

SUPPLEMENTAL REPORT OF THE DEMOCRATIC SERVICES MANAGER
Agenda item 16.1

4. Amendments to items on the Agenda
Agenda item 9.1 : Motion in the name of Councillor Wayne Casey
Amendment in the name of Councillor Melvin Cohen

“Amend the Motion so that it reads:

“Council notes with regret that St Joseph's College, Lawrence Street, the home of the Mill Hill Missionaries since their foundation by Cardinal Vaughan in the 1860s, is to close.

Council further notes that the estate includes a landmark Grade II listed building situated in the greenbelt in a Conservation Area. The level of protection on the site is the strongest possible under planning designation.

Council welcomes the sincere efforts of the Mill Hill Missionaries to find a purchaser for the property who will respect both this important piece of the historic built environment and the preservation of the greenbelt.

Council welcomes the efforts of Barnet's Planning Department in drawing up a development brief to protect the character and charm of the site.

Council further welcomes the decision of Planning and Environment Committee in approving the extension of the Article 4 Direction to the entire site. This will impose new restrictions on the temporary uses of the open land.

Council believes adherence to Barnet's “Three Strand” planning policy is of utmost importance in this case, as it seeks the protection of the Green Belt and Conservation Areas, and the enhancement of low-density suburbs, such as Mill Hill.

Given that the restrictions on the St. Joseph's College site are the strongest protection levels in Planning, Council expects the proper enforcement of these measures and that the environment of Mill Hill is not in any way adversely affected by the sale of the property.”

Councillor Melvin Cohen has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

Agenda Item 9.2 : Motion in the name of Councillor Claire Farrier
Amendment in the name of Councillor Brian Salinger

“Delete all after “Council” in first paragraph and Insert:

“...reaffirms that it wants to see a successful football club in Barnet playing a full part in our community.

Council notes that the Leader of the Council has drafted a consultation paper in response to Barnet FC's "Working Together" document that is scheduled to be considered by Cabinet in due course.

Council asks Cabinet to consider confirming Montrose playing fields as a possible site for a new stadium. Council notes that an external consultant feasibility study found that Montrose Park could be "well suited" for a football stadium.

Council further notes the welcome given by Burnt Oak Traders to the possible use of Montrose Playing Fields as a site for a new stadium for Barnet FC..

Council asks the directors of BFC to engage in meaningful discussions about their future in particular it asks the club to either confirm that it does want to move from Underhill, or to confirm that they will stay at Underhill. If it is the former the Club should enter in to meaningful discussions with the appropriate Council Officers about the possible use of Montrose playing fields as a site for a new stadium or other alternative sites. If the club choose the latter the Council will expect them to bring forward proposals by way of a planning application for the improvements needed to bring the stadium up to a reasonable condition to meet the Football League requirements."

Agenda Item 9.3 : Motion in the name of Councillor Danish Chopra

1. Amendment in the name of Councillor Kath McGuirk

"Add at end:

"Council is dismayed at the continued proliferation of large chain stores in our High Streets and the continued closure of small, specialist shops.

Council believes this robs our town centres of their character, and leads to cloned, featureless, shopping centres.

Council understands this is part of a Londonwide problem, and is reflected in the fact that the Evening Standard newspaper has launched a petition, "Save our Small Shops", urging the Government to use planning law to stop large chains forcing out small businesses.

Council regrets the loophole in the new PPS 6 planning guidance, which permits the siting of large superstores on the edge of town centres, providing unfair competition to small firms in the High Street.

Council notes that the Association of Convenience Stores said that the clause would have a "damaging impact on the town centre". However the clause has remained in the final version of PPS 6.

Council welcomes Barnet's Planning and Environment Committee's decision to reject the "Tesco" application on Ballards Lane, West Finchley. One that, if realised, Council believes would have been extremely detrimental to the small business in the Finchley area.

Council notes the proposals of the Cabinet Resources Committee, chaired by Councillor Mike Freer, to build a “Tesco” supermarket in Watling car park on the edge of Burnt Oak town centre.

Council congratulates the hard work of staff providing access to Small Business relief, and congratulates the hard work of the Business Rates team.

Council congratulates the townkeeper and CCTV staff on their hard work for the borough.

Council is not complacent about the future of our town centres and believes more needs to be done on a national and local level to halt the decline in our High Streets and the loss of small shops.

Council welcomes all policies to improve the infrastructure of London’s suburbs, making them more attractive places to do business.

Council resolves to call on the Leader of the Council to sign, on behalf of Barnet Council, in support of the Evening Standard’s “Save our Small Shops” campaign. Council urges the Cabinet to write to the DTI and ODPM explaining our support for this campaign, and calling for urgent changes to planning law so the livelihoods of small business and the viability of our High Streets can be protected for generations to come.”

Councillor Kath McGuirk has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

2. Amendment in the name of Councillor Anita Campbell

“Add at end:

“Council notes that many residents are concerned that the Council is withdrawing support from High Barnet town centre. Council regrets the closure of the Register Office, cashiers’ office and parking control office, the sale of the Bull Theatre, cuts to support for High Barnet traders and increased parking charges.

Council therefore urges the Cabinet to:

- re-open the Barnet Register Office in the Wood Street building or within Barnet Hospital,
- grant the Suzi Earnshaw Theatre School a long-lease on the Bull Theatre,
- take steps to deal with the growing problems of litter, dumped rubbish and graffiti in the town centre,
- monitor how full the car parks are so as to judge whether further adjustments need to be made to charges, and
- respond to the complaints from residents about the Bells Hill CPZ.”

Councillor Anita Campbell has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

Agenda Item 9.4 : Motion in the name of Councillor Melvin Cohen

1. Amendment in the name of Jim Tierney

“Add at end:

“Council supports the Green Belt.

Council notes the recent national proposals to change the definition of a greenfield site, to enable more development on these sites, by reviewing the planning system.

Council believes downgrading greenfield sites in this manner could threaten the London Borough of Barnet’s green open spaces and Green Belt.

Council therefore asks the Chief Executive to write to the Deputy Prime Minister setting out the London Borough of Barnet’s opposition to a change in the definition of a greenfield site by a review of the planning system.”

Councillor Jim Tierney has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

2. Amendment in the name of Councillor Jeremy Davies

“Add at end:

Council rejects the "vision" expressed in the so-called *Sustainable Community Strategy* that by 2016 Barnet should be one of the "largest Boroughs in London" believing this to be an encouragement to over development and a threat to the green belt. Further, Council rejects the plans -attributed in the *Times* and the *Evening Standard* to Conservative MP George Osborne - for a redefinition of what constitutes a greenfield site and the removal of many of the current planning controls over property development. Council believes that the current controls over development are insufficient as it is and have led to the blight of over development in many parts of the Borough.”

Councillor Jeremy Davies has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

Agenda Item 9.5 : Motion in the name of Councillor Chris Harris **Amendment in the name of Barry Rawlings**

“Amend motion to read:

Council notes the Youth Offending Team, which rehabilitates and engages young people involved in disorder and delinquency.

Council believes the Youth Offending Team is an essential part of the assault on anti-social behaviour in the Borough, particularly as concerns are being raised that ASBOs may be becoming a “Badge of Honour”. The work of the Council’s Youth Offending Team is intended to keep young people from re-offending; prevention as well as a cure.

Council congratulates the hard work of the Youth Offending Team staff on the successful rehabilitation of young people involved in disorder and delinquency.

Council further notes the video of the Youth Offending Team's restorative justice project ("Time to Talk - Time to Listen"), piloted in five Primary Schools, won a prestigious award at the Communicating Youth Justice Awards last year.

Council also welcomes the initiatives piloted by the Youth Offending Team in engaging young people in Grahame Park engaged in anti-social behaviour, and the attendant successes seen.

Council believes it is due in no small part to the Youth Offending Team's Work that we have seen a drop in Youth Crime in Barnet. The number of youths involved in offences in this Borough fell by 9% between 2003/4 and 2004/5.

Council is not complacent about the need for a multiplicity of facilities and activities across the Borough for young people, both by the Council, voluntary and private sector.

Council calls on Cabinet to ensure the work of the Youth Offending Team is strengthened and built upon, so that young people in the Borough can be directed away from crime, and we can drive the anti-social elements out of our streets and help young people themselves."

Councillor Barry Rawlings has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

**Agenda Item 9.8 : Motion in the name of Councillor Macdonald
Amendment in the name of Councillor Mike Freer**

"Amend the Motion so that it reads:

"Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.

Council notes that the Bull Arts Centre has moved from Barnet High Street to be incorporated into the Arts Depot in North Finchley.

Council further notes this was a decision taken by the previous Liberal and Labour administration of Barnet (opposed by the Conservative group), one that sadly left the Bull without a clear role in the High Barnet community.

Council welcomes the efforts of the current Conservative administration to preserve the "Old" Bull for community use, exemplified by the marketing of the centre in Leasehold as well as Freehold format, to help local groups make a bid.

Council further welcomes the news that a Lease has been granted to the Susi Earnshaw Theatre School (SETS) following painstaking discussions between the Council and SETS.

Council notes that when this comes up for renewal in 2007, community groups (such as SETS) will again be given the chance to bid for use of the Old Bull, once the Planning uses have been clarified.

Council welcomes the Lease given to SETS, and calls on Cabinet for work to continue to ensure the Old Bull can be preserved for use by the High Barnet community, after its fate was so callously sealed under the previous Liberal/Labour administration.””

Councillor Mike Freer has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

Amendments to item 10.1: Administration Policy item

1. Amendment in the name of Councillor Linda McFadyen

“Amend item to read:

“”Council opposes Barnet Primary Care Trust being forced to forfeit 3% of its budget allocation for this year to help cover the deficits of other Primary Care Trusts in London.

Council opposes the reductions at the Royal Free Hospital of 480 fewer staff, 100 fewer beds and closed wards.

Council asks the Chief Executive to write setting out our all-party, unanimous opposition to these plans to the three Chief Executives of the London Strategic Health Authority, Barnet Primary Care Trust, and the Royal Free Hampstead NHS Trust, and the Secretary of State for Health and our three Members of Parliament.””

Councillor Linda McFadyen has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

2. Amendment in the name of Councillor Monroe Palmer

“Insert after

“Council believes the NHS is in crisis, not just in Barnet, but all across London and the UK.”

Council notes that the Connecting for Health IT project has now cost £6.1 billion, and rising, and is seriously behind schedule.

Insert after “Barnet” and before “PCT....”

and Chase Farm

Insert after

“Council condemns the Labour Government’s *Operating Framework* that has recommended this”

and forced Trusts to choose between meeting targets or balancing the books.

Council understands that this will mean at least £12 million in cuts to the services the PCT offer Barnet residents.

After

- Support for people discharged from hospital

Insert

- Delays in bowel cancer patient treatment

After

Council believes these are being implemented to solve a colossal debt problem at that hospital, and the refusal of the Labour Government to come to the rescue of the Royal Free.

Add –

This is caused by centralised objectives set by the Government, and not by the Trusts.

After

Council believes that all these cuts will cause misery to elderly and infirm people across the Borough

Add

and impact upon Barnet Council's own services, risking higher council tax bills. Provision of good quality care close to home is particularly important for these patients.

Council further condemns the ending of the Edgware (West Barnet) Walk-In Centre's 24 hour service. This was a commitment to continue a 24 hour service when the A&E was closed. Proposals to rely on BARNDOC do not take distance into consideration.

Council calls for this facility to remain open in order to maintain coverage.

Council notes that both the Royal National Orthopaedic Hospital and the Barnet Psychiatric Unit are considering relocation and reconfiguration of their facilities.

Council calls upon the Supporting the Vulnerable in our Community Overview and Scrutiny Committee to continue a thorough scrutiny of these measures and challenge any reductions in service that will incur any increase in times waiting or length of treatment as a result of such reductions.

After

Council calls on Cabinet to lead the fight against these cutbacks in London. Cabinet is requested to write to the Secretary of State for Health, our three Members of Parliament and the Chief Executive of the London Strategic Health Authority, explaining our opposition to these plans.

Add

Council calls upon Cabinet to demand that The Government to re-evaluate its target-driven approach, to allow clinicians to make judgements based on clinical need and to ensure that patients being treated in the community do not lose out.”

Agenda Item 10.2 : Opposition Policy Item

1. Amendment in the name of Councillor Brian Salinger

“Amend the Motion so that it reads:

“Council recognises that the number one priority of Barnet residents is tackling anti-social behaviour.

Council therefore welcomes a range of initiatives, adopted since 2002 that are making a difference.

Council notes these include:

- CCTV rolled out and continuing to be rolled out
- Alcohol Free Zones piloted, and many more to be introduced as and when the police are ready to enforce them
- Appropriate use of ASBOS and ABCs
- The action taken by Barnet Homes against ant-social tenants, short-listed for a national award
- Excellent graffiti removal rates
- Rebuilding the Youth Offending Team from being a failing service into an award-winning one, helping youngsters off the conveyor belt of crime.
- Leading and winning the fight for more Police for Barnet.

Council is dismayed that not all of these (particularly CCTV) enjoyed cross-party support.

Council is further frustrated that, though the Borough is being granted (finally) more Police, no date has been set as to when Barnet will get the enlarged “Safer Neighbourhood” teams.

Council believes that, unless the numbers of Police in each team are increased to reflect the size of our wards, the new “Safer Neighbourhood” teams will prove ineffective at enforcing the Council’s anti-social behaviour initiatives.

Council accordingly calls on Cabinet to write post-haste to the Chairman of the Metropolitan Police Authority, Len Duvall AM, and the Home Office Minister, Hazel Blears MP, asking when Barnet will receive the enlarged teams, and calling for that date to be brought forward so Barnet can receive the Police numbers it needs.”

2. Amendment in the name of Councillor Anita Campbell

“Add at end:

“Council condemns the Council’s failure to speedily tackle the recent problems of anti-social behaviour in Ridgeview Close, Chesterfield Road,

Mays Lane and the Dollis Valley estate. Council supports the residents who have been forced to endure serious problems of anti-social behaviour and Council supports the local police who have done their utmost to protect residents. Council therefore particularly welcomes the new Safer Neighbourhood Police Team for Underhill ward.

Given the recent problems of anti-social behaviour, Council urges the Cabinet to consider as a priority piloting the *Respect for Barnet* Campaign in East Barnet, High Barnet and Underhill wards.”

Councillor Anita Campbell has requested, under Council Procedure Rules Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.

3. Amendment in the name of Councillor Sean Hooker

Add after sentence beginning “Council notes..” –

“Council also notes the successful programmes instituted by Islington Council that have tackled youth boredom and cut car-related crime and accidents, which have led it to be awarded Lib Dem Council Group of The Year at the LGA awards.

Add after sentence beginning “Council believes...” –

Respect must be earned, not imposed. Respect goes both ways. Demonisation and categorisation of young people are the quickest ways of alienating them from community initiatives.

Delete first bullet point under “Council notes that the Respect for Barnet Campaign will include” and replace with –

- tackling anti-social behaviour through joint tasking with the police and Barnet Homes, use of Acceptable Behaviour Contracts – thus allowing other interested parties to be involved in a proactive and contractual resolution of problems, plus enforcement through intelligent and sparing use of ASBOs with a range of supporting methods to end anti-social behaviour, fixed penalty notice and tenancy agreements,

Add to second bullet point –

.... , creation of positive environments for young people, closer liaison with schools to ensure young people can report crime in a serious and safe manner to the police and teachers.

Add to third bullet point –

... encourage people to report mess and dirt, encourage the feeling of ownership and responsibility for their environment

Add seventh bullet point –

- working with the police, ambulance, TfL and fire authorities to raise awareness of the dangers of, and tackle, car-related crime, joy-riding, drink-and drug-driving, accidents and dangerous driving amongst young people

Add eighth bullet point –

- zero tolerance towards kerb-crawling in areas known to be centres of prostitution

In “Council agrees...”

Delete “to the full” and replace with “intelligently and effectively”

Add sentence –

Council calls on TfL to work with Council CCTV officers to share information, where legally permissible, in order to document and combat anti-social behaviour.

In sentence beginning “Council also asks...”

Insert after “senior officers” – “, community leaders”

Add after “Council also asks...”

Council also asks the Chief Executive to invite Islington Council to present a seminar on their successful programmes, open to all ward councillors, senior officers, community leaders, and the local police. “

Agenda Item 15.1 : Report of the Special Committee (Constitution Review) dated 22 March

Amendment in the name of Councillor Jack Cohen:

“amendment to 3.17 page 67 on the original committee papers of 23rd March

Under the heading Reporting to Members

“Delete “regularly “ insert after “to “ the words” each and every “

So 3.17 would read

“The Chief Finance Officer will report to each and every ordinary Cabinet Resources Committee on the revenue and capital budgets and prudential borrowing indicators””

Councillor Jack Cohen’s amendment refers to page 64 of the Report of the Special Committee (Constitution Review).

John Marr
Democratic Services Manager

SECOND SUPPLEMENTAL REPORT OF THE DEMOCRATIC SERVICES
MANAGER
Agenda item 16.1

5. Agenda item 8 : Questions to the Leader and Cabinet Member

Question 7 is reproduced below, together with the answer from the Cabinet Member:

“Question No. 7

Councillor Brian Gordon

Does the Council have any authority at all to curb the excesses of clamping firms operating on private roadways within the borough who have been known to extort huge sums of money from motorists on the spot in order to release their vehicles?

Answer by Councillor Matthew Offord

The Council has no powers to intervene or regulate in this matter. Each case would be a private dispute between two parties.

Whilst compared by the courts to extortion and theft in Scotland in 1992, English courts have not concluded the same for this activity. Consequently, provided landowners have adequate notice to people entering the land in question that they or their agents may take action that results in charges having to be paid to release vehicles, such activity remain legal.

However, under the provisions of the Private Security Industry Act 2001, it is now illegal to operate as a car clumper without a licence from the Security Industry Authority. Trading Standards Departments had hoped that the SIA would take a proactive position, including handling complaints about licensed and unlicensed clumpers but that has not happened.

In the past year Barnet Trading Standards has received only 6 enquiries or complaints about clamping and we have either given civil advice or referred them to Consumer Advice London.

It is worth noting that Barnet Council's objection to Clause 6 of the TfL Bill is designed to prevent motorists clamped by TfL then becoming liable to a further penalty by the operator of the car park. My recollection is that the Liberal and Labour councillors voted against our motion to this Bill.”

6. Constitution: Article 12 and Management Structure

The Head of Paid Service has recently exercised his powers in accordance with Article 12 of the Constitution by determining the overall structure of the Council to meet current requirements.

The revised list of Chief Officers is attached to this report, which will form part of Article 12.

As a consequence of these revisions, in accordance with be revising Part 7 of the Constitution, which comprises the overall departmental structure of the council showing the management structure and deployment of officers.

RECOMMENDATION : That the Democratic Services Manager make the changes to the Council's Constitution

Article 12 – Revise table of Chief Officers

12.01 Management Structure

- (a) **General.** The full council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers.** The full council may engage persons for the following posts, who will be designated chief officers:

Council 11/4/06

Table of Chief Officers

Chief Executive

Director of Environment

Director of Community Services(Deputy Chief Executive)

Director of Children's Services

Director of Resources

Head of Environment and Transport

Head of Planning and Environmental Protection

Chief Finance Officer

Chief Internal Auditor

Head of Corporate Performance

Head of Housing

Head of Strategic Development Unit

Head of Adult Services

Borough Solicitor

Head of Children & Families (Director of Social Services)

Head of Education (Chief Education Officer)