Moore
0165	Friern Park Centre Management Committee	Cllr Gerard Silverstone
0166	Friern Park Centre Management Committee	Cllr Brian Coleman
0167	Friern Park Centre Management Committee	Cllr Jim Tierney
0168	Friern Park Centre Management Committee	Cllr Alan Schneiderman
0236a	Grahame Park Interim Partnership Board	Cllr Anthony Finn
0236b	Grahame Park Interim Partnership Board	Cllr Gill Sargeant
0236c	Grahame Park Interim Partnership Board	Director of Environment
0236d	Grahame Park Interim Partnership Board	Head of Housing
0236e	Grahame Park Interim Partnership Board (Deputy)	Cllr Brian Salinger
0236f	Grahame Park Interim Partnership Board (Deputy)	Cllr Zakia Zubairi
0236g	Grahame Park Interim Partnership Board (Deputy)	Ms Nicky Bird (Housing Strategy & Development Manager)
0234	Greater London Enterprise Ltd	Cllr Melvin Cohen (Cllr Soon-Hoe Teh was unsuccessful)
0235	Greater London Enterprise Ltd (Substitute)	Cllr Peter Davis
1167	Hampstead Garden Suburb Institute Council	Cllr Andrew Harper
0099	Hampstead Heath Management Committee (City of London)	Cllr Melvin Cohen (Cllr Colin Rogers was unsuccessful)
0600	Health and Social Care Partnership Board	Cllr Fiona Bulmer

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0600a	Health and Social Care Partnership Board	Cllr Sean Hooker
0600b	Health and Social Care Partnership Board	Cllr Claire Farrier
0600c	Health and Social Care Partnership Board	Cllr Christopher Harris
0100	Heritage of London Trust	Cllr Melvin Cohen (Cllr Alan Schneiderman was unsuccessful)
0223	LGA's Urban Commission	Cllr Brian Salinger
0225	LGA's Urban Commission	Cllr Brian Coleman (Cllr Jim Tierney was unsuccessful)
0116	LHC – Building Components and Services	Cllr Terry Burton
0117	LHC – Building Components and Services	Cllr John Marshall
0118	LHC – Building Components and Services (Substitute)	Cllr Brian Salinger
0214	Local Government Association	Cllr Philip Yeoman
0215	Local Government Association	Cllr Brian Salinger
0216	Local Government Association	Cllr Kanti Patel
0217	Local Government Association	Cllr Anthony Finn
0084	London Local Authority Arts Forum	Cllr Katia David
0085	London Local Authority Arts Forum	Cllr Peter Davis (Cllr Zakia Zubairi was unsuccessful)
0124	London Youth Games Limited	Cllr Christopher Harris (Cllr Alan Schneiderman was unsuccessful)
0125	London Youth Games Limited (Substitute)	Head of Education
0159	Management Committee for Rowley Green Common	Cllr Katia David
0160	Management Committee for Rowley Green Common	Cllr Wendy Prentice
0161	Management Committee for Rowley Green Common	Mr Matthew Mardling, Principal Greenspaces Development Manager
0162	Management Committee for Rowley Green Common	Head of Environmental and Neighbourhood Services
0132	National Society for Clear Air and Environmental Protection	Head of Environmental and Neighbourhood Services
0132a	National Society for Clear Air and Environmental Protection	Mr Ray Phillips, Assistant Head of Environment,

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
		Regulatory Services (Cllr Colin Rogers was unsuccessful)
0132b	National Society for Clear Air and Environmental Protection	Mr David Norton, Group Manager, Scientific Services
0192	New Barnet Community Association General Committee	Cllr Olwen Evans
0193	New Barnet Community Association General Committee	Cllr Wendy Prentice
0194	New Barnet Community Association Management Committee	Cllr Olwen Evans
0133	North London Waste Authority	Cllr Brian Coleman
0134	North London Waste Authority	Cllr Melvin Cohen
0135	Oakhill Woods Nature Reserve Management Group	Cllr Susan Steinberg
0136	Oakhill Woods Nature Reserve Management Group	Cllr Terence Burton
0137	Oakhill Woods Nature Reserve Management Group	Cllr Daniel Hope
0138	Oakhill Woods Nature Reserve Management Group	Mr Matthew Mardling, Principal Greenspaces Development Manager
0139	Oakhill Woods Nature Reserve Management Group	Head of Environmental and Neighbourhood Services
9800	School Organisation Committee	Cllr Andrew Harper (Cllr Anne Hutton was unsuccessful)
9801	School Organisation Committee	Cllr John Marshall (Cllr Claire Farrier was unsuccessful)
9802	School Organisation Committee	Cllr Christopher Harris (Cllr Alison Moore was unsuccessful)
9803	School Organisation Committee	Cllr Kevin Edson (Cllr Kath McGuirk was unsuccessful)
9804	School Organisation Committee	Cllr Wendy Prentice (Cllr David Mencer was unsuccessful)
9805	School Organisation Committee	Cllr Susan Steinberg (Cllr Barry Rawlings was unsuccessful)
9806	School Organisation Committee	Cllr Susette Palmer
0237	Wright Community Development	Cllr Anthony Finn (Cllr

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION Trust	PERSON APPOINTED OR NOMINATED
		Gill Sargeant was unsuccessful)

School Governing Bodies

The Democratic Services Manager's report set out details of the appointments or nominations to be made

Councillors Joan Scannell, Alison Moore and Jeremy Davies submitted the nominations in their names, with Councillor Alison Moore withdrawing the Labour nomination for Dollis Infant School (Ref P.41.1) in favour of that submitted by the Liberal Democrat Group.

(i) **RESOLVED – That the following persons be appointed or nominated as the case may require to fill the vacancies referred to:**

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
P2.1	Barnet Hill & Nursery JMI School	Mr Gordon Massey
P.44.3	Broadfields Primary School	Mr Eli Abeles
P.23.1	Brookland Infant and Brookland Junior Schools	Defer
P.10.3	Brunswick Park Primary School	Defer
P.11.1	Church Hill School	Defer
P.11.2	Church Hill School	Defer
P.39.1	Courtland JMI School	Defer
P.41.1	Dollis Infant School	Ms S De Lance
P.45.2	Grasvenor Avenue Infant School	Defer
P.48.2	Hampden Way Nursery School	Defer
SP.02.2	Northway School	Defer
P.50.4	The Orion Primary and Goldbeaters Primary Schools	Defer

15. RESULTS OF BY-ELECTION 5 MAY 2005: GARDEN SUBURB WARD (Report of the Chief Executive - Agenda item 13.4.1)

The Chief Executive reported the results of the by-election in the Garden Suburb Ward on 5 May 2005 and confirmed that Andrew Harper was elected as Councillor for that Ward

16. REPRESENTATION OF THE COUNCIL ON THE ARTSDEPOT TRUST LTD (Report of the Democratic Services Manager – Agenda item 13.4.3): RESOLVED – That the Council approve the replacement of Councillor Brian Salinger with Councillor Daniel Hope as the Council's representative on the Artsdepot Trust Ltd.

17. AMENDMENTS TO THE CONSTITUTION (Report of the Democratic

Services Manager – Agenda Item 13.4.4, 11 and 14)

The Democratic Services Manager's report reminded the Council that the amendments to the Council's Constitution relating to Substitute Members and Quorum (Part 4 – Rules of Procedure – Section 2 Committee and Sub – Committees, paragraph 1) and Table 1 of the Overview and Scrutiny Rules were dependant upon the Council's decisions relating to the Appointment of Committees (Item 13 of these Minutes refers).

RESOLVED –

- (1) **That, in relation to the Council's Constitution:**
- (i) **the proposed changes to Article 6 – Overview and Scrutiny Committees, as set out in Appendix B, be approved.**
 - (ii) **the proposed changes to Part 3 – Responsibility for Functions, as set out in Appendix C indicating details of the membership of the Audit Committee as set out in Item 13 of these minutes be approved**
 - (iii) **the change mirrors the Council's decision on the membership of Committees, referred to in Item (1) above:**
 - **Part 3 – Responsibility for Functions : membership of Audit Committee (Appendix C)**
 - **Overview and Scrutiny Procedure Rules : Table 1: Membership of Committee (Appendix D)**
 - (iv) **the changes to Section 2 Committee and Sub – Committees - paragraph 1 - Substitute members and quorum reflect the Council's decisions on the membership of Committees, referred to in Item (1) above. (Appendix E)**
- (2) **That the Democratic Services Manager be instructed to make the changes to the Council's Constitution.**

18. **APPROVAL OF REVISED CALENDAR OF MEETINGS, SUB – COMMITTEES, PANELS, FORUMS, ETC (Report of the Democratic Services Manager – Agenda item 13.2.5, 9 and 13)**
RESOLVED – That the revised Calendar of Meetings as set out in Appendix F be approved.

The meeting ended at 8.35

Appendix A

COMMITTEE MEMBERSHIP 2005/2006 Councillors

Cabinet Overview and Scrutiny Committee

Wendy Prentice (Chairman)

Helena Hart (Vice – Chairman)

Peter Davis

Eva Greenspan

Maureen Braun

Andrew Harper

Phil Yeoman

Alison Moore

Danish Chopra

Barry Rawlings

Jack Cohen

Substitutes

Victor Lyon

Alan Schneiderman

Monroe Palmer

Leslie Sussman

Kath McGuirk

Wayne Casey

Resources, Performance and partnerships Overview and Scrutiny Committee

Peter Davis (Chairman)

Leslie Sussman (Vice – Chairman)

Susan Steinberg

Brian Coleman

David Mencer

Ansuya Sodha

Wayne Casey

Substitutes

Andrew Harper

Alison Moore

Jeremy Davies

Danish Chopra

Monroe Palmer

First Class Education and Children Overview and Scrutiny Committee

Kevin Edson (Chairman)
Jazmin Naghar (Vice – Chairman)
Andrew Harper
Gerard Silverstone
Anne Hutton
Agnes Slocombe
Susette Palmer

Substitutes

Susan Steinberg
Barry Rawlings
Jack Cohen
Alan Schneiderman
Sean Hooker

Cleaner, Greener, Transport and Development Overview and Scrutiny Committee

Lynne Hillan (Chairman)
Olwen Evans (Vice-Chairman)
Joan Scannell
Wendy Prentice
Kath McGuirk
Colin Rogers
Jim Tierney
Jeremy Davies

Substitutes

Maureen Braun
Agnes Slocombe
Sean Hooker
Gill Sargeant
Jack Cohen

Supporting the Vulnerable in our Community Overview and Scrutiny Committee

Helena Hart (Chairman)
Maureen Braun (Vice- Chairman)
Robert Newton
Wendy Prentice
Linda McFadyen
Zakia Zubairi
Monroe Palmer

Substitutes

**Jazmin Naghar
Arun Ghosh
Jack Cohen
Paul Rogers
Susette Palmer**

Tackling Crime and Housing Overview and Scrutiny Committee

**Brian Gordon (Chairman)
Terry Burton (Vice – Chairman)
Daniel Hope
Malcolm Lester
Anita Campbell
Gill Sargeant
Sean Hooker**

Substitutes

**Jazmin Naghar
Alan Schneiderman
Susette Palmer
Allan Turner
Jack Cohen**

Audit Committee

**Wayne Casey (Chairman)
Brian Coleman (Vice-Chairman)
Daniel Hope
Malcolm Lester
Leslie Sussman
Claire Farrier
Mark Langton**

Substitutes

**Aba Dunner
Alison Moore
Monroe Palmer
Terry Burton
Danish Chopra
Jeremy Davies**

General Functions Committee

**Joan Scannell (Chairman)
Brian Salinger (Vice- Chairman)**

**Kevin Edson
Kanti Patel
Steve Blomer
Soon – Hoe Teh
Jeremy Davies**

Substitutes

**Wendy Prentice
Kath McGuirk
Jack Cohen
Robert Newton
Kitty Lyons
Monroe Palmer**

Planning and Environment Committee

**Peter Davis (Chairman)
Eva Greenspan (Vice- Chairman)
Olwen Evans
Victor Lyon
Andreas Tambourides
Gerard Silverstone
Melvin Cohen
Maureen Braun
Malcolm Lester
Wendy Prentice
John Marshall
Jim Tierney
Agnes Slocombe
Allan Turner
Gill Sargeant
Barry Rawlings
Alison Moore
David Mencer
Alan Schneiderman
Jack Cohen
Jeremy Davies**

Substitutes

**Fiona Bulmer
Claire Farrier
Monroe Palmer
Leslie Sussman
Zakia Zubairi
Sean Hooker
Terry Burton**

Soon – Hoe Teh
Brian Coleman
Colin Rogers
Daniel Hope
Steve Blomer
Robert Newton
Kitty Lyons
Chris Harris
Ansuya Sodha
Matthew Offord
Anne Hutton
Helena Hart
Katia David
Andrew Harper

Appeals Committee 1

Terry Burton (Chairman)
Wendy Prentice (Vice – Chairman)
Victor Lyon
4 vacancies

Substitutes

Joan Scannell

Appeals Committee 2

Maureen Braun (Chairman)
Robert Newton (Vice- Chairman)
Wendy Prentice
4 Vacancies

Substitutes

Lynne Hillan

Appeals Committee 3

Leslie Sussman (Chairman)
Victor Lyon (Vice- Chairman)
Joan Scannell
Susette Palmer
3 Vacancies

Substitutes

Robert Newton
Monroe Palmer
Wayne Casey

Licensing Committee

Brian Coleman (Chairman)
Eva Greenspan (Vice- Chairman)
Maureen Braun
Wendy Prentice
Olwen Evans
Terry Burton
Joan Scannell
Peter Davis
Steve Blomer
Claire Farrier
Agnes Slocombe
Soon – Hoe Teh
Jim Tierney
Ansuya Sodha
Susette Palmer

Standards Committee

Leslie Sussman
Agnes Slocombe
Jack Cohen

Substitutes

Victor Lyon
Soon – Hoe Teh
Monroe Palmer
Brian Coleman

Chief Officers Appointments Panel

(Note: to include at least the Leader of the Council [or another member of the Executive]. Appointments to this Panel will be made by the Council as and when required).

Chief Officers Disciplinary and Capability Investigating Panel

(Note: Appointments to this Panel will be made by the Council as and when required).

Chief Officers Disciplinary Panel

(Note: to include at least the Leader of the Council (or another member of the Executive) (membership must be different from any investigating panel).
Appointments to this Panel will be made by the Council as and when required).

Welsh Harp Joint Consultative Committee

Matthew Offord

Arun Ghosh

Christopher Harris

Ansuya Sodha

Special Committee to deal with Constitution

Kanti Patel (Chairman)

Brian Salinger (Vice- Chairman)

Joan Scannell

Daniel Hope

Jack Cohen

2 Vacancies

Substitutes

Melvin Cohen

Monroe Palmer

Eva Greenspan

Jeremy Davies

Corporate Joint Negotiation and Consultation Committee

Katia David (Chairman)

Malcolm Lester

Anthony Finn

Brian Salinger

Terry Burton

Joan Scannell

Kanti Patel

Ansuya Sodha

Mark Langton

Soon – Hoe Teh

Jim Tierney

Claire Farrier

Jeremy Davies

Monroe Palmer

Substitutes

Peter Davis

Danish Chopra
Sean Hooker

Teachers Joint Negotiation and Consultation Committee

John Marshall (Chairman)
Lynne Hillan
Christopher Harris
Jazmin Naghar
Kevin Edson
Anne Hutton
David Mencer
Barry Rawlings
Alison Moore
Susette Palmer

Substitutes

Susan Steinberg
Arun Ghosh
Sean Hooker
Andrew Harper
Ansuya Sodha
Jack Cohen

Corporate Joint Consultation (Health, Safety & Welfare) Committee

Wendy Prentice (Chairman)
Katia David
Malcolm Lester
Brian Salinger
Steve Blomer
Arun Ghosh
Sean Hooker

Substitutes

Leslie Sussman
Allan Turner
Monroe Palmer
Robert Newton
Paul Rogers

Finchley Area Forum

Leslie Sussman (Chairman)
Andrew Harper (Vice- Chairman)

Golders Green/Childs Hill Area Forum

Jazmin Naghar (Chairman)

John Marshall (Vice-Chairman)

Barnet Area Forum

Daniel Hope (Chairman)

Kevin Edson (Vice-Chairman)

Whetstone Area Forum

Gerard Silverstone (Chairman)

Terry Burton (Vice-Chairman)

Hendon Area Forum

Brian Gordon (Chairman)

Anthony Finn (Vice-Chairman)

Edgware, Mill Hill and Burnt Oak Area Forum

Brian Gordon (Chairman)

Malcolm Lester (Vice-Chairman)

Article 6 - Overview and Scrutiny Committees

(Amended Council 17 May 2005)

References:

Section 21 and schedule 1 (Paragraphs 7, 8, 10 and 11), Local Government Act 2000

Chapters 3 and 9, DETR Guidance

6.01 Terms of reference

The Council will appoint the overview and scrutiny committees set out in the left-hand column of the table below to discharge the functions conferred by section 21 of the Local Government Act 2000 in relation to the matters set out in the right-hand column of the same table.

Scrutiny Committee	Scope of Scrutiny
Cabinet	Reviewing Executive decisions made but not implemented.
Resources Performance and Partnership Overview and Scrutiny Committee	The overall performance, effectiveness and value for money of Council; services; the effectiveness of the council's partnerships; the robustness and implementation of Best Value reviews and improvement plans; the Council's Information and Communications Technology systems; and scrutinising the budget process, service resourcing, risk management.
First Class Education and Children	The Council's Educational Services and any other matters relevant to education, for all those below the age of 19; the provision of opportunities for ongoing education; services for children and young people; local NHS services and health-related issues which impact upon the health of children and young people up to the age of 18; cultural and recreational services and the development of tourism.

Scrutiny Committee	Scope of Scrutiny
Culture, Community, Engagement, Equalities and Human Resources.	The Council's provision, management and development of all sporting, cultural and recreational facilities and activities for people who live in, work in or visit the borough. The provision and implementation of the Council's equalities policies, recruitment and retention strategies, employee learning and development programmes.
Environment and Cleaner, Greener, Transport and Development	The Council's functions in relation to planning policy and development control, highways, transport planning, consumer protection, environmental health services, refuse collection, recycling, street cleansing, removal of fly tipping, street lighting. Council's role in relation to regeneration and development.
Supporting the Vulnerable in our Community	The provision of seamless community care for all client groups aged 18 and over, including needs assessment, cares planning, service provision and commissioning. The operation of National Health Services in the Borough for those aged 18 and over. 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 homes. Also local NHS services and health-related issues, which impact upon the health of Barnet residents 18 and over.
Tracking Crime and Housing Overview and Scrutiny Committee	The prevention of homelessness, assessment supply and development of social housing in the borough, with associated environmental, neighbourhood and social facilities, in partnership with other housing providers; all aspects of the arms length management of the housing stock by Barnet Homes and the operation of the housing benefits service.
	Additionally, the development, promotion and management of all aspects of community safety and all aspects of the Council's functions as housing authority or tackling crime and anti-social behaviours in the borough.

6.02 General role

- (a) Only the Cabinet Overview and Scrutiny Committee will exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive and/or area committees.
- (b) With the exception of the Cabinet Overview and Scrutiny Committee which has one specific function only, the Overview and Scrutiny committees are also required to perform the overview and scrutiny role, as far as matters with their remit is concerned, in relation to the following:
 - (i) The Council's leadership role in relation to diversity and inclusiveness and;
 - (ii) The fulfilment of the Council's duties as an employer, including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.
- (c) Resources, Performance and Partnerships Overview and Scrutiny Committee will consider best value reviews and inspection reports and comment to the Executive. This Committee will also assist the Executive by overseeing Best Value reviews and evaluating and analysing the findings.
- (d) Within their terms of reference, the other named overview and scrutiny committees will:
 - i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
 - ii) make reports and/or recommendations to the full Council and/or the executive and/or any or area committee in connection with the discharge of any functions;
 - iii) consider any matter affecting the area or its inhabitants.
- (e)
 - (i) Any Overview and Scrutiny Committee may appoint Sub-Committees and may arrange for the discharge of their functions by any such Sub-Committees subject to the right of a political group within the meaning of the Local Government and Housing Act 1989 and regulations made under that Act to make nominations for those appointments at the meeting that makes the appointments before the appointments are made.
 - (ii) Two or more Overview and Scrutiny Committees may appoint Joint Sub-Committees and may arrange for the discharge of their functions by any such Sub-Committees so that the Scrutiny Role may be performed in a cross-cutting way.

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- (iii) Any such Sub-Committees or Joint Sub-Committees appointed under paragraphs (d)(i) or (ii) above are subject to the rules on public meetings and political balance within the terms of the relevant legislation.
- (iv) The Terms of Reference of any Sub-Committees or Joint Sub-Committees appointed under paragraphs (d)(i) or (ii) above must be clearly stipulated by the appointing “parent” Overview and Scrutiny Committee(s) together with a defined period for their operation and existence and must be within the powers of the appointing Overview and Scrutiny Committee(s).
- (v) Overview and Scrutiny Committees individually or jointly with other Overview and Scrutiny Committees may consider that, in order to better facilitate cross-cutting reviews, the discharge of their duties would be best served by the appointment of working parties or panels or other groups to assist the Committees in their functions. Such groups are not Sub-Committees, are not subject to the rules on public meetings and political balance, and accordingly have no powers other than to investigate and make recommendations to the parent Committee. The Terms of Reference of such groups must be within the Committee appointing them and must be clearly stipulated, with a defined period for their operation and existence.

6.03 Specific functions

- (a) **Policy development and review.** Overview and scrutiny committees may:
 - i) assist the Council and the executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
 - iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - iv) question members of the executive and/or committees and chief officers about their views on issues and proposals affecting the area;
 - v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working;

- (b) **Scrutiny.** Overview and scrutiny committees may:
- i) review and scrutinise the decisions made by and performance of the executive and/or committees and Council officers both in relation to individual decisions and over time;
 - ii) scrutinise decisions, which the executive is planning to take and comment on them to the executive;
 - iii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - iv) question members of the executive and/or committee and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
 - v) make recommendations to the executive and/or appropriate committee and/or Council arising from the outcome of the scrutiny process;
 - vi) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance; and
 - vii) question and gather evidence from any person (with their consent).
- (c) **Finance.** Overview and scrutiny committees may exercise overall responsibility for any finances made available to them.
- (d) **Annual report.** Overview and scrutiny committees must report annually to full Council on their workings and make recommendations to full Council for future work programmes and amended working methods if appropriate.
- (e) **Officers.** Overview and scrutiny committees may exercise overall responsibility for the work programme of any officers employed to support their work.

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6.04 **Proceedings of overview and scrutiny committees**

Overview and Scrutiny Committees (including any Sub-Committees or Joint Sub-Committees appointed under paragraph 6.02 (d)(i) and (ii) above) will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

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Appendix C

Part 3

Responsibility for Functions

Responsibility for Functions

(Section revised Council 17 May 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
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.

Function	Decision making body
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.

Body responsible	Functions	Membership
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 Democratic Services Manager selects Members to form the Licensing Sub-Committee as required, having regard to Member availability and the areas that they represent.</p> <p>The Democratic Services Manager arranges suitable hearing times.</p>
Audit Committee	<ol style="list-style-type: none"> 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. 	The proportionality rules apply to the membership of this Committee.

Body responsible	Functions	Membership
	<p>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.</p> <p>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.</p>	

Body responsible	Functions	Membership
	<p>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.</p> <p>5. Reporting as appropriate to the Council and Cabinet</p>	
<p>Appeals Committees</p>	<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) • Appeals relating to renovation, disabled facilities, home repair assistance and common parts facilities grants • Statutory complaints against school governing bodies 	<p>The composition of each of the Appeals Committees will comprise 7 councillors plus 2 substitutes from each political group.</p> <p>The Democratic Services Manager selects each Committee in turn having regard to member availability and the areas that they represent.</p> <p>The Democratic Services Manager arranges daytime or evening meetings to suit the wishes of appellants.</p>

Body responsible	Functions	Membership
	<ul style="list-style-type: none"> • 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>21 councillors, with a substitute member for each ward.</p>

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Body responsible	Functions	Membership
	<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>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>	

Body responsible	Functions	Membership
<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.</p> <p>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> <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 	<p>1 councillor for each ward in the area, with a substitute member for each ward.</p>

Body responsible	Functions	Membership
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 six substitute members (also two 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).

Body responsible	Functions	Membership
<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 	<p>7 councillors</p>
<p>Pension Fund Management Advisory Panel</p> <p>Note: This is an informal body and not a Council Committee.</p>	<p>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.</p>	<p>3 councillors (one from each political group).</p>

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)

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Cabinet Members

i. Set out below is a table in the first column of which are listed the names, addresses and wards of Cabinet Members.

1.2 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. Brian Salinger 32 The Ridgeway London N11 3LJ Oakleigh Ward LEADER	The Leadership of the council. Specific individual responsibilities: <ul style="list-style-type: none"> • Communications, media relations and marketing • Community Safety • Law and probity issues 	The Leader may discharge any function of the Executive.

Executive Member and Portfolio	Responsibilities	Delegation
<p>Cllr. Christopher Harris 124 Britten Close, London, NW11 7HF</p> <p>Golders Green Ward</p> <p>CHILDREN</p>	<p>To lead on budget and policy formulation and implementation in relation to the Children Act 2004. 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.</p> <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>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>

Executive Member and Portfolio	Responsibilities	Delegation
<p>Cllr Katia David 16 Oakleigh Park 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>

Executive Member and Portfolio	Responsibilities	Delegation
<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. This to include the development of a waste minimisation strategy.</p> <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. 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>Environmental health and trading standards</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 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>POLICY AND PERFORMANCE</p>	<p>To lead on budget and policy formulation and implementation in relation to performance, CPA and best value, budget strategy, medium term financial plan and Housing Benefits</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 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>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	
<p>Cllr Anthony Finn 4 Cheyne Walk Hendon London NW4 3QJ</p> <p>Hendon Ward</p> <p>REGENERATION AND DEVELOPMENT</p>	<p>To lead on budget and policy formulation and implementation in relation to regeneration.</p> <p>In particular, economic and strategic development, town centre regeneration, and policies and opportunities for the enhancement and enrichment of the London Borough of Barnet.</p> <p>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 Kanti Patel MBEng MCI OB FFB MCMI Poonam Villa 12a Woodside Lane North Finchley N12 8RG</p> <p>High Barnet Ward</p> <p>RESOURCES</p>	<p>Deputy Leadership of the council.</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>

Executive Member and Portfolio	Responsibilities	Delegation
<p>Cllr. Fiona Bulmer 14 Sellwood Drive Barnet Herts EN5 2RL</p> <p>Underhill Ward</p> <p>COMMUNITY SERVICES</p>	<p>To lead on budget and policy formulation and implementation in relation to social care, housing and the emerging public health agenda (including health partnerships).</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>In particular working with the Barnet Homes, 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>All matters related to public sector housing.</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>

Executive Member and Portfolio	Responsibilities	Delegation
Cllr Melvin Cohen 146 Broadfields Avenue Edgware HA8 8SS Golders Green Ward PLANNING AND LICENSING SERVICES	To lead on budget and policy formulation and implementation in relation to planning, development plans, building and property construction and licensing , other than matters relating to the Licensing Act 2003. To include all aspects of the development and development control service, Building Control. Naming and numbering of streets and properties.	The general powers delegated to Cabinet Members are set out below. Officers, in consultation with the Cabinet Member, as set out in Paragraph 6 of Part 3 of the Constitution.

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	To write off debt. To determine external or cross-boundary trading limit.	Councillor Katia Patel (Chairman) Councillor Brian Salinger Councillor Anthony Finn Councillor John Marshall Councillor Mike Freer
Equalities and Social Inclusion		Councillor Katia David (Chairman) Councillor Melvin Cohen Councillor Katia Patel
ICT		Councillor Mike Freer (Chairman) Councillor Brian Salinger Councillor Anthony Finn Councillor Katia David Councillor Matthew Offord

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 	1 councillor for each ward in the area, with a substitute member for each ward.

Body responsible	Functions	Membership
	<p>operation of council markets</p> <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 	

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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

Committee/Sub-Committee	No. of members required to support a reference	Council/parent committee
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.

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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,

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- 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.

CABINET OVERVIEW AND SCRUTINY COMMITTEE

(Amended Council 17 May 2005)

Membership

11 Non-executive Councillors

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

8 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.

Section 2 – Committees and Sub-Committees

(Section revised 17 May 2005 to include reference to licensing function)

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NOTE ON THE CONDUCT OF LICENSING HEARINGS

Notwithstanding the following procedure rules for Council Committees and Sub-Committees, 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.

PROCEDURE RULES FOR COUNCIL COMMITTEES & SUB-COMMITTEES

1. Substitute members and quorum

1.1 The number of substitute members on each body and the quorum for each shall be as set out below:

1.2

Committee	Substitute Members	Quorum
Planning and Environment Committee	21 (One Substitute for each ward) See Rule 2.7	5
Area Planning Sub-Committees		
Finchley and Golders Green	7 (one substitute for each ward)	3
Chipping Barnet	7 (one substitute for each ward)	3
Hendon	7 (one substitute for each ward)	3
Environment Sub-Committees		
Finchley and Golders Green	7 (one substitute for each ward)	3
Chipping Barnet	7 (one substitute for each ward)	3
Hendon	7 (one substitute for each ward)	3
Standards Committee	2 for each political group	3 (to include at least two co-opted members)
Sub-Committee appointed by the Standards Committee		3 (to include at least two co-opted members)
Licensing Committee	Not applicable	4
Licensing Sub-Committee	Not applicable	Not applicable – all three Members (including one from the Panel of Chairmen) must be present for the meeting to proceed
Appeals Committees	2 for each appointed member from the same political group	3

Council Procedure Rules

Audit	2 (6) for each political group	3
Chief Officers Appointments Panel	6 (2 for each political group)	3
Chief Officers Disciplinary and Capability Investigating Panel	6 (2 for each political group)	3
Chief Officers Disciplinary Panel	6 (2 for each political group)	3
Cabinet Overview and Scrutiny Committee	6 (2 for each political group)	3
General Functions Committee	6 (2 for each political group)	3
Superannuation Fund Management Advisory Panel	6 (2 for each political group)	Not applicable

MEETINGS OF COUNCIL, COMMITTEES ETC 2005 - 2006

Appendix F

- Notes:** (a) Normally meetings will commence at 7 pm and will be held at the Town Hall, Hendon unless otherwise arranged.
 (b) Area Forums meet at other venues.
 (c) Meetings not included will be arranged as and when required.

		2005										2006												
1	Reserved for Barnet Civic Network	-	30/3								9/11				27/3									
2	Corporate JNCC	-									24/11										13/7			
3	Teaching JNCC	-				21/6							9/1								15/6			
4	Health Safety and Welfare JNCC	-	31/3				18/7				23/11				13/3						27/7			
5	Standards Committee	-	24/3			29/6				6/10			1/12			21/3					28/6			
6	Area Forums - Golders Green; Whetstone; Edgware, Burnt Oak & Mill Hill	Tue			3/5		26/7				22/11				28/2						13/6			
7	Area Forums – Finchley; Barnet; Hendon	Wed	13/4			6/7				28/9				18/1		5/4					26/7			
8	Area Environment. Subs	Tue			24/5		2/8			27/9			6/12		23/3						8/6			
9	Finchley & Golders Grn. Area Planning Sub	Mon	4/4	9/5	6/6				*	10/10		Thurs 17/11	Mon 12/12	Thurs 12/1	Thurs 9/2	Thurs 16/3	Thurs 27/4	Thurs 25/5	Mon 19/6	Thurs 20/7	Thurs 17/8			
10	Chipping Barnet Area Planning Sub	Tue	5/4	10/5	7/6	12/7	9/8	6/9		*	11/10	15/11	13/12	10/1	7/2	14/3	25/4	23/5	20/6	18/7	15/8			
11	Hendon Area Planning Sub	Wed	6/4	11/5	8/6	13/7	10/8	7/9		*Thurs 29/9		16/11	14/12	11/1	8/2	15/3	26/4	24/5	21/6	19/7	16/8			
12	Resources, Performance and Partnerships Overview & Scrutiny				2/6			20/7		1/9				7/12		6/2		4/4			5/6			
13	First Class Education and Children Overview & Scrutiny					30/6			19/9		28/11				1/2	9/3	22/5		25/7					
14	Cleaner, Greener, Transport and Development Overview & Scrutiny					2/6			20/9				8/12		2/2	22/3		14/6				1/8		
15	Supporting the Vulnerable in our Community Overview & Scrutiny						20/7	3/8	20/9				21/12		6/2		24/4		5/6					
16	Tackling Crime and Housing Overview & Scrutiny					27/6		31/8					12/12		23/2			31/5		3/7				
17	Audit Committee				9/6			31/8	+	10/10		21/12		15/2	4/4			4/7						
18	General Functions Committee	Thur			26/5		\$28/7					Mon 14/11		19/1				Mon 24/4	\$ Wed 21/6					

19	Cabinet Briefing Meeting.	Mon	28/2	18/4		16/5	20/6	-	22/9		21/11		Tue 3/1	13/2	20/3		Tue 30/5	10/7				
20	Cabinet Resources	Thur	17/3	28/4		16/6	21/7		26/9		10/11		5/1	16/2	30/3		18/5	6/7				
21	Shadow Cabinet	-	22/3	26/5			5/7	23/8	6/10		29/11		17/1	21/2	28/3		6/6	& 20/7 Or 17/7 -				
22	Planning and Environment Committee	Wed	20/4	25/5	22/6	27/7	24/8	21/9		Thur 20/10		30/11	4/1	25/1	22/2	29/3	17/5	7/6	5/7	2/8	30/8	
23	Cabinet - Formal Meeting	Mon	Tue 29/3	31/5			7/7		Tue 30/8	11/10		5/12		23/1	27/2	3/4		12/6	24/7			
24	Cabinet Overview and Scrutiny Committee	Mon	11/4	23/5	15/6		1/8		12/9	27/10		19/12		30/1	6/3	10/4		19/6	31/7			
25	Party Group Meetings for Council	Thur	7/4	12/5				8/9	Wed 2/11		15/12		26/1	2/3	6/4	11/5		22/6				
26	Council	Tue	12/4					13/9	8/11		20/12		31/1	*7/3	11/4			27/6				
27	Council - Annual Meeting	Tue		17/5													16/5					

(* Includes Mayoralty nomination and Council Tax) (\$ Includes Statement of Accounts
+ Audit Committee meet s to consider SAS610 report from Auditors)

Other notes:

* leave late Sept/Oct Planning Subs as they are

& This can stay as it is or be moved to 17/7, which would avoid any overlaps, whichever is preferable

I:\New Council Structure 2001\Calendar of meetings 2005-6 onwards\2005-6\CALENDAR OF MEETINGS Draft 2005-6 as amended.doc