

Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at The Town Hall, Hendon, NW4, on Tuesday, 6 March 2007.

PRESENT:

- *The Worshipful the Mayor (Councillor Eva Greenspan BA LL.B (Hons))
- *The Deputy Mayor (Councillor Terry Burton)

Councillors:

- | | | |
|-------------------------------------|---------------------------------------|--------------------------------------------------------|
| *Maureen Braun | *Helena Hart | *Robert Rams |
| *Fiona Bulmer | *John Hart BA MA | *Barry Rawlings |
| *Anita Campbell | *Lynne Hillan | *Hugh Rayner |
| *Wayne Casey BA (Hons)
MIA | *Ross Houston | *Colin Rogers |
| *Danish Chopra | *Anne Hutton | *Lisa Rutter |
| *Dean Cohen BSc (Hons) | *Julie Johnson | *Brian Salinger
Kate Salinger BEd (Hons) |
| *Jack Cohen | *Duncan Macdonald
Caroline Margo | *Gill Sargeant |
| *Melvin Cohen LLB | *John Marshall | *Joan Scannell |
| *Brian Coleman, AM, FRSA | *Linda McFadyen | *Alan Schneiderman |
| *Geof Cooke | *Kath McGuirk | *Agnes Slocombe SRN RM |
| *Richard Cornelius | *Andrew McNeil | *Ansuya Sodha MBA (Middx)
Cert Ed, DipM (CIM), AMBA |
| *Jeremy Davies BA (Hons),
CPFA | *Alison Moore | *Andreas Tambourides |
| *Mukesh Depala | *Jazmin Naghar | *Joanna Tambourides |
| *Jane Ellison | *Matthew Offord
Charlie O-Macauley | *Daniel Thomas BA (Hons) |
| *Claire Farrier | *Monroe Palmer OBE, BA,
FCA | *Jim Tierney |
| *Anthony Finn BSc (Econ)
FCA | *Susette Palmer MA | *Daniel Webb |
| *Mike Freer | *Bridget Perry | *Richard Weider |
| *Brian Gordon, LL.B | *Wendy Prentice | *Marina Yannoudakis BSc
(Hons) MA |
| *Andrew Harper | *Sachin Rajput BA (Hons)
PgD Law | *Zakia Zubairi |
| *Christopher Harris BA BSc
MPhil | | |

*denotes Member present

134. PRAYER (Agenda Item 1)

The Mayor's Chaplain offered prayer.

135. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies were received from Councillors Caroline Margo and Kate Salinger because of illness, Councillor Charlie O-Macauley, and from Jeremy Davies for lateness.

- 136. MINUTES OF MEETING HELD ON 23 JANUARY 2007 (Agenda Item 3)**
RESOLVED – That the minutes of the meeting held on 23 January 2007 be approved.

137. SUSPENSION OF COUNCIL PROCEDURE RULES

The Worshipful the Mayor, duly seconded, moved, under the provisions of Council Procedure Rule 14, that Council Procedure Rule 3.2 be suspended to allow 30 minutes for Part 1 business, as this included the election of the Mayor Designate for the year 2007/08, and to allow 40 minutes for agenda items 9, 11.1 and 11.2 and, subject to the Council meeting ending no later than 10:30pm, the remainder of the time to be available for Item 8 of the agenda relating to the budget.

Upon being put to the vote, the motion was declared carried.

RESOLVED – That Council Procedure Rule 3.2 be suspended

(i) to allow 30 minutes for Part 1 business as this included the election of the Mayor Designate for the year 2007/08,

(ii) to allow 40 minutes for

- **Agenda Items 9, Report of the Supporting the Vulnerable in our Community Overview and Scrutiny Committee held on 7 February 2007,**

- **11.1, Report of the Chief Executive relating to the results of the by-election on 8 February 2007, and**

- **11.2, the Report, Supplemental and Further Supplemental Reports of the Democratic Services Manager,**

(iii) subject to the Council meeting ending no later than 10:30pm, the remainder of the time to be available for the debate on Item 8, the Report of Cabinet dated 26 February 2007 relating to the Budget.

138. OFFICIAL ANNOUNCEMENTS (Agenda Item 4)

There were no official announcements.

139. DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS (Agenda Item 5)

The following personal and non – prejudicial interests were declared, relating to Agenda Item 8, Report of Cabinet held on 26 February 2007 – Council Budget and Council Tax 2007/08, with the Members concerned participating in the discussions and vote:

- Councillor Helena Hart whose son is employed by the National Health Service.
- Councillor Brian Salinger whose son is a client of the Council's Social Services Department.
- Councillor Joan Scannell who has a family member who receives care from the Council's Social Services Department.
- Councillor Brian Coleman as he is a Member of the Greater London Assembly which had set the Mayor's precept which would form part of the local Council Tax.
- Councillor Linda McFadyen who works for the National Health Service.

- Councillor Robert Rams whose fiancée is a school teacher in the London Borough of Barnet.
- Councillor Mukesh Depala whose son is a client of the Council's Social Services Department.

The following personal and prejudicial interest was declared relating to Agenda Item 8, Report of Cabinet held on 26 February 2007 – Council Budget and Council Tax 2007/08, with the Member concerned leaving the chamber and not taking part in the discussions and vote in respect of the Grants element of the Budget:

- Councillor Barry Rawlings as he works for a charity that could apply for a Council grant.

140. BUSINESS REMAINING FROM LAST MEETING (Agenda Item 6)

None.

141. MAYOR DESIGNATE 2007/2008 (Agenda Item 7)

Upon the Mayor calling for nominations for election of Mayor of the London Borough of Barnet for 2007/2008:

Moved by Councillor Matthew Offord, duly seconded:

That Councillor Maureen Braun be proposed for appointment as Mayor of the London Borough of Barnet at the Annual Meeting of the Council on 15 May 2007.

Upon being put to the vote, the motion was declared carried.

RESOLVED – That Councillor Maureen Braun be formally proposed and seconded at the Annual Meeting of the Council on 15 May 2007 for appointment as Mayor.

Councillor Braun thanked those present for the confidence shown and undertook to do her very best. She announced that Councillor Richard Cornelius had consented to be her deputy.

142. SUSPENSION OF COUNCIL PROCEDURE RULES

The Worshipful the Mayor, duly seconded, moved, under the provisions of Council Procedure Rule 14, that Council Procedure Rules 45, 46 and 48 be suspended to permit the Leader of the Council and Councillors Alison Moore, Monroe Palmer and Matthew Offord to speak for a time in excess of five minutes, and four minutes in the case of Councillor Offord, on the motion for the reception of the report of Cabinet held on 26 February, 2007 (Agenda Item 8, Council Budget and Council Tax 2007/08) and the amendments thereto (Agenda Items 11.2.4(i) and 11.2.5(i), Supplemental Report of the Democratic Services Manager – Amendments to Items on the Agenda and Proposed Amendments to Items on the Agenda submitted by Officers in the light of amendments proposed by Members). Upon being put to the vote, the motion was declared carried.

RESOLVED – That Council Procedure Rules 45, 46 and 48 be suspended to permit The Leader to speak for 25 minutes, Councillor Alison Moore to speak for 20 minutes, Councillor Monroe Palmer to speak for 15 minutes and Councillor Matthew

Offord to speak for 10 minutes on Agenda Items 8, 11.2.4(i) and 11.2.5(i).

143. REPORT OF CABINET, 26 FEBRUARY, 2007 – COUNCIL BUDGET AND COUNCIL TAX 2007/08 (Agenda items 8, 11.2.4(i) and 11.2. 5(i)):

The report of the Cabinet meeting held on 26 February 2007, with the following recommendations, was received:

RESOLVED TO RECOMMEND

Balances

1. That, having taken account of all matters set out in the Chief Finance Officer's report on reserves and balances as set out at Appendix A to the Leader's report (attached) the level of General Fund balances should not be allowed to fall below £10m. and that in recognition of the significant financial risks facing the council in the coming years there should be no adjustment in finalising the 2007/08 budget to the current forecast balances of £12.7m.

Revenue Budget and Council Tax

2. That the forecast revenue outturn for the year 2006/07 and the estimates of income and expenditure for 2007/08 be approved.
3. That it be noted that the Chief Finance Officer under his delegated powers has calculated the amount of 135,345 (band D equivalents) as the Council Tax base for the year 2007/08 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992.
4. That the following amounts be now calculated by the Council for the year 2007/08 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
 - (a) £785,581,820 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act;
 - (b) £563,063,120 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act;
 - (c) £222,518,700 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;
 - (d) £80,915,723 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant or additional grant increased or reduced (as appropriate) by the amount of the sums which the Council estimates will be transferred in the year from:-
 - (i) its collection fund to its general fund and;

- (ii) its general fund to its collection fund in accordance with Sections 97(3) and (4) and 98 (4) and (5) respectively of the Local Government Finance Act 1988;
- (e) £1,046.24 being the amount at 4(c) above less the amount at 4(d) above, all divided by the amount at 3 above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year 2007/2008;

London Borough of Barnet Valuation Bands (£)

A	B	C	D	E	F	G	H
697.49	813.74	929.99	1,046.24	1,278.74	1,511.24	1,743.73	2,092.48

being the amounts given by multiplying the amount at 4(e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

5. That it be noted that for the year 2007/08 the Greater London Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:-

Greater London Authority Valuation Bands (£)

A	B	C	D	E	F	G	H
202.59	236.35	270.12	303.88	371.41	438.94	506.47	607.76

6. That, having calculated the aggregate in each case of the amounts at 4(e) and 5 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2007/08 for each of the categories dwellings shown below: -

Council Tax for Area

A	B	C	D	E	F	G	H
900.08	1,050.09	1,200.11	1,350.12	1,650.15	1,950.18	2,250.20	2,700.24

7. That in accordance with Section 38(2) of the Act the Chief Executive be instructed to place a notice in the local press of the amounts set under recommendation 1.6 above pursuant to Section 30 of the Local Government Finance Act 1992 within a period of 21 days following the Council's decision.

Housing Revenue Account and Rents

8. That the Housing Revenue Account estimates for 2007/08 be approved.

9. That, with effect from Monday 2 April 2007:-
- (a) The rent of all Council dwellings, with the exception of those included under Recommendation (1.10), be changed in line with the Government's proposals on rent restructuring outlined in this report, producing an average increase of 5.0%
 - (b) That the rents of all properties relet for whatever reason be moved upwards to the formula rent. Where formula rent is below actual rent no reduction will be made.
 - (c) That service charges for all tenants of all flats and maisonettes based on the services they receive be increased to the following charges (per week, 48 week basis):-

Caretaking	£4.94
Caretaking Plus	£6.38
Block Lighting	£0.79
Grounds Maintenance	£0.51
 - (d) That there is an increase of 30% on the charge for space and water heating
10. That, with effect from Monday 2 April 2007: -
- (a) The basic rents of dwellings in the Council's equity sharing scheme at Moorlands Avenue, NW7 be increased as follows:-
 - Current basic rents of £2,202 to £2,313 per annum
 - Current basic rents of £2,028 to £2,130 per annum.
 - (b) The net rents of dwellings in the equity share scheme at Friern Hospital be increased by 5.0%.
11. That, with effect from Monday 2 April 2007, the rents of Council garages be increased by 5.0%.
12. That the Chief Executive be instructed to take the necessary action including the service of the appropriate Notices.
13. **Key Priority Plans**
That the Key Priority Plans be approved.
14. That the Chief Officers be authorised to implement the detailed proposals set out in the Key Priority Plans within the resource constraints identified, in consultation with lead Members as appropriate.
15. That the Director of Children's Service in consultation with the Cabinet Member for Children's Services be authorised to make any necessary amendments to the Children & Young People Plan / A Bright Future for Children & Young People KPP prior to its approval by Council in the light of forthcoming government guidance (Paragraph 9.3).

Capital Prudential Code and Borrowing Limits

16. The Prudential Indicators set out in Appendix F be recommended for approval to Council and that the Chief Finance Officer be authorised to raise loans, as required, up to such borrowing limits as the Council may from time to time determine and to finance capital expenditure from financing and operating leases subject to:
- (i) the appropriate provision having been made in the estimates for 2007/08;
 - (ii) authorisation (where necessary) of the expenditure by the appropriate Government Department;
 - (iii) a decision of the committee concerned or under delegated/urgency powers to incur the capital expenditure and that the Cabinet Resources Committee be instructed to approve new projects up to the value of surplus resources outlined in this report, having regard to the priorities identified.

Capital

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

Fees, Charges and Allowances

18. That the fees, charges and allowances as set out in section 9.48 and Appendices are approved.

Contracts

19. That authorisation be given to allow tenders to be sought for contracts listed in Appendix J.

Medium Term Financial Strategy (MTFS)

20. To note that a report on the draft MTFS will be presented to Cabinet Resources Committee in March 2007 with public consultation to follow (paragraph 9.41)
21. To note that the current annual level of prudential borrowing cannot be sustained long term, and that Cabinet must also seriously consider using significant capital receipts generated in future years to repay borrowing rather than fund further expansion of the capital programme (paragraph 9.75).

Members' attention was drawn to an amendment submitted by officers at Item 5(i) of the Supplemental Report of the Democratic Services Manager, with the following recommendation:

That recommendation (2) be amended as indicated in italics:

- (2) **That the forecast revenue outturn for the year 2006/07 and the estimates of income and expenditure for 2007/08 be approved subject to any later decisions taken by Council on the proposed Members' Allowances scheme for 2007/08 at Agenda item 11.2.2**

Amendments in the names of Councillors Alison Moore and Monroe Palmer were moved and duly seconded. Debate ensued. The amendment in the name of Councillor Alison Moore was put to the vote and declared lost.

Upon being put to the vote, the amendment in the name of Councillor Monroe Palmer was declared lost.

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

Upon the substantive motion being put to the vote it was:

- (i) **RESOLVED – That the report and the recommendations of the Cabinet including the amendment at Item 5 (i) of the Supplementary Report of the Democratic Services Manager be approved, with the exception of the Grants element of the budget.**

Councillor Barry Rawlings left the meeting.

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

144. REPORT OF THE SUPPORTING THE VULNERABLE IN OUR COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE, 7 FEBRUARY 2007 – THE BARNET, ENFIELD, HARINGEY AND HERTFORDSHIRE CLINICAL STRATEGY (Agenda Item 9)

Councillor Maureen Braun moved reception and adoption of the report of the Supporting the Vulnerable in our Community Overview and Scrutiny Committee with the following recommendation:

THE BARNET, ENFIELD HARINGEY AND HERTFORDSHIRE CLINICAL STRATEGY (Agenda Item 9)

The Overview and Scrutiny Committee considered the attached reports.

The Committee noted

(i) that it was proposed that there would be two members from Hertfordshire County Council serving on the Joint Scrutiny Committee instead of three as set out in the papers;

(ii) that , as a result of an address by Chas Hollway, Chief Executive, Barnet PCT, it was unlikely that consultation would commence until the end of March/early April 2007.

Having requested Cabinet to make available in the approved budget for 2007/08 £12,000 in respect of the Council's contribution to the support costs of the Committee,

RESOLVED TO RECOMMEND

- (1) **That Councillors Braun, Cornelius and McFadyen represent the Council on the Joint Scrutiny Committee regarding the consultation on the Clinical Strategy which is due to be published in March/April 2007.**

(2) That, subject to the amendment of the membership of Hertfordshire County Council to two, the framework Terms of Reference as set out in the Appendix to the Position Update Report be approved in principle, subject to the Council's representatives and the Director of Corporate Governance being satisfied that the Council's position is safeguarded.

(3) That the Director of Corporate Governance be authorised to agree the final support arrangements, in consultation with the Council's representatives on the Joint Committee, subject to appropriate provision being made in the 2007/08 budget for the Council's contribution.

(4) That the Communications Director be authorised to provide suitable publicity etc on the work of the Committee.

(NOTE: In accordance with the legislation, political balance applies to the Council's representation on the Joint Committee; in this case being two members from the Conservative Group and one from the Labour Group. The Committee's recommended appointments accord with this calculation).

Debate ensued. Upon being put to the vote it was

RESOLVED – That the Report of the Supporting the Vulnerable in Our Community Overview and Scrutiny Committee dated 7 February 2007 be approved and adopted.

145. EAST BARNET WARD BY-ELECTION (Report Of The Chief Executive - Agenda Item 11.1)

The Council were informed that Joanna Tambourides was elected as Councillor for the East Barnet Ward.

146. REPORTS EXEMPTED FROM THE CALL-IN PROCESS BECAUSE THEY ARE URGENT (Report of the Democratic Services Manager - Agenda Item 11.2.1):

In accordance with Constitutional requirements the Democratic Services Manager reported on the following decision. The Chairman of the of the Cabinet Overview and Scrutiny Committee agreed that the decision was reasonable in all the circumstances, that it should be treated as a matter of urgency and consequently exempted from the call – in process.

Report of the Leader and Cabinet Member for Resources which, in view of the requirement for applications to the Olympic Committee for permission to host training facilities for the national teams participating in the 2012 Olympics and Paralympics to be submitted by 31 January 2007, approved the terms of a bid to extend training facilities to participating nations in the 2012 Olympics and agreed that officers be instructed to monitor the financial implications and report further to the Executive Director for Resources.

147. MEMBERS' ALLOWANCE SCHEME 2007/08 (Council Decision 19/12/06 – 114) (Supplemental Report of the Democratic Services Manager - Agenda Item 11.2.2, 11.2.3, 11.2.4 (ii) and 11.2.5 (ii))

The Council considered the recommendations of the Independent Panel on Members' Allowances and noted two corrections to the Report of the

Democratic Services Manager which were highlighted in Item 3 of the Supplemental Report of the Democratic Services Manager. Members' attention was drawn to an amendment submitted by officers at Item 5(ii) of the Supplemental Report of the Democratic Services Manager.

An amendment in the name of Councillor Mike Freer was moved. An amendment in the name of Councillor Joan Scannell was moved orally at the meeting. Debate ensued.

Upon being put to the vote, the amendments in the names of Councillors Mike Freer and Joan Scannell were declared carried. The substantive motion, including the amendment at item 5(ii) of the Supplemental Report of the Democratic Services Manager, was declared carried.

RESOLVED

(1) That, having regard to the recommendations of the Independent Remuneration Panel, the following changes be made to the Members' Allowances Scheme for the year 2007/8.

(i) That the Basic Allowance be increased from £9,081.80 to £9,500;

(ii) That, in view of the above, no inflationary increase be made for 2007;

(iii) That thereafter the Local Government Pay Settlement shall be the yardstick against which any annual increases in the Basic Allowance are considered;

(iv) That Special Responsibility Allowances be amended as shown in Appendix 2 to the Independent Remuneration Panel's report of 9 October 2006, with the following revisions:

- Chairman of Constitutional Review Committee be removed from proposed Scale 4.**
- Vice-Chairmen of all Overview and Scrutiny Committees be removed from proposed Scale 6.**
- Vice-Chairman of Cabinet Overview and Scrutiny Committee be added to proposed Scale 6.**
- Vice-Chairmen of the Area Forums to be added to a new Scale 7, at a rate of £2,000 each**
- Group Whips be removed from Scale 6.**
- Administration Group Whip be added to Scale 5.**
- Opposition Group(s) Whip(s) be added to Scale 6;**

(v) That the rate of the Carers' Allowance be increased to £6 per hour, with discretion for the 8 hour limit to be exceeded where circumstances justify.

(vi) That no change be made to the arrangements for reimbursing costs associated with attendance at Conferences.

(vii) That the Cap for Payment of Allowances be removed

(viii) That the Independent Remuneration Panel be requested to review the scheme of allowances in around six months time, once updated information on other Local Authorities' schemes is available.

(2) That no allowance should be paid to Council representatives on Barnet Homes;

(3) That the Democratic Services Manager be instructed to publish the changes to the Scheme.

(4) That in view of changes made by Council to the Members' Allowance Scheme 2007/08, as recommended in the Democratic Services Manager's report at Agenda Item 11.2.2 , after the Council had taken a decision upon the Report of Cabinet at Agenda Item 8, the Chief Finance Officer be instructed to report on the issues to the Cabinet Resources Committee in his first revenue monitoring report for 2007/2008.

148. CHANGES IN COMMITTEE MEMBERSHIPS (Further Supplemental Report of the Democratic Services Manager – Agenda Item 11.2.6)

RESOLVED that the following changes in Committee memberships be approved:

- Councillor Robert Rams to replace Councillor Daniel Webb as Vice-Chairman of the Resources, Performance and Partnerships Overview and Scrutiny Committee.**
- Councillor Daniel Webb to replace Councillor Robert Rams as a Substitute Member of the Resources, Performance and Partnerships Overview and Scrutiny Committee.**
- Councillor Joanna Tambourides to replace Councillor Brian Gordon as a Member of the Resources, Performance and Partnerships Overview and Scrutiny Committee.**
- Councillor Joanna Tambourides to replace Councillor Richard Weider as a Member of the Tackling Crime and Housing Overview and Scrutiny Committee.**

The Meeting Closed at 9.28p.m.