

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

Tuesday, 26 June, 2007 at 7.00pm

A G E N D A

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CORPORATE GOVERNANCE DIRECTORATE

Council Meeting

26 June, 2007
Agenda and Timetable

Item	Subject	Time for Debate	Page Nos.
	<u>Part 1 - Statutory formalities/ Announcements (15 minutes)</u>	7.00pm – 7.15pm	
1.	Prayer		
2.	Apologies for absence		
3.	Minutes of last meeting held on 15 May 2007		1 - 25
4.	Official announcements		
5.	Declarations of interest		
6.	Any business remaining from last meeting		
	<u>Part 2 – Question Time (30 minutes or until 7.45pm, whichever is the longer)</u>	7.15pm – 7.45pm	
7.	Questions to the Leader and Cabinet		To be circulated separately
	<u>Part 3 – Members’ Motions (60 minutes)</u>	7.45pm – 8.45pm	
8.	Motions in the order in which notice has been given.		
8.1	From Councillor Fiona Bulmer		
	<p>Council is extremely proud of Barnet’s diverse and highly successful schools.</p> <p>Further, Council further notes that Barnet secondary schools have the best attendance record in London and that they are in the top ten local authorities in the country for performance at GCSE and the fourth best in the country at</p>		

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	<p>A-level. Council also notes the excellent performance of Barnet's primary schools in adding value for children between Key Stage 1 and Key Stage 2 which is the third best in England, and for achieving the second best results in the country for Mathematics at Key Stage 2.</p> <p>Council believes these results are testament to the unstinting work of pupils, parents, teachers and Governors, who have worked with the Local Authority to maintain and drive up standards. Council therefore welcomes the forthcoming celebration of these achievements, across Barnet's schools, in the week of 2-6 July. Council thanks all those involved in providing education in the Borough and congratulates them on their achievements.</p> <p>Council calls on Cabinet to continue to work with parents and schools to help them improve their excellent examination results further and provide even more opportunities for young people in Barnet to achieve their full potential.</p> <p>Councillor Bulmer has requested, in accordance with Council Procedure Rule, Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		
8.2	From Councillor Matthew Offord		
	<p>Council is proud of this administration's record on recycling, which has broken Government targets and has been set an ambitious 40% rate by 2010.</p>		

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	<p>Council believes this has been achieved through groundbreaking initiatives such as Compulsory Recycling and the ever-expanding Flats' Recycling Service.</p> <p>Council is pleased that the administration has pledged that, when the Recycling Contract is renewed, new materials, including plastic and cardboard will be collected, which, Council believes, will further boost our recycling rate.</p> <p>Council notes that nearly 40% of English and Welsh Councils have adopted a fortnightly collection scheme to increase recycling.</p> <p>However, Council further notes the extensive drawbacks associated with fortnightly rubbish collection, including confusion, missed collections, and increases in the level of odour, rats and vermin.</p> <p>Council believes these problems would cause unacceptable damage to the street environment in Barnet.</p> <p>Council further believes LBB can continue to increase recycling levels in the Borough without resorting to fortnightly collections.</p> <p>Accordingly, Council requests Cabinet works to reduce waste and increase recycling in Barnet, while maintaining a weekly waste collection service in order to minimise disruption and maximise convenience for our residents.</p> <p>Councillor Offord has requested, in accordance with Council Procedure Rule, Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		

8.3	From Councillor Colin Rogers		
	<p>Council notes the number of people that have signed the petition submitted by the Friends of Cherry Tree Wood to this meeting, and acknowledges the strength of local feeling about maintaining a dedicated park-keeper at this unique and well-loved woodland park.</p> <p>Council deeply regrets that the Cabinet member for Environment, Cllr Matthew Offord, has refused a request to meet with the Friends of Cherry Tree Wood and listen to their concerns about the park.</p> <p>Council believes that this does not help find a solution to the problems residents who live around the perimeter of the park, and those that use it peaceably, have to contend with on a daily basis.</p> <p>Council notes residents' reports that the gates are regularly left open at night or locked late. This has resulted in an increase in incidents of anti-social behaviour including illegal bonfires and youths throwing fireworks at nearby houses.</p> <p>Council recognises that the removal of the dedicated park-keeper post means that management of Cherry Tree Wood is a shambles. Unless local residents or ward councillors intervene, damage is not remedied swiftly, day-to-day problems are not reported or dealt with and there appears to be no regular liaison from the parks service with the local police team, or local residents or the Friends of Cherry Tree Wood.</p>		

	<p>Council agrees that this situation is not acceptable, and therefore instructs General Functions Committee to consider re-instating the full-time, dedicated park-keeper post with immediate effect to ensure that the park is properly managed</p> <p>Council also calls on Cabinet to ensure the gate-locking company perform their contract properly, and lock the gates at Cherry Tree Wood and all other parks in the Borough on schedule where this is required.</p> <p>Councillor Rogers has requested, in accordance with Council Procedure Rule, Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		
8.4	From Councillor Ansuya Sodha		
	<p>Council condemns the on-going neglect of the Welsh Harp by this administration.</p> <p>Council notes that since coming to power this Tory administration has scrapped park warden patrols and introduced by-laws that the Council have admitted are unenforceable, and that people openly and regularly flout – spoiling the park for decent law-abiding citizens and causing nuisance to local residents.</p> <p>Council notes the year-on-year campaign by the West Hendon councillors, supported by local residents, to get action against continuous vandalism and anti-social behaviour in this beautiful park.</p>		

	<p>Council is appalled that the administration has ignored repeated calls from the three local councillors to resolve this problem.</p> <p>Council believes that, as a site of outstanding natural beauty and scientific interest, the Welsh Harp deserves the same attention and resources that are given to premier parks elsewhere in the Borough.</p> <p>Council therefore calls on Cabinet to:</p> <ul style="list-style-type: none"> • introduce a dedicated and permanent team of park wardens to patrol the Welsh Harp, support the local safer-neighbourhood police team to enforce the by-laws, and provide a safe environment where families and local residents can enjoy themselves without fear of being intimidated and • honour the tripartite agreement between Barnet Council, Brent Council and British Waterways for the preservation of the Welsh Harp <p>Councillor Sodha has requested, in accordance with Council Procedure Rule, Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		
8.5	From Councillor Lynne Hillan		
	<p>Council notes LBB is obliged, in common with all local authorities, to ringfence money collected in rent and charges into the Housing Revenue Account (HRA). This money is passed to the Government.</p>		

	<p>Council further notes the Government then calculates, for each Borough, the amount needed for repairs and maintenance, and “pays” back the Borough through the Housing Subsidy.</p> <p>Council understands that, as LBB collects more rent and charges than it is judged to need to spend on repairs and maintenance, this authority is a net contributor into the HRA system, of £9.3 million this year (2007-8), or £847.27 for every one of our tenants.</p> <p>Council regrets that Barnet tenants and leaseholders are in effect subsidising the maintenance and repair of housing stock elsewhere in London, and money is being diverted away from investment in their homes.</p> <p>Council notes that Barking and Dagenham Council, which is set to contribute £14 million this year, believes this subsidy to be an “unfair tax”, and is calling for the money to be paid back.</p> <p>Council agrees with Barking and Dagenham, and believes that the current rules are to the detriment of LBB, our ALMO Barnet Homes and our tenants, and must be altered. In the meantime, the money must be paid back, so that more investment can be made in Barnet’s housing stock.</p> <p>Council calls on Cabinet to:</p> <ul style="list-style-type: none"> • Oppose these national funding rules, which continually divert money away from investment in Barnet’s social housing 		
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	<ul style="list-style-type: none"> • Call on the Secretary of State for Communities and Local Government to change the National HRA Rules. • Write to the Treasury requesting this year's subsidy of £9.3 million be returned to LBB for investment by Barnet Homes. <p>Councillor Hillan has requested, in accordance with Council Procedure Rule, Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		
8.6	From Councillor Susette Palmer		
	<p>In view of the RSPB report, 'Natural Thinking', which adds to the increasing body of opinion that exposure to natural surroundings can reduce violent, irritable and impulsive behaviour, Cabinet are asked to ensure that Barnet should lead the way by:</p> <ol style="list-style-type: none"> 1. Monitoring how many of our schools have at least one session per child per week in the open air and natural or park or allotment surroundings. 2. As positively as possible encouraging the rest to do so. This could be games, horticulture, or nature studies. It could even be a play-time period. In a Borough as green as this one few schools should be more than a short walk away from such a site. If necessary Cabinet could consider the ways in which a volunteer parents network could be established to accompany the walk for younger children and request the Cleaner Greener 		

	<p>Transport and Development Overview and Scrutiny Committee to consider a report on this survey and monitor the number of schools fulfilling the criteria.</p> <p>3. Positively promoting the benefits of allotments and encourage more residents of all ages to take up allotments.</p> <p>4. Providing well-kept and attractive open spaces and floral displays throughout the Borough.</p>		
8.7	From Councillor Alison Moore		
	<p><u>London's Living Wage</u></p> <p>Council notes the statements from Barnet's administration about people's ability to afford to live in London, including their stated aim to keep council services affordable.</p> <p>Council also notes that London's Living Wage represents the Greater London Authority's estimation of the minimum a person must earn to avoid falling below the poverty line and is calculated to reflect the higher costs of living in the capital compared to the rest of the UK.</p> <p>Council regrets, therefore, the statements by the Leader of the Council at previous council meetings that he is not willing to sign-up to London's Living Wage as proposed by the Mayor of London, or ensure that all council contractors pay their staff the Living Wage as a minimum, or encourage our partner organisations to do the same.</p>		

	<p>Council also regrets the recent action by the Cabinet Member for Community Safety to vote against the principle of paying fire service cleaning staff in London and Barnet a living wage, as well as his action on the London Assembly to vote against free bus travel for over 18,000 Barnet children.</p> <p>Council condemns the untrue and scaremongering comments made by the Cabinet Member for Community Safety that paying low-paid workers in the fire service the Living Wage could result in the closure of four fire stations.</p> <p>Council notes that the London Fire, Emergency and Planning Authority budget is currently in surplus, and that the Chair of LFEPA has confirmed that paying fire service cleaners the Living Wage would cost less than running one fire engine for a year.</p> <p>Council believes that the statements and actions by the Leader and Cllr Coleman are a shameful attempt to deny a decent standard of living to low-paid workers in Barnet and across London.</p> <p>Council asks Cabinet to:</p> <ul style="list-style-type: none"> • Bring forward a policy statement supporting London’s Living Wage for all Council staff as a matter of principle, whether directly employed by the Council or employed by a contractor providing services on behalf of the Council • Renew its efforts in securing its target of 50% affordable housing in all housing developments over 10 units 		
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	Councillor Moore has requested, in accordance with Council Procedure Rule, 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.		
8.8	From Councillor Richard Weider		
	<p>Council welcomes the fact that the area of Barnet in the past has welcomed refugees; including those escaping the Holocaust.</p> <p>Council notes that:</p> <ul style="list-style-type: none"> • at the Borough’s Holocaust Memorial Service every year, we call on ourselves to ensure that similar genocides happen ‘Never Again.’ • just over a decade ago, the world pledged to never let another atrocity like the Rwandan Genocide happen again. • for the past four years a genocide has been occurring in Darfur and the Sudan, with minimal international intervention to limit the atrocities against innocent civilians which has caused an estimated 400,000 people to have been killed from the combined mortality of violence, malnutrition and disease, since February 2003. • Barnet is home to nearly 300 asylum seekers and 41 unaccompanied asylum seeking children, according to Home Office figures, who have sought refuge in our Country and our Borough away from the danger and torment of situations such as Darfur. 		

	<p>Council believes that:</p> <ul style="list-style-type: none"> • as a multi-ethnic and multi-religious borough, and home to refugees, Barnet Council should be leading the way in campaigning against the ethnic-cleansing and genocide that is taking place in the Sudan and Darfur. • that the British Government must do more at the international level to stop the Darfur genocide, in particular to ensure the protection of the 2.5 million internally displaced persons at risk from militia attack in Darfur. • it is important to ensure that the general public are properly informed about the genocide so that they can speak out against crimes against humanity and genocide and use their voice to pressure the government for effective policies to bring peace, security and the protection of fundamental human rights. <p>Council therefore calls on the Leader to write to the Borough's MPs and MEPs calling on them to raise at national and international level support of protection for vulnerable civilians in Darfur.</p> <p>Council further calls for the Cabinet Member for Children's Services to encourage schools to teach about the Darfur genocide as part of the Holocaust curriculum.</p> <p>Councillor Weider has requested, in accordance with Council Procedure Rule, Part 4, Section 1, 31.5, that if the item is not dealt with by the end of the meeting it be voted upon at the council meeting.</p>		
	Break	8.45pm – 9.00pm	

	Part 4 – Policy Development (60 minutes)	9.00pm – 10.00pm	
9.1	Administration Policy Item (30 minutes) The Future of the Connexions Service		26
9.2	Opposition Policy Item (30 minutes) Tackling Congestion Hotspots on Barnet Roads		27
	Part 5 – Statutory Council Business (40 minutes)	10.00pm – 10:40pm	
10.	Reports from Cabinet 18 June 2007 – Draft 2006/07 Best Value Performance Plan <i>Cabinet is being asked to make recommendations to Council on this item – assuming that this is agreed, the report will follow</i>		
11.	Reports from Overview and Scrutiny committees		
12.	Reports from Other Committees		
12.1	Report of the Standards Committee 13 June 2007 – Revised Local Government Code of Conduct for Members		28-59
13.	Reports of Officers		
13.1	Democratic Services Manager 1. Amendment to the Constitution 2. Filming at Council and Committee meetings		60-64
13.2	Monitoring Officer		
13.3	Director of Corporate Governance Fees and Charges for Gambling Premises Licences		To follow
	Part 6 Accountability (20 minutes)	10.40pm – 11.00pm	

14.	Comments on the work of the Cabinet (10 minutes) –		
14.1	From Councillor Richard Weider Comment on the Work of the Cabinet Member for Environment and Transport, specifically on improvements to Stonegrove Park.		
15.	Questions to representatives on outside bodies (10 minutes)		None

Janet Rawlings, Democratic Services Manager
Town Hall,
The Burroughs,
Hendon, NW4 4BG

Minutes

OF THE ANNUAL MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET held at The Town Hall, Hendon, NW4, on Tuesday, 15 May 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
*Jack Cohen	*Duncan Macdonald	*Kate Salinger BEd (Hons)
*Melvin Cohen LLB	*Caroline Margo	*Gill Sargeant
*Brian Coleman, AM, FRSA	*John Marshall	*Joan Scannell
*Geof Cooke	*Linda McFadyen	*Alan Schneiderman
*Richard Cornelius	*Kath McGuirk	*Agnes Slocombe SRN RM
*Jeremy Davies BA (Hons), CPFA	*Andrew McNeil	*Ansuya Sodha MBA (Middx) Cert Ed, DipM (CIM), AMBA
*Mukesh Depala	*Alison Moore	*Andreas Tambourides
*Jane Ellison	*Jazmin Naghar	*Joanna Tambourides
*Claire Farrier	*Matthew Offord	*Daniel Thomas BA (Hons)
*Anthony Finn BSc (Econ) FCA	*Charlie O-Macauley	*Jim Tierney
*Mike Freer	*Monroe Palmer OBE, BA, FCA	*Daniel Webb
*Brian Gordon, LL.B	*Susette Palmer MA	*Richard Weider
*Andrew Harper	*Bridget Perry	*Marina Yannakoudakis BSc (Hons) MA
Christopher Harris BA BSc MPhil	*Wendy Prentice	*Zakia Zubairi
	*Sachin Rajput BA (Hons) PgD Law	

*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 Anthony Finn moved, seconded by Councillor John Marshall, that Councillor Maureen Braun be elected Mayor.

Upon the motion being put, the motion was declared carried and
RESOLVED – That Councillor Maureen Braun be elected Mayor of the London Borough for the ensuing municipal year.

Councillor Maureen Braun then left the Council Chamber to robe. Upon her return, Councillor Maureen Braun 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 her by her election and advised Council that her Charity would be the North London Hospice.

THE WORSHIPFUL THE MAYOR
(COUNCILLOR MAUREEN BRAUN)
IN THE CHAIR

3. DEPUTY MAYOR:

The Worshipful the Mayor announced the appointment of Councillor Richard Cornelius to act as Deputy Mayor during her term of office.

4. MAYOR'S CHAPLAIN:

The Worshipful the Mayor announced the appointment of Rabbi Steven Katz as Mayor's Chaplain during her term of office.

5. MINUTES (Agenda Item 3):

RESOLVED – That the minutes of the meeting of the Council held on 17 April 2007 be approved.

6. APOLOGIES FOR ABSENCE (Agenda Item 4):

Apologies were received from Councillor Christopher Harris who was ill.

7. OFFICIAL ANNOUNCEMENTS (Agenda Item 5):

The Worshipful the Mayor expressed her sorrow in announcing the recent death of former Councillor Anne Jarvis. The Worshipful the Mayor advised that Mrs Jarvis had been a Councillor from 1994 to 2002, serving as a Ward Member for East Barnet and as Chairman of the Education Committee and Cabinet Member for Children's Services.

At the invitation of the Worshipful the Mayor, the Leaders of the three political groups spoke in tribute to Mrs Jarvis, following which a minute's silence was held in her remembrance.

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

Councillor Matthew Offord, seconded by Councillor Lynne Hillan, moved that Councillor Mike Freer be elected Leader of the Council for the ensuing municipal year.

Upon being put to the vote it was

RESOLVED – That Councillor Mike Freer be elected Leader of the Council for the ensuing municipal year.

9. TO APPOINT THE LEADER AND NINE OTHER MEMBERS TO THE CABINET AND DECIDE WHETHER TO APPOINT ONE OF THEM TO BE DEPUTY LEADER (Agenda Items 7 and 10):

Nominations were submitted. There being no contests, it was
RESOLVED –

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

- (i) Councillor Mike Freer**
- (ii) Councillor Matthew Offord**
- (iii) Councillor Anthony Finn**
- (iv) Councillor Fiona Bulmer**
- (v) Councillor Andrew Harper**
- (vi) Councillor Brian Coleman**
- (vii) Councillor Lynne Hillan**
- (viii) Councillor John Marshall**
- (ix) Councillor Helena Hart**
- (x) Councillor Melvin Cohen**

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

10. TO NOTE THE APPOINTMENT AS LEADER OF THE OPPOSITION OF THE LEADER OF THE LARGEST POLITICAL GROUP OTHER THAN THE GROUP OF WHICH THE LEADER OF THE COUNCIL IS A MEMBER (Agenda Item 8 and Supplemental Report of the Democratic Services Manager Agenda item 13.4.1.5)

RESOLVED – That the appointment of Councillor Alison Moore be noted.

11. APPOINTMENT OF COMMITTEES (Agenda Item 9 and Report of the Democratic Services Manager Item 13.4.1.1):

Councillor Joan Scannell, Councillor Linda McFadyen and Councillor Wayne Casey moved the nominations to Committees in their names.

Council were advised that the Labour Group had advised that their nominations to the positions of Chairman and Vice-Chairman of the Overview and Scrutiny Committees, should they be unsuccessful in attaining them, were still nominated as members of those committees.

RESOLVED – That

(i) on the basis that the Council is made up of 63 members comprising three political groups (Conservative 37 members, Labour 20 members, Liberal Democrat 6 members), the allocation of seats on committees subject to the political balance regulations be as set out in Appendix A.

(ii) the allocation of seats on Committees and other bodies appointed by the Council and on sub-committees and other bodies appointed by Council committees should be in accordance with Appendix B.

(iii) the membership of Committees for the municipal year 2007/08 be as set out in Appendix C

(iv) the following be appointed to serve as voting voluntary-aided school representatives on the First Class Education and Children Overview and Scrutiny Committee for the year 2007/2008:

- **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.**

(v) the two non-voting co-opted tenant representatives on the Tackling Crime and Housing Overview and Scrutiny Committee for the year 2007/2008 be appointed by the Barnet Housing Consultative Panel;

(vi) the following be appointed to serve as Independent Members on the Standards Committee for the municipal year 2007/08:

- **Ms Marguerite Argles, JP, Reverend Bernd Koschland, Mrs Susan Riddle and Mr Stephen Ross**
- **Reverend Bernd Koschland be appointed Chairman and Ms Marguerite Argles, JP, be appointed Vice – Chairman for the municipal year 2007/2008.**

12. REPORT OF THE LEADER OF THE COUNCIL – DELEGATION OF EXECUTIVE FUNCTIONS (Agenda Item 10 and Supplemental Report of the Democratic Services Manager Agenda Item 13.4.1.7):

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.

13. TO APPROVE A PROGRAMME OF ORDINARY MEETINGS OF THE COUNCIL FOR THE MUNICIPAL YEAR 2007/2008 (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) 26 June 2007**
- (b) 11 September 2007**
- (c) 6 November 2007**
- (d) 18 December 2007**
- (e) 29 January 2008**
- (f) 4 March 2008 (including Mayoralty nomination and Council tax)**
- (g) 15 April 2008**
- (h) 13 May 2008 (Annual Meeting)**

14. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES (Agenda Item 12 and Report of the Democratic Services Manager Agenda Items 13.4.1.4 and 13.4.1.6):

Upon nominations in the names of Councillors Joan Scannell, Linda McFadyen and Wayne Casey, it was

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
0005	Age Concern Barnet	Cllr Bridget Perry (Cllr Linda McFadyen was unsuccessful)
0006	Age Concern Barnet	Cllr Marina Yannakoudakis
0174	Avenue House Estate Trust	Defer
0175	Avenue House Estate Trust	Defer
0176	Avenue House Estate Trust	Defer
0179	Avenue House Estate Trust (Substitute)	Defer
0022	Barnet Borough Arts Council	Cllr John Hart (Cllr Kath McGuirk was unsuccessful)
0023	Barnet Borough Arts Council	Cllr Wendy Prentice (Cllr Anne Hutton was unsuccessful)
0024	Barnet Borough Arts Council	Cllr Kate Salinger (Cllr Alan Schneiderman was unsuccessful)
0025	Barnet Borough Arts Council	Principal Cultural Development Officer (Lloyd Gee)
1032	Barnet Community and Police Consultative Group	Cllr Terry Burton (Cllr Ross Houston was unsuccessful)
1033	Barnet Community and Police Consultative Group	Cllr Fiona Bulmer (Cllr Anne Hutton was unsuccessful)
1034	Barnet Community and Police Consultative Group	Cllr Joan Scannell
1035	Barnet Community and Police Consultative Group	Cllr Richard Cornelius
1036	Barnet Community and Police Consultative Group	Cllr Mike Freer
1037	Barnet Community and Police Consultative Group	Cllr Susette Palmer
1038	Barnet Community and Police Consultative Group (Substitute)	Cllr Dean Cohen
1039	Barnet Community and Police Consultative Group (Substitute)	Cllr Wendy Prentice
1040	Barnet Community and Police Consultative Group (Substitute)	Cllr Brian Gordon
1041	Barnet Community and Police Consultative Group (Substitute)	Cllr Melvin Cohen

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
1042	Barnet Community and Police Consultative Group (Substitute)	Cllr Zakia Zubairi
1043	Barnet Community and Police Consultative Group (Substitute)	Cllr Duncan Macdonald
9898	Barnet Community Homes	Cllr Lynne Hillan (Cllr Ross Houston was unsuccessful)
0047	Barnet Housing Associations Liaison Group	Cllr Lynne Hillan (Cllr Julie Johnson was unsuccessful)
0048	Barnet Housing Associations Liaison Group	Cllr Brian Gordon
0049	Barnet Housing Associations Liaison Group	Head of Housing (Nigel Hamilton)
0050	Barnet Housing Associations Liaison Group	Housing Strategy & Development Manager (Ms Nicola Bird)
0029	Barnet Voluntary Service Council	Cllr Fiona Bulmer
0030	Barnet Voluntary Service Council	Cllr Terry Burton (Cllr Anne Hutton was unsuccessful)
0031	Barnet Voluntary Service Council	Cllr Mukesh Depala
0055	Brent Cross Association Limited	Cllr Anthony Finn (Cllr Julie Johnson was unsuccessful)
4526	Continuing Care Review Panel	Mrs Irene Smith
0010	Darlands Lake Nature Reserve Management Group	Cllr Brian Coleman
0011	Darlands Lake Nature Reserve Management Group	Cllr John Hart (Cllr Jeremy Davies was unsuccessful)
0060	Disability Action in the Borough of Barnet	Cllr Bridget Perry (Cllr Ansuya Sodha was unsuccessful)
0061	Disability Action in the Borough of Barnet	Joint Commissioner, Younger Adults (Mr Alan Brackpool)
0169	East Finchley Neighbourhood Centre Management Committee	Cllr Colin Rogers
0170	East Finchley Neighbourhood Centre Management Committee	Cllr Andrew Harper
0171	East Finchley Neighbourhood Centre Management Committee	Cllr Kath McGuirk
0172	East Finchley Neighbourhood Centre Management Committee	Cllr John Marshall
0173	East Finchley Neighbourhood Centre Management Committee	Cllr Anne Hutton

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0190	Friend in Need Community Centre	Cllr Robert Rams (Cllr Anita Campbell was unsuccessful)
0191	Friend in Need Community Centre (Substitute)	Cllr Joanna Tambourides
0075	Friends of Barnet Borough Libraries	Cllr Richard Cornelius (Cllr Anne Hutton was unsuccessful)
0076	Friends of Barnet Borough Libraries (Substitute)	Cllr Wendy Prentice (Cllr Anita Campbell was unsuccessful)
0164	Friern Park Centre Management Committee	Cllr Alison Moore
0165	Friern Park Centre Management Committee	Cllr Kate Salinger
0166	Friern Park Centre Management Committee	Cllr Brian Coleman
0167	Friern Park Centre Management Committee	Cllr Sachin Rajput
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	Grahame Park Project Director (Mr Roger Arkell)
0236d	Grahame Park Interim Partnership Board	Head of Housing (Mr Nigel Hamilton)
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)	Housing Strategy & Development Manager (Ms Nicky Bird)
0234	Greater London Enterprise Ltd	Cllr Melvin Cohen
0235	Greater London Enterprise Ltd (Substitute)	Cllr Anthony Finn
0099	Hampstead Heath Management Committee (City of London)	Cllr Melvin Cohen (Cllrs Colin Rogers and Monroe Palmer were unsuccessful)
0100	Heritage of London Trust	Cllr Melvin Cohen (Cllr Jim Tierney was unsuccessful)
0223	LGA's Urban Commission	Director of Planning and Environmental Protection (Mr Stewart Murray)

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0225	LGA's Urban Commission	Cllr Anthony Finn (Cllr Jim Tierney was unsuccessful) Cllr Lynne Hillan
0116	LHC – Building Components and Services	Cllr John Marshall
0117	LHC – Building Components and Services	Cllr Brian Salinger
0118	LHC – Building Components and Services (Substitute)	Cllr Alison Moore
0214	Local Government Association	Cllr Mike Freer
0215	Local Government Association	Cllr Matthew Offord
0216	Local Government Association	Cllr Anthony Finn (Cllr Monroe Palmer was unsuccessful)
0217	Local Government Association	Cllr Fiona Bulmer (Cllr Barry Rawlings was unsuccessful)
ALGCYPF1	London Councils – Children, Young People and Families Forum (Nominee)	Cllr Kate Salinger
ALGCYPF2	London Councils – Children, Young People and Families Forum (Deputy)	
0208	London Councils – Crime and Public Protection Forum (Nominee)	Cllr Brian Gordon (Cllr Ross Houston was unsuccessful)
0208a	London Councils – Crime and Public Protection Forum (Deputy)	Cllr Brian Coleman
0202	London Councils – Culture, Tourism and 2012 Forum (Nominee)	Cllr Andrew Harper (Cllrs Anne Hutton and Susette Palmer were unsuccessful)
0202a	London Councils – Culture, Tourism and 2012 Forum (Deputy)	Cllr Robert Rams (Cllr Alan Schneiderman was unsuccessful)
0209	London Councils – Economic Development Forum (Nominee)	Cllr Anthony Finn (Cllr Alan Schneiderman was unsuccessful)
0209a	London Councils – Economic Development Forum (Deputy)	Cllr Melvin Cohen
0109	London Councils – Grants Committee	Cllr Lynne Hillan (Cllr Anne Hutton was unsuccessful)
0109a	London Councils – Grants Committee (Substitute)	Cllr Michael Freer
0109b	London Councils – Grants Committee (Substitute)	Cllr John Marshall
0109c	London Councils – Grants Committee (Substitute)	Cllr Christopher Harris (Cllr Jim Tierney was unsuccessful)

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
0001	London Councils – Greater London Employment Forum (Nominee)	Cllr Mike Freer (Cllr Alan Schneiderman was unsuccessful)
0002	London Councils – Greater London Employment Forum (Deputy)	Cllr John Marshall
0207	London Councils – Health and Adult Services Forum (Nominee)	Cllr Lynne Hillan (Cllr Linda McFadyen was unsuccessful)
0207a	London Councils – Health and Adult Services Forum (Deputy)	Cllr Helena Hart
0206	London Councils – Housing Forum (Nominee)	Cllr Brian Salinger (Cllr Ross Houston was unsuccessful)
0206a	London Councils – Housing Forum (Deputy)	Cllr Lynne Hillan
6400	London Councils – London Housing Unit Committee	Cllr Brian Salinger (Cllr Ross Houston was unsuccessful)
6401	London Councils – London Housing Unit Committee (Deputy)	Cllr Lynne Hillan
6402	London Councils – London Housing Unit Executive Sub-Committee	Cllr Brian Salinger (Cllr Ross Houston was unsuccessful)
6403	London Councils – London Housing Unit Executive Sub-Committee (Deputy)	Cllr Lynne Hillan
0198	London Councils – S101 Leaders Committee	Cllr Mike Freer (Cllr Alison Moore was unsuccessful)
0198a	London Councils – S101 Leaders Committee (Deputy)	Cllr Matthew Offord (Cllr Linda McFadyen was unsuccessful)
0198b	London Councils – S101 Leaders Committee (Deputy)	Cllr Lynne Hillan
0227	London Councils – Transport and Environment Committee	Cllr Matthew Offord (Cllr Kath McGuirk was unsuccessful)
0227a	London Councils – Transport and Environment Committee (Deputy)	Cllr Brian Coleman
0227b	London Councils – Transport and Environment Committee (Deputy)	Cllr Andrew Harper
0227c	London Councils – Transport and Environment Committee (Deputy)	Cllr John Marshall
0227d	London Councils – Transport	Cllr Brian Salinger

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
	and Environment Committee (Deputy)	
0084	London Local Authority Arts Forum	Cllr Kate Salinger (Cllr Anne Hutton was unsuccessful)
0085	London Local Authority Arts Forum	Cllr John Hart (Cllr Kath McGuirk was unsuccessful)
0124	London Youth Games Limited	Cllr Fiona Bulmer (Cllr Zakia Zubairi was unsuccessful)
0125	London Youth Games Limited (Substitute)	Sports Development Officer (Ms Layla Hall)
0159	Management Committee for Rowley Green Common	Cllr Bridget Perry
0160	Management Committee for Rowley Green Common	Cllr Wendy Prentice
0161	Management Committee for Rowley Green Common	Defer
0162	Management Committee for Rowley Green Common	Director of Environment and Transport (Mr Mike Freestone)
0132	National Society for Clear Air and Environmental Protection	Director of Planning and Environmental Protection (Stewart Murray)
0132a	National Society for Clear Air and Environmental Protection	Environmental Services Manager (Mr Ray Phillips)
0132b	National Society for Clear Air and Environmental Protection	Group Manager Scientific Services
0192	New Barnet Community Association General Committee	Cllr Terry Burton (Cllr Anita Campbell was unsuccessful)
0193	New Barnet Community Association General Committee	Cllr Joanna Tambourides
0194	New Barnet Community Association Management Committee	Cllr Terry Burton
0133	North London Waste Authority	Cllr Brian Coleman
0134	North London Waste Authority	Cllr Melvin Cohen (Cllr Kath McGuirk was unsuccessful)
0135	Oakhill Woods Nature Reserve Management Group	Cllr Robert Rams (Cllr Anita Campbell was unsuccessful)
0136	Oakhill Woods Nature Reserve Management Group	Cllr Terry Burton
0137	Oakhill Woods Nature Reserve Management Group	Cllr Lisa Rutter
0138	Oakhill Woods Nature Reserve	Environmental Services

VACANCY REFERENCE	PARTICULARS OF APPOINTMENTS OR NOMINATION	PERSON APPOINTED OR NOMINATED
	Management Group	Manager (Mr Roger Jones)
0139	Oakhill Woods Nature Reserve Management Group	Director of Environment and Transport (Mr Mike Freestone)
0237	Wright Community Development Trust	Cllr Lynne Hillan (Cllr Ross Houston was unsuccessful)

15. AMENDMENTS TO THE CONSTITUTION (Report of the Democratic Services Manager – Agenda Item 13.4.1.2)

RESOLVED

(1) That the proposed changes to Part 3 – Responsibility for Functions and Part 4, Section 2 – Committees and Sub-Committees as set out below be approved.

(i) Part 3 – Responsibility for Functions Rule 5.7 (also shown as part of Part 4, Section 2 – Committees and Sub-Committees Rule 15) – the number of members required to support a reference from the Planning and Environment Committee to Council be changed to 3.

(ii) Part 4, Section 2 – Committees and Sub-Committees Rule 1.2 – the quorum for the Planning and Environment Committee be shown as 3.

(2) That the Democratic Services Manager be instructed to make the changes to the Council’s Constitution.

16. APPROVAL OF REVISED CALENDAR OF MEETINGS (Report of the Democratic Services Manager – Agenda Item 13.4.1.3):

RESOLVED –

(1) That the action taken by the Democratic Services Manager in arranging for the first Residents’ Forums to be held on 19 June 2007 be noted.

(2) That the revised Calendar of Meetings for 2007/2008 , as shown at Appendix D to these minutes, be approved.

The meeting finished at 8.00pm

Appendix A

Committee	No of members	Cons	Lab	Lib Dem
Cab O and S Members	10	6	3	1
Resources, Performance and Partnerships O and S Cttee Members	10	6	3	1
First Class Education and Children O and S Cttee Members	10	6	3	1
Cleaner, Greener Transport & Development O and S Cttee Members	10	6	3	1
Supporting the Vulnerable in our Community O and S Cttee Members	10	6	3	1
Tackling Crime and Housing O and S Cttee Members	10	6	3	1
General Functions Cttee Members	7	4	2	1
P and E Cttee Members	10	6	3	1
Appeal Cttee1 Members	10	5	5	0
Audit	7	4	2	1
Total	94	55	30	9
Political balance		58.51	31.92	9.57

Balance
Con 58.73%
Lab 31.75%
Lib Dems 9.52%

Appendix B

Political Balance Allocation on Committees and Sub-Committees

Committee	Total Seats	Conservative	Labour	Liberal Democrat
Cabinet Overview and Scrutiny Committee	10	6	3	1
*Overview and Scrutiny Members	10	6	3	1
*Overview and Scrutiny Members	10	6	3	1
*Overview and Scrutiny Members	10	6	3	1
*Overview and Scrutiny Members	10	6	3	1
*Overview and Scrutiny Members	10	6	3	1
General Functions Members	7	4	2	1
Planning and Environment Members	10	6	3	1
Appeals Committee Members	10	5	5	0
Audit	7	4	2	1
Licensing	15	9	5	1
Special Committee to deal with the Constitution	10	6	3	1
Standards Committee	3	1	1	1
Chief Officers Appointments Panel	7	4	2	1
Chief Officers Disciplinary & Capability Investigating Panel	5	3	1	1
Chief Officers Disciplinary Panel	5	3	1	1

* The Overview and Scrutiny Committees are :

- Resources, Performance and Partnerships
- First Class Education and Children
- Cleaner, Greener, Transport and Development
- Supporting the Vulnerable in our Community
- Tackling Crime and Housing

Appointments to the Welsh Harp Joint Consultative Committee are Conservative 3, Labour 1.

Area Planning and Environment Sub-Committees – one member per ward. For Wards with split representation the allocation of seats will be:-

Coppetts	-	1 Conservative Seat
High Barnet Ward		1 Conservative Seat
Mill Hill Ward	-	1 Liberal Democrat Seat
Underhill Ward		1 Conservative Seat

Membership of Committees

Council (All Members of the Council)

Cabinet Overview and Scrutiny Committee (10 seats)

(Note: membership to consist of 10 non-Cabinet Councillors)

1 (Ch)	Wendy Prentice (Cllr Alison Moore was unsuccessful)
2 (VC)	Dean Cohen (Cllr Linda McFadyen was unsuccessful)
3	Daniel Thomas
4	Andreas Tambourides
5	Robert Rams
6	Hugh Rayner
7	Barry Rawlings
8	Alison Moore
9	Linda McFadyen
10	Jack Cohen

Substitutes

(Note: 2 for each political group)

1	Marina Yannakoudakis	Jim Tierney	Monroe Palmer
2	Joanna Tambourides	Alan Schneiderman	Wayne Casey

Resources, Performance and Partnerships Overview and Scrutiny Committee

(Note: membership to consist of 10 Non-Cabinet Councillors)

1. (Ch)	Joan Scannell (Cllr Alan Schneiderman was unsuccessful)
2.(VC)	Robert Rams (Cllr Ansuya Sodha was unsuccessful)
3.	Daniel Thomas
4.	Joanna Tambourides
5.	Caroline Margo
6.	Bridget Perry
7.	Claire Farrier
8.	Alan Schneiderman
9.	Ansuya Sodha
10.	Duncan Macdonald

Substitutes

(Note: 2 for each political group)

Daniel Webb	Julie Johnson	Wayne Casey
Sachin Rajput	Ross Houston	Monroe Palmer

First Class Education and Children Overview and Scrutiny Committee

(Note: membership to consist of 10 Non-Cabinet Councillors)

1. (Ch)	Brian Salinger (Cllr Barry Rawlings was unsuccessful)
2.(VC)	Richard Weider (Cllr Agnes Slocombe was unsuccessful)
3.	Dean Cohen
4.	Kate Salinger
5.	Jazmin Naghar
6.	Eva Greenspan
7.	Anne Hutton
8.	Barry Rawlings
9.	Agnes Slocombe
10.	Wayne Casey

3 voting voluntary-aided school representatives
2 voting parent governor representatives

Substitutes

(Note: 2 for each political group)

Lisa Rutter	Andrew McNeil	Duncan Macdonald
Hugh Rayner	Julie Johnson	Susette Palmer

Cleaner, Greener, Transport and Development Overview and Scrutiny Committee

(Note: membership to consist of 10 Non-Cabinet Councillors)

1. (Ch)	Marina Yannakoudakis (Cllr Kath McGuirk was unsuccessful)
2.(VC)	Wendy Prentice (Cllr Jim Tierney was unsuccessful)
3.	Joan Scannell
4.	John Hart
5.	Dean Cohen
6.	Christopher Harris
7.	Julie Johnson
8.	Kath McGuirk
9.	Jim Tierney
10.	Susette Palmer

Substitutes

(Note: 2 for each political group)

Jazmin Naghar	Agnes Slocombe	Jeremy Davies
Bridget Perry	Claire Farrier	Duncan Macdonald

Supporting the Vulnerable in our Community Overview and Scrutiny Committee (10 seats)

(Note: membership to consist of 10 Non-Cabinet Councillors)

1. (Ch)	Richard Cornelius (Cllr Linda McFadyen was unsuccessful)
2.(VC)	Lisa Rutter (Cllr Andrew McNeil was unsuccessful)
3.	Caroline Margo
4.	Bridget Perry
5.	John Hart
6.	Hugh Rayner
7.	Zakia Zubairi
8.	Linda McFadyen
9.	Andrew McNeil
10.	Wayne Casey

Substitutes

(Note: 2 for each political group)

Brian Gordon	Julie Johnson	Jack Cohen
Sachin Rajput	Anita Campbell	Susette Palmer

Tackling Crime and Housing Overview and Scrutiny Committee

(Note: membership to consist of 10 Non-Cabinet Councillors)

1. (Ch)	Brian Gordon (Cllr Ross Houston was unsuccessful)
2.(VC)	Terry Burton (Cllr Gill Sargeant was unsuccessful)
3.	Daniel Webb
4.	Mukesh Depala
5.	Sachin Rajput
6.	Joanna Tambourides
7.	Charlie O-Macauley
8.	Ross Houston
9.	Gill Sargeant
10.	Susette Palmer

Substitutes

(Note: 2 for each political group)

Jazmin Naghar	Julie Johnson	Duncan Macdonald
Caroline Margo	Kath McGuirk	Jeremy Davies

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

Joint Overview and Scrutiny Committee – Clinical Strategy

(Note: membership to consist of 3 Non-Cabinet Councillors, two Conservative and one Labour)

1.	Richard Cornelius
2.	Hugh Rayner
3.	Linda McFadyen

Audit Committee (7 seats)

(Note : membership to consist of 7 Councillors – Chairman should be non-Cabinet and preferably an opposition Member)

1. (Ch)	Jeremy Davies
2.(VC)	Daniel Thomas
3.	Dean Cohen
4.	Marina Yannakoudakis
5.	Richard Cornelius
6.	Geof Cooke
7.	Danish Chopra

Substitutes

(Note: 2 for each political group)

Hugh Rayner	Alan Schneiderman	Wayne Casey
Mukesh Depala	Agnes Slocombe	Monroe Palmer

General Functions Committee (7 seats)

1 (Ch)	Joan Scannell
2 (VC)	Mike Freer
3	Lynne Hillan
4	Robert Rams
5	Ansuya Sodha
6	Claire Farrier
7.	Jeremy Davies

Substitutes

(Note: 2 for each political group)

1	Wendy Prentice	Agnes Slocombe	Jack Cohen
2	Richard Cornelius	Anne Hutton	Monroe Palmer

Planning and Environment Committee (10 seats)

(Note: 10 Non-Cabinet Members of the Council) –

1 (Ch)	Andreas Tambourides
2 (VC)	Maureen Braun
3	Wendy Prentice
4	Hugh Rayner
5	Daniel Thomas
6	Daniel Webb
7	Jim Tierney
8	Agnes Slocombe
9	Anita Campbell
10	Jack Cohen

Substitutes

1	Jazmin Naghar	Andrew McNeil	Jeremy Davies
2	Richard Weider	Barry Rawlings	
3	Sachin Rajput	Claire Farrier	
4	Christopher Harris		
5	Joanna Tambourides		
6	Joan Scannell		

Appeals Committee 1 (10 seats)

1 (Ch)	Terry Burton
2 (VC)	Wendy Prentice
3	Hugh Rayner
4	Lisa Rutter
5	Joanna Tambourides
6	Jim Tierney
7	Ansuya Sodha
8	Claire Farrier
9	Anne Hutton
10	Agnes Slocombe

Substitutes (2 for each political group)

1	Marina Yannakoudakis	Julie Johnson
2	Andreas Tambourides	Charlie O-Macauley

Licensing Committee (15 Non-Cabinet Members of the Council)

1.C	Eva Greenspan
2.VC	Kate Salinger
3	Lisa Rutter
4	Wendy Prentice
5	Joanna Tambourides
6	Terry Burton
7	Marina Yannakoudakis
8	Hugh Rayner
9	John Hart
10	Claire Farrier
11	Jim Tierney
12	Andrew McNeil
13	Julie Johnson
14	Kath McGuirk
15	Susette Palmer

Standards Committee (3 seats)

(Note : 3 non-executive Councillors (one from each political group), with six substitute members (two from each political group) and four independent co-opted members)

	Joan Scannell
	Agnes Slocombe
	Jack Cohen

Substitutes

1	Andreas Tambourides	Julie Johnson	Jeremy Davies
2	Marina Yannakoudakis	Jim Tierney	Monroe Palmer

Independent Members of the Standards Committee

1. Mrs Susan Riddle
2. Mr Stephen Ross
3. Rev Bernd Koschland
4. Ms Marguerite Argles

Chief Officers Appointments Panel (7 seats)

(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 (5 seats)

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

Chief Officers Disciplinary Panel (5 seats)

(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 (4 seats)

1	Hugh Rayner
2	Christoher Harris
3	John Hart
4	Julie Johnson

Special Committee to deal with Constitution (10 seats)

1 (Ch)	Melvin Cohen
2 (VC)	Mike Freer
3	Joan Scannell
4	Richard Cornelius
5.	Daniel Webb
6	Matthew Offord
7	Alison Moore
8	Linda McFadyen
9	Alan Schneiderman
10	Jack Cohen

Substitutes

(Note: 2 for each political group)

1	Lynne Hillan	Jim Tierney	Wayne Casey
2	Robert Rams	Ross Houston	Monroe Palmer

Corporate Joint Negotiation and Consultation Committee (14 seats)

(Note: Employees' (Staff Side) appoint Vice-Chair)

1(Ch)	Lynne Hillan
2	Mike Freer
3	Anthony Finn
4	John Hart
5	Terry Burton
6	Joan Scannell
7	Andrew Harper
8	John Marshall

9	Alan Schneiderman
10	Linda McFadyen
11	Jim Tierney
12	Ansuya Sodha
13	Geof Cooke
14	Jeremy Davies

Substitutes : The Constitution of the JNCC permits 3 substitutes per side

1.	Jazmin Naghar	Charlie O-Macauley	Monroe Palmer
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Teachers Joint Negotiation and Consultation Committee (10 seats)

(Note: Employees' (Staff Side) appoint Vice-Chair)

1(Ch)	Fiona Bulmer
2	Richard Weider
3	John Marshall
4	Jazmin Naghar
5	Brian Salinger
6	Daniel Thomas
7	Barry Rawlings
8	Gill Sargeant
9	Julie Johnson
10	Wayne Casey

Substitutes

The JNCC Constitution permits 6 substitutes per side

1	Dean Cohen	Ansuya Sodha	Duncan Macdonald
2	Bridget Perry	Anne Hutton	Monroe Palmer

Corporate Joint Consultation (Health, Safety & Welfare) Committee (6 seats)

(Note: Employees' (Staff Side) appoint Vice-Chair)

1(Ch)	Wendy Prentice
2	John Marshall
3	John Hart
4	Ansuya Sodha
5	Andrew McNeil
6	Duncan Macdonald

Substitutes

The JNCC Constitution permits the Employers' Side to appoint 5 substitutes

1	Caroline Margo	Jim Tierney	Monroe Palmer
2	Lisa Rutter	Alan Schneiderman	

Finchley and Golders Green Residents Forum (2 seats)

(Note: Chairman and Vice-Chairman to be appointed
Councillors for the following wards will be permanent members of the Forum –
Woodhouse, West Finchley, Finchley Church End, Garden Suburb, Golders
Green, Childs Hill and East Finchley)

1 (Ch)	Christopher Harris (Cllr Kath McGuirk was unsuccessful)
2 (VC)	Jazmin Naghar (Cllr Andrew McNeil was unsuccessful)

Chipping Barnet Residents Forum (2 seats)

(Note: Chairman and Vice-Chairman to be appointed
Councillors for the following wards will be permanent members of the Forum –
Underhill, High Barnet, East Barnet, Oakleigh, Brunswick Park, Coppetts and
Totteridge)

1 (Ch)	Andreas Tambourides (Cllr Barry Rawlings was unsuccessful)
2 (VC)	Bridget Perry (Cllr Anita Campbell was unsuccessful)

Hendon Residents Forum (2 seats)

(Note: Chairman and Vice Chairman to be appointed
Councillors for the following wards will be permanent members of the Forum –
Hale, Edgware, Burnt Oak, West Hendon, Colindale, Hendon and Mill Hill).

1 (Ch)	Brian Gordon (Cllr Julie Johnson was unsuccessful)
2 (VC)	John Hart (Cllr Gill Sargeant was unsuccessful)

Appendix D - Calendar of Meetings 2007-08

		May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1	Corporate JNCC		14/6					8/11		10/1		18/3			
2	Teaching JNCC			9/7			17/10			9/1		12/3			
3	Health Safety and Welfare JNCC			3/7			30/10			15/1		11/3			
4	General Functions Committee		5/6			25/9		12/11		16/1			7/4		
5	Standards Committee		5/6			17/9			3/12			17/3			
6	Audit Committee		28/6			20/9			5/12		27/2	19/3			25/6
7	Resources, Performance and Partnerships Overview & Scrutiny		4/6		28/8			29/11		22/1			8/4		
8	First Class Education and Children Overview & Scrutiny					17/9		14/11			13/2		24/4		
9	Cleaner, Greener, Transport and Development Overview & Scrutiny	16/5 Special	12/6				16/10	15/11			18/2		22/4		
10	Supporting the Vulnerable in our Community Overview & Scrutiny		18/6			19/9 Wed		19/11 Mon			11/2		23/4		
11	Tackling Crime and Housing Overview & Scrutiny	21/5				18/9		22/11		21/1			17/4		
12	Cabinet Resources		20/6	16/7		3/9	31/10		10/12	14/1	25/2	25/3	28/4		4 & 18/6
13	Cabinet Briefing Meeting.		4/6	2/7	16/8		11/10	22/11		9/1	31/1	13/3	17/4	29/5	
14	Shadow Cabinet		11/6	12/7	23/8		24/10		6/12	17/1	14/2	27/3		1/5	5/6
15	Cabinet - Formal Meeting		18/6	23/7	30/8		29/10		12/12	23/1	21/2		3/4	7/5	12/6
16	Cabinet Overview and Scrutiny Committee		25/6	30/7		10/9		5/11	17/12	28/1		3/3	14/4	12/5	23/6

17	Party Group Meetings for Council	Thur		21/6			6/9		1/11	13/12	24/1	28/2		10/4	8/5	19/6
18	Council	Tue		26/6			11/9		6/11	18/12	29/1		\$4/3	15/4		24/6
19	Council - Annual Meeting	Tue	15/5												13/5	
20	Finchley & Golders Green Residents Forum			19/6	31/7		20/9		12/11		22/1		11/3	29/4		16/6
21	Hendon Residents Forum			19/6		1/8	24/9		13/11		28/1		12/3	30/4		17/6
22	Chipping Barnet Residents Forum			19/6		2/8	25/9		14/11		30/1		17/3		6/5	23/6
23	Area Environment. Subs			7/6		29/8			20/11				10/3			2/6
22	Finchley & Golders Grn. Area Planning Sub		31/5	28/6	25/7	20/8	19/9	23/10	28/11		8/1	7/2	6/3	2/4 & 30/4		4/6
24	Chipping Barnet Area Planning Sub		22/5	27/6	24/7	21/8	18/9	18/10	26/11		9/1	6/2	5/3	2/4 & 29/4		3/6
25	Hendon Area Planning Sub		21/5	27/6	26/7	22/8	20/9	22/10	27/11		7/1	4/2	5/3 & 31/3	28/4		3/6
26	Planning and Environment Committee			6/6	4/7	8/8	5/9	8/10	7/11	11/12	15/1	19/2	19/3	9/4	14/5	11/6
27	Licensing							31/10							21/5	
	Reserved for Barnet Civic Network							15/10						16/4		

*ISA 260 report; \$ Budget meeting, election of Mayor designate

Council: 26 June 2007

Administration Policy Item: Cllr. Fiona Bulmer

The Future of the Connexions Service

This Council notes the Connexions service, which supports young people in the transition from school to further education, employment and training, and provides advice on problems and day-to-day issues.

From April 2008, responsibility for Connexions will be transferred from the DfES to the London Borough of Barnet.

The London Borough of Barnet already enjoys a good record of work with the Connexions service, and currently works in partnership with Connexions North London in providing youth services in the Borough.

Council believes the best way to provide focussed and relevant services to youngsters is for them to be managed by schools, colleges and other local services, and agrees with the Cabinet report that devolving responsibility for Connexions to our schools will be the best way for LBB to manage the service, when responsibility is transferred.

As lack of funding from Central Government continues to present a problem for LBB, Council is keen that Whitehall provides adequate and ring-fenced grants to this authority to ensure best possible service can be financed and delivered for the young people of this Borough. Council notes that, at present, the DfES has not been able to provide firm guidance on the future levels of funding, and Council is adamant this must be resolved quickly.

Accordingly, Council requests Cabinet:

- Ensures that effective commissioning of Connexions services for young people takes place through a devolved commissioning system via our schools and colleges, as recommended in the report to Cabinet of 18 June.
- Makes representations to the DfES and the Treasury to ensure that adequate, sustainable, long-term and ring-fenced grant funding (separate from the Formula Grant) is provided so that a first-class service can be provided for the young people of Barnet.

Council, Tuesday 26 June 2007

Opposition Policy Item to be moved by Councillor Kath McGuirk

Tackling congestion hotspots on Barnet roads

The council has developed and put in place numerous plans and strategies aimed at dealing with the problem of congestion on Barnet's roads. All of them state the fact that the borough's population is growing fast and that car use, and therefore congestion, is also set to grow.

We all recognise the need for improved public transport, but also that the motor-car will continue to be a transport option for residents in Barnet.

Recent debates demonstrate that we are all concerned about the impact of congestion and the consequences it has for the health of the public, the environment, economic activity and our quality of life.

Many of the council's policies dealing with congestion have long-term objectives, with outcomes and benefits that will not be fully realized for some time. Careful monitoring of progress will be important to ensure success and that it really is making a difference.

Aside from the council's overarching and strategic measures that have been developed and are being developed to address congestion in general there are many more localized congestion hotspots that are currently causing problems, and that need to be looked at in a shorter timeframe. These are often not major junctions or trunk roads but at local sites like Nether Street, Courthouse Road and Courthouse Gardens in North Finchley, for example.

Council therefore asks that in addition to its own work drawing up measures to tackle broader congestion, Cabinet commissions a scrutiny review to look in a holistic and systematic manner at:

- Performance against stated targets and outcomes to date
- Progress on relevant key projects and plans, including those identified in the Local Implementation Plan
- Identifying any further local hotspots that are a cause for community concern
- Providing effective wider cross-party Member and public in-put into planned reviews of congestion bottlenecks
- Traffic management, including traffic light phasing, road works, use of road space by utilities, waiting / loading restrictions and parking

REPORT OF THE STANDARDS COMMITTEE

13 JUNE 2007

Members:

Independent Members

*Rev Bernd Koschland (Chairman)

*Marguerite Argles

*Susan Riddle

*Stephen Ross

Councillors:

* Monroe Palmer
(substituting for Councillor
Jack Cohen)

* Joan Scannell

*Agnes Slocombe

*denotes Member present

1. REVISED LOCAL GOVERNMENT CODE OF CONDUCT FOR MEMBERS (St. Cttee. Dec.7/2/07 - 5) (Report of the Director of Corporate Governance – item 5):

The Committee considered the attached report of the Director of Corporate Governance.

The Committee considered that the local addition made to the previous Code by the Council relating to membership of private clubs and similar organisations, on 16 April, 2002, should be incorporated into the revised Code. The Committee also were advised that the revised Code would be included in the Council's Constitution.

The Committee, having noted the changes made to the draft Code of Conduct for Members following consultation by the Department of Communities and Local Government, and the revised Code of Conduct, as recorded in the Decisions of the Committee

RECOMMEND - That the London Borough of Barnet adopt the Model Code set out in the Local Authorities (Model Code of Conduct) Order 2007, with a local addition to similar effect to the local addition Barnet Council made to the existing Code of Conduct in respect of declaring membership of private clubs and similar organisations in the Register of Members' Interests.

AGENDA ITEM: 5

Page nos. 1 - 31

Meeting	Standards Committee
Date	13 June 2007
Subject	Revised Local Government Code of Conduct for Members
Report of	Director of Corporate Governance
Summary	To invite the Committee to recommend to Council the adoption of the new Model Code of Conduct for Local Authority Members.

Officer Contributors	Director of Corporate Governance (Monitoring Officer), Governance Manager
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Results of Consultation on Revised Code of Conduct for Local Government Members Appendix B – The Local Authorities Model Code of Conduct Order 2007 Appendix C – Barnet’s Local Code of Conduct
For decision by	Full Council
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	N/A
Contact for further information:	Donna Knight-Olds, Governance Manager Tel: 020 8359 7156.

1. RECOMMENDATIONS

- 1.1 That the committee note the changes made to the draft Code of Conduct for Members following consultation by the Department of Communities and Local Government (DCLG).
- 1.2 That the committee note the revised Code of Conduct for Members presented at Appendix B and, in particular, the specific changes summarised in paragraph 9.8 of this report.
- 1.3 That the Committee recommends to the Council that the London Borough of Barnet adopts the Model Code set out in the Local Authorities (Model Code of Conduct) Order 2007.

Either:

- a) unamended;
- b) with a local addition to similar effect to the local addition Barnet Council made to the existing Code of Conduct in respect of declaring membership of private clubs and similar organisations in the Register of Members Interests; and/or
- c) with any other local additions, which do not contradict the content of the Model Code, that the Committee wishes to propose.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Consultation on general principles of conduct and model code of conduct for Members – 5 March 2001.
- 2.2 9 April 2002 – Standards Committee recommendations to the Council in respect of the adoption of the Local Code of Conduct for Members.
- 2.3 16 April 2002 – Council adopted the Local Code of Conduct for Members on the basis of the recommendations of the Standards Committee.
- 2.4 7 February 2007 – Standards Committee response to consultation on proposed amendments to the Model Code of Conduct for Local Authority Members.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Under the Council's Corporate Plan for 2007/07 to 2010/11, one of the corporate priorities is 'More Choice, Better Value'. Key objectives within this priority include 'enhancing and further developing corporate governance' and 'stimulating high quality democratic engagement'. The adoption of the model code in this report supports these objectives.

4. RISK MANAGEMENT ISSUES

- 4.1 The Council is required by law to adopt a Code of Conduct incorporating the mandatory provisions of the Model Code of Conduct. If the Council does not adopt a version of the new Code by 1 October 2007 the Model Code will automatically apply to all Barnet Members and co-optees. However, in the absence of the Council being pro-active in this matter, Members and co-optees may not be aware of the standards of conduct required of them and there is a potential risk that the reputation of the Council may be subsequently damaged. The automatic application of the new Code would also mean that the local addition made by Barnet to the Code in 2002 would no longer apply which may create further uncertainty.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Members of the Council are a diverse range of individuals from within the Borough and the code of conduct applies to all equally.
- 5.2 The existing Code of Conduct includes a general requirement for every Member to promote equality by not discriminating unlawfully against any person and to treat others with respect. The new code replaces this with a provision to proscribe Members from doing anything which may cause his or her authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006[14]).

6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 6.1 None.

7. LEGAL ISSUES

- 7.1 Substantive legal issues are contained in the body of this report. The key legal issue is that there is a statutory requirement to have a Code of Conduct and a requirement for Members to abide by it.

8. CONSTITUTIONAL POWERS

- 8.1 This Committee is empowered by Article 9 of the Constitution with promoting and maintaining high standards of conduct by Members and co-opted Members, assisting Members to observe the Code of Conduct, advising the Council on the Code and monitoring its operation.

9. BACKGROUND INFORMATION

- 9.1 The Local Authorities (Model Code of Conduct) Order 2007 (Statutory Instrument no. 1159) was laid before Parliament on 4 April 2007. The Order came into effect on 3 May 2007 and is attached as Appendix B. It introduces a new Model Code of Conduct for Local Authority Members which is required to be adopted by all local authorities by 1 October 2007. The existing code will remain in force until adoption.

- 9.2 The Standards Committee, at its meeting on 7 February 2007, considered the proposed Code in its draft form, together with the commentary and questions put forward by the DCLG for the consultation exercise. The consultation was launched on 22 January 2007 with a closing date of 9 March 2007.
- 9.3 The committee was content with the majority of the proposed amendments and in response to most of the questions in the DCLG consultation they agreed the appropriateness of the proposed text. The Committee sought greater clarity as to the remit of the Code with regard to criminal convictions in terms of behaviour in a private capacity and this section has been re-worded to provide this. The DCLG's summary of responses from all of the bodies that responded to the consultation and amendments made in response to those findings is attached as Appendix A to this report.
- 9.4 The committee's comments at its 7 February 2007 meeting about the proposed changes mainly centred on requests for further guidance. The Standards Board has issued guidance on its Website and all members of the Standards Committee are recommended to view this. In addition, Officers will be providing briefings in due course. The Standards Board has announced that it also intends to produce a range of training materials, including a DVD which will be distributed to Monitoring Officers in July 2007. All guidance associated with the new code of conduct will be passed on to all Members of the Council, Co-opted Members and Independent Members to accompany the adoption of the new code and will be used in future training sessions.
- 9.5 Authorities can either adopt the Model Code or they can make local additions to it, provided that the additions do not contradict the provisions of the Model Code. This Council can not refuse to adopt any part of the Code. Paragraph 12.2 of the Model Code is not mandatory for some local authorities (such as parish and town councils) but it is mandatory for a London Borough Council.
- 9.6 When adopting the previous Code of Conduct in 2002, the Council made one local addition to the effect that membership of private clubs and similar organisations also had to be declared in the Register of Members' Interests. A similar addition could be made to the list of interests set out in Paragraph 8 (1)(a) of the new Model Code, to which Part 3 dealing with Registration of Members Interests refers.
- 9.7 Officers have spotted a typographical error in the explanatory notes to the code as published (not part of the order itself). In the note referring to paragraph 3, 'intimidate' should be substituted for 'intimate'.

Summary of Changes

- 9.8 Below is a summary of the main areas of change between the existing Code of Conduct and the new Model Code.

Personal Interests – The definition of these has been relaxed. Thus, interests that are shared with the majority of people in the ward affected by the decision will not have to be declared.

Outside Bodies – Members who have been appointed by the authority to represent the Council on outside bodies will not now be required to always declare an interest where a matter that affects that other body is being discussed at a meeting of the authority. They do not have to declare a personal interest in the matter before they vote unless they wish to speak on the matter, or, unless the personal interest is also a prejudicial interest.

Prejudicial Interests – These now only arise if a matter affects a Member, his or her family, or the Member's close associates in one of two ways. They are that it relates to the person's finances or it concerns a regulatory function such as licensing or planning which affects the person. The test as to whether a personal interest is a prejudicial interest remains that if a reasonable member of the public with knowledge of the facts would believe the Member's ability to judge the public interest would be impaired it is a prejudicial interest. However, an important change is that where a Member has a prejudicial interest, the new Code better supports the Member's role as a community advocate and enables him or her, in certain circumstances, to represent the community and to speak on issues. Paragraph 12(2) of the new code gives Members with a prejudicial interest the same rights as a member of the public to speak to a meeting on the matter. However, once the Member has spoken, he, or she, must leave the meeting room (including the public gallery of the Council Chamber) immediately and not be present while the committee discusses or votes on the matter.

Gifts or Hospitality - Any gift or hospitality over the value of £25 must now be included on the Register of Member's Interests and thus a personal interest must be declared at any meeting where a matter relating to the donor of the gift or hospitality is discussed.

Equality laws – The previous provision against unlawful discrimination has been replaced by a duty to do nothing that might cause the authority to breach its duties under equality and anti-discrimination laws. This change means that any discriminatory behaviour by a Member can now be dealt with through the Code.

Bullying – this is now specifically prohibited by the Code.

Intimidation – Another new provision forbids members from intimidating or attempting to intimidate anyone involved in an investigation such as a complainant, a witness or an officer conducting an investigation.

Private behaviour – The Code will not apply to most conduct which solely concerns a member's private life. The exception being that the Code will apply to matters resulting in a criminal conviction for the Member. However, if enacted, the Local Government and Public Involvement in Health Bill will bring about further changes in this area.

Disclosure of Confidential Information - The ban on this has been relaxed to allow disclosure in either of two situations. The first is where the disclosure is made to a third party for the purpose of obtaining professional advice and the person advising agrees not to disclose it any further. The second circumstance in which disclosure of confidential information might be permissible is where the disclosure is in the public interest, reasonable and disclosed in good faith while not breaching the requirements of the authority. This was an area on which the Committee particularly sought further guidance. The guidance issued by the Standards Board goes into detail on the requirements for applying the public interest test and this will be highlighted in the planned training sessions for all Members.

- 9.9 The Ten Principles of Public Life are not incorporated in the Code. However, the Standards Board advises that the Code should be read in conjunction with the principles and that a failure to follow the principles was likely to indicate behaviour that could potentially breach the Code.

10. LIST OF BACKGROUND PAPERS

- 10.1 Consultation paper on the revised Code of Conduct.
- 10.2 Standards Board bulletin 33
- 10.3 Any persons wishing to inspect the background papers listed above should contact Donna Knight-Olds, Governance Manager, Tel: 020 8359 7156

Results of consultation on revised code of conduct for local government members

Introduction

The Government consulted on a revised code of conduct for local authority members on 22 January 2007. The consultation ended on 9 March. The aim was to consult on the detailed amendments needed to the code of conduct for local councillors, so as to put into effect the commitment given in the Local Government White Paper to introduce:

- a clearer, simpler and more proportionate code, and
- amended rules on personal and prejudicial interest to remove the current barriers to councillors speaking up for their constituents, for example on planning and licensing issues, and for public bodies on which they have been appointed to serve.

The consultation attracted 906 responses. A summary of the comments received and the amendments which have been made to the code to reflect the issues raised are provided below.

The Department is grateful to all who responded to the consultation and helped to shape the changes to the code, and in particular to the many local authorities and their representative bodies, including the LGA, NALC, ACSeS, SOLACE and ALACE, who commented. We are also grateful to the Standards Board for the key role it has played in the consultation process. In the coming months, the Board will be publishing revised guidance on the new code as well as undertaking a series of national roadshows to share advice and experience on its implementation.

Following the consultation, the Local Authorities (Model Code of Conduct) Order 2007 (SI No 1159) was issued on 4 April, prescribing a revised model code. The order will come into effect on 3 May 2007, and is available online at www.opsi.gov.uk/si/si-2007-index.htm.

Summary of main conclusions from consultation

Number of responses received: 906

Comprising:

- Principal authorities – 390;
- Parish councils and individual councillors – 442;
- Local authority representative and other stakeholder bodies (including the Standards Board, LGA, NALC, ACSeS and the Commission for Racial Equality) – 42; and
- Individuals (including councillors and MPs) – 32

Main comments

- General welcome for the proposed revisions to the code.
- Welcome for the gender-neutral approach taken in the revised draft. Some respondents suggested extra accessibility and user-friendliness would be provided by replacing references to ‘him or her’ with reference to ‘you’.
- Welcome to proposal to amend the rules on personal and prejudicial interest to allow members to speak more often at council meetings. Suggestion that more relaxed regime proposed for members with a ‘public service interest’ should be extended to all members, so that a member would not have a prejudicial interest in any matter unless it includes a financial benefit to the member or the member’s family and those with a close association with him or her, or it relates to the determining of any approval, consent or licence in respect of the member, his or her family or those with a close association with the member. The separate definition of ‘public service interests’ should therefore be deleted.
- Members with a prejudicial interest should be granted the same right to speak to make representations and give evidence as the general public. There should be an absolute right to speak at meetings where a member of the public is allowed to speak.
- Support for proposal that the code should proscribe only private behaviour for which the member has received a criminal conviction. Add express wording to clarify the intention to limit the remit of the code in respect of private behaviour to conduct which has resulted in a criminal conviction.

- Support for an amendment to proposal for gifts and hospitality received in the last 5 years to be disclosed at meetings as personal interests. Suggestions made that the proposed 5 year period be reduced to periods of between 2 to 4 years.
- Support for amendment to references to people with a ‘close personal association’ with a member (and whose interest might therefore be affected by decisions made by the member), to ensure that business associates as well as personal friends are included within the meaning of the phrase.
- Support for publicity code as a useful source of advice for authorities on sensitive issues on the use of resources.

Main amendments to the model code proposed in response to consultation findings

- Improve accessibility by replacing ‘the member’ and ‘him or her’ with ‘you’ throughout.
- Deletion of references to ‘public service interests’ and extension of more relaxed provisions on prejudicial interest to all members, ie so no member has a prejudicial interest unless a financial benefit to the member, his or her family or those with a close association with him or her is involved, or if the matter relates to the determining of any approval, consent or licence in relation to the member, his or her family or those with a close association with the member.
- Allow members with a prejudicial interest the same right to attend meetings so as to make representations, give evidence or answer questions, as the general public. They will be allowed to attend and speak at meetings provided the public are also allowed to attend for the same purpose.
- Provide clearer drafting to ensure that the remit of the code in respect of conduct in a private capacity is restricted to behaviour for which a criminal conviction has been received.
- Amendment to the rules on gifts and hospitality, to respond to concerns on proportionality, so that only gifts and hospitality received in the previous 3 years (rather than the 5 years originally proposed) would have to be disclosed at meetings as personal interests.
- References to people with a ‘close personal association’ with the member amended to read ‘close association’ to allow the inclusion of business acquaintances as well as personal friends of the member.

Statutory Instrument 2007 No. 1159

The Local Authorities (Model Code of Conduct) Order 2007

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STATUTORY INSTRUMENTS

2007 No. 1159

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Model Code of Conduct) Order 2007

<i>Made</i>	<i>2nd April 2007</i>
<i>Laid before Parliament</i>	<i>4th April 2007</i>
<i>Coming into force</i>	<i>3rd May 2007</i>

The Secretary of State for Communities and Local Government makes the following Order in exercise of the powers conferred by sections 50(1) and (4), 81(2) and (3), and 105(2), (3) and (4) of the Local Government Act 2000^[1].

The Secretary of State has consulted in accordance with section 50(5) of that Act.

The Secretary of State is satisfied that this Order is consistent with the principles for the time being specified in an order under section 49(1) of that Act^[2].

Citation, commencement and application

1. —(1) This Order may be cited as the Local Authorities (Model Code of Conduct) Order 2007 and comes into force on 3rd May 2007.

(2) This Order applies—

(a) in relation to police authorities in England and Wales; and

(b) in relation to the following authorities in England—

(i) a county council;

(ii) a district council;

(iii) a London borough council;

(iv) a parish council;

(v) the Greater London Authority;

(vi) the Metropolitan Police Authority;

(vii) the London Fire and Emergency Planning Authority;

(viii) the Common Council of the City of London;

(ix) the Council of the Isles of Scilly;

(x) a fire and rescue authority;

(xi) a joint authority;

(xii) the Broads Authority; and

(xiii) a National Park authority,

and in this Order references to "authority" are construed accordingly.

Model Code of Conduct

2. —(1) The code set out in the Schedule to this Order ("the Code") has effect as the model code issued by the Secretary of State under section 50 of the Local Government Act 2000 as regards the conduct which is expected of members and co-opted members of an authority.

(2) Subject to paragraphs (3) to (6), every provision of the Code in the Schedule to this Order is mandatory for an authority.

(3) Paragraph 6(c) of the Code is not mandatory for police authorities, the Greater London Authority, the Metropolitan Police Authority, the London Fire and Emergency Planning Authority, fire and rescue authorities and joint authorities.

(4) Paragraph 7 of the Code is not mandatory for parish councils.

(5) Subject to sub-paragraph (6)(c) and (d) below, paragraphs 10(2)(c)(i) and (ii), 11 and 12(2) of the Code are mandatory only for county councils, district councils and London borough councils, the Common Council of the City of London and the Council of the Isles of Scilly.

(6) The following provisions of the Code are mandatory only for an authority which is operating executive arrangements—

(a) in paragraph 1(4), in the definition of "meeting"—

(i) sub-paragraph (b);

(ii) in sub-paragraph (c), the words "or its executive's" and ", or area committees";

(b) paragraphs 9(6), 9(7) and 12(1)(b);

(c) in paragraph 11(a), the words "your authority's executive or"

(d) in paragraph 11(b), the word "executive,"; and

(e) in paragraph 12(2), the words in brackets.

Disapplication of certain statutory provisions

3. The following provisions shall not apply (where they are capable of doing so) to an authority which has adopted a code of conduct or to which such a code applies—

(a) sections 94 to 98 and 105 to the Local Government Act 1972^[3];

(b) section 30(3A) of the Local Government Act 1974^[4];

(c) regulations made or a code issued under section 19 and 31 of the Local Government and Housing Act 1989^[5];

(d) paragraphs 9 and 10 of Schedule 7 to the Environment Act 1995^[6]; and

(e) any guidance issued under section 66 of the Greater London Authority Act 1999^[7].

Revocation and savings

4. —(1) Subject to paragraphs (2) and (3), the following orders are revoked—

(a) the Local Authorities (Model Code of Conduct) (England) Order 2001^[8];

(b) the Parish Councils (Model Code of Conduct) Order 2001^[9];

(c) the National Park and Broads Authorities (Model Code of Conduct) (England) Order 2001^[10]; and

(d) the Police Authorities (Model Code of Conduct) Order 2001^[11].

(2) The Orders referred to in paragraph (1) continue to have effect for the purposes of and for purposes connected with —

(a) the investigation of any written allegation under Part 3 of the Local Government Act 2000, where that allegation relates to conduct which took place before the date when, pursuant to section 51 of that Act—

(i) the authority adopts a code of conduct incorporating the mandatory provisions of the Code in the Schedule to this Order in place of their existing code of conduct;

(ii) the authority revises their existing code of conduct to incorporate the mandatory provisions of the Code in the Schedule to this Order; or

(iii) the mandatory provisions of the Code in the Schedule to this Order apply to members or co-opted members of the authority under section 51(5)(b) of that Act;

(b) the adjudication of a matter raised in such an allegation; and

(c) an appeal against the decision of an interim case tribunal or case tribunal in relation to such an allegation.

(3) Any order made under section 83 of the Local Government Act 1972^[12] shall have effect for the purpose of prescribing the form of a declaration of acceptance of office in relation to a county council, district council, London borough council and a parish council.

Signed on behalf of the Secretary of State for Communities and Local Government

Phil Woolas

Minister of State Department for Communities and Local Government

2nd April 2007

SCHEDULE
THE MODEL CODE OF CONDUCT

Part 1

General provisions

Introduction and interpretation

1. —(1) This Code applies to **you** as a member of an authority.

(2) You should read this Code together with the general principles prescribed by the Secretary of State^[13].

(3) It is your responsibility to comply with the provisions of this Code.

(4) In this Code—

"meeting" means any meeting of—

(a) the authority;

(b) the executive of the authority;

(c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member and an appointed member.

(5) In relation to a parish council, references to an authority's monitoring officer and an authority's standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

2. —(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

(2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.

(3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.

(4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

(5) Where you act as a representative of your authority—

(a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

(b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3. —(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006^[14]);

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

4. You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986[15].

7. —(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2

Interests

Personal interests

8. —(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;

(xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—

(i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;

(ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or

(iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

(2) In sub-paragraph (1)(b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

9. —(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000[16].

Prejudicial interest generally

10. —(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) You do not have a prejudicial interest in any business of the authority where that business—

(a) does not affect your financial position or the financial position of a person or body described in paragraph 8;

(b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or

(c) relates to the functions of your authority in respect of—

(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

(ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

(iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

(iv) an allowance, payment or indemnity given to members;

(v) any ceremonial honour given to members; and

(vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you

were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

12. —(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

(a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3

Registration of Members' Interests

Registration of members' interests

13. —(1) Subject to paragraph 14, you must, within 28 days of—

(a) this Code being adopted by or applied to your authority; or

(b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's

monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

14. —(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

EXPLANATORY NOTE

(This note is not part of the Order)

The Order contains a model code of conduct as regards the conduct which is expected of members and co-opted members of relevant authorities in England and police authorities in England and Wales. The Secretary of State has power to issue such a code under section 50 of the Local Government Act 2000. Under section 51 of that Act, each authority must adopt a code of conduct applying to its members and co-opted members which must incorporate any mandatory provisions of the Code. Under section 51(5), where an authority does not adopt such a code within six months of the Order coming into force, the mandatory provisions of the Code will apply to the members of the authority until it adopts its own code.

Article 1 provides that this Order applies to specified authorities in England and police authorities in England and Wales.

Article 2 provides that a model code is set out in the Schedule to the Order, and states which of its provisions are mandatory.

Article 3 disapplies the statutory provisions relating to the National Code of Local Government Conduct and members' interests.

Article 4 revokes—

the Local Authorities (Model Code of Conduct) (England) Order 2001[17];

the Parish Councils (Model Code of Conduct) Order 2001[18];

the National Park and Broads Authorities (Model Code of Conduct) (England) Order 2001[19]; and

the Police Authorities (Model Code of Conduct) Order 2001[20].

These Orders continue to have effect in relation to misconduct committed before the date when the new code is adopted or applied to an authority.

Article 4(3) provides that orders made under section 83 of the Local Government Act 1972 shall have effect for the purpose of prescribing the form of a declaration of acceptance of office.

In the **Schedule to the Order**—

Paragraph 1 of the Code provides that the Code applies to any member of an authority and that it is the responsibility of each member to comply with the Code.

Paragraph 2 of the Code provides that the Code applies whenever a member is acting in his or her official capacity, and in relation to conduct in a member's private capacity the code only applies where such conduct has resulted in a criminal conviction. Additionally, where a member is acting as a representative of his or her authority, he or she must continue to observe the authority's code, unless he or she is subject to another relevant authority's code, or unless (in relation to any other body) it conflicts with any other legal obligations.

Paragraph 3 of the Code provides that members must treat others with respect and not do anything which may cause their authority to breach equality legislation, or which compromises the impartiality of those who work for the authority or bully anyone or intimate persons involved in code of conduct cases.

Paragraph 4 of the Code provides that members must not without consent disclose confidential information they have acquired and must not prevent others from gaining access to information to which they are entitled.

Paragraph 5 of the Code provides that a member must not conduct himself or herself in a manner which could bring his or her authority into disrepute.

Paragraph 6 of the Code provides that a member must not use his or her position improperly to gain an advantage or confer a disadvantage and that when using or authorising the use of the authority's resources, he or she must act in accordance with the authority's reasonable

requirements, must not permit those resources to be used for political purposes and must have regard to the Local Authority Code of Publicity.

Paragraph 7 of the Code provides that a member must have regard to advice given by the chief finance officer and monitoring officer and must give reasons for decisions made.

Paragraph 8 of the Code provides a list of matters which constitute a personal interest.

Paragraph 9 of the Code provides that generally a member with a personal interest in any business of his or her authority must disclose that interest at any meeting at which the business is considered.

Paragraph 10 of the Code provides that generally a member with a personal interest also has a prejudicial interest if the interest could be regarded by a member of the public as so significant that it is likely to prejudice his or her judgement of the public interest. The paragraph provides that in specified circumstances a member may regard himself as not having a prejudicial interest.

Paragraph 11 of the Code provides that a member who was involved in making a decision or taking action on a matter must not be involved in the overview and scrutiny committee's consideration of that decision or action.

Paragraph 12 of the Code provides that a member with a prejudicial interest must, unless, for example, he or she is making representations and members of the public are also allowed to make representations on that matter, or he or she has obtained a dispensation, withdraw from any meetings at which the business is being considered, and must not improperly influence decisions in relation to the business.

Paragraph 13 of the Code provides that a member must notify the monitoring officer of his or her personal interests and any change to those interests must also be notified.

Paragraph 14 of the Code provides that a member may notify the monitoring officer of any sensitive information the availability of which to the public creates, or is likely to create, a serious risk that the member or a person who lives with him or her may be subjected to violence or intimidation.

Notes:

[1] 2000 c.22.[back](#)

[2] See the Relevant Authorities (General Principles) Order 20001 (S.I. 2001/1401).[back](#)

[3] 1972 c.70.[back](#)

[4] 1974 c.7. Section 30(3A) was inserted by section 32(1) of the Local Government and Housing Act 1989 (c. 42), with effect from 1st April 1990.[back](#)

[5] 1989 c.42.[back](#)

[6] 1995 c.25.[back](#)

[7] 1999 c.29.[back](#)

[8] S.I. 2001/3575.[back](#)

[9] S.I. 2001/3576.[back](#)

[10] S.I. 2001/3577.[back](#)

[11] S.I. 2001/3578.[back](#)

[12] Orders made under section 83 of the Local Government Act 1972 were disapplied, by the Orders mentioned in article 4(1)(a) and (b) of this Order, and are here being revived.[back](#)

[13] See the Relevant Authorities (General Principles) Order 2001 (S.I. 2001/1401).[back](#)

[14] 2006 c.3.[back](#)

[15] 1986 c.10.[back](#)

[16] See the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations (S.I 2000/3272).[back](#)

[17] S.I. 2001/3575.[back](#)

[18] S.I. 2001/3576.[back](#)

[19] S.I. 2001/3577.[back](#)

[20] S.I. 2001/3578.[back](#)

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LOCAL CODE OF CONDUCT FOR MEMBERS

(THE MODEL CODE OF CONDUCT AUTHORITIES OPERATING EXECUTIVE ARRANGEMENTS)

PART 1

GENERAL PROVISIONS

Scope

1. (1) A member must observe the authority's code of conduct whenever he –
 - (a) conducts the business of the authority;
 - (b) conducts the business of the office to which he has been elected or appointed: or
 - (c) acts as a representative of the authority.

and references to a member's official capacity shall be construed accordingly.

- (2) An authority's code of conduct shall not, apart from paragraphs 4 and 5(a) below, have effect in relation to the activities of a member undertaken other than in an official capacity.
- (3) Where a member acts as a representative of the authority –
 - (a) on another relevant authority, he must, when acting for that other authority, comply with the other authority's code of conduct; or
 - (b) on any other body, he must, when acting for that other body, comply with the authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
- (4) In this code, "member" includes a co-opted member of an authority.

General Obligations

2. A member must –
 - (a) promote equality by not discriminating unlawfully against any person;
 - (b) treat others with respect; and
 - (c) not do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the authority.
3. A member must not –
 - (a) disclose information given to him in confidence by anyone, or information acquired which he believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so; nor
 - (b) prevent another person from gaining access to information to which that person is entitled by law.

4. A member must not in his official capacity, or any other circumstance, conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute.
5. A member –
 - (a) must not in his official capacity, or any other circumstance, use his position as a member improperly to confer on or secure for himself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of the authority –
 - (i) act in accordance with the authority’s requirements: and
 - (ii) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the authority or of the office to which the member has been elected or appointed.
6. (1) A member must when reaching decisions –
 - (a) have regard to any relevant advice provided to him by –
 - (i) the authority’s chief finance officer acting in pursuance of his duties under section 114 of the Local Government Finance Act 1988; and
 - (ii) the authority’s monitoring officer acting in pursuance of his duties under section 5(2) of the Local Government and Housing Act 1989; and
 - (b) give the reasons for those decisions in accordance with the authority’s and any statutory requirements in relation to the taking of an executive decision.

(2) In sub-paragraph (1)(b) above and in paragraph 9(2) below. “executive decision” is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.
7. A member must, if he becomes aware of any conduct by another member which he reasonably believes involves a failure to comply with the authority’s code of conduct, make a written allegation to that effect to the Standards Board for England as soon as it is practicable for him to do so.

PART 2

INTERESTS

Personal Interests

8. (1) A member must regard himself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under paragraphs 14 and 15 below, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers or inhabitants of the authority’s area, the well-being or financial position of himself, a relative or a friend or -
 - (a) any employment or business carried on by such persons;
 - (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

- (d) Any body listed in sub-paragraphs (a) to (f) of paragraph 15 below in which such persons hold a position of general control or management.
- (2) In this paragraph –
- (a) “relative” means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and
 - (b) “partner” in sub-paragraph (2)(a) above means a member of a couple who live together.

PART 2

INTERESTS

Disclosure of Personal Interests

9. (1) A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Subject to paragraph 12(1)(b) below, a member with a personal interest in any matter who has made an executive decision in relation to that matter must ensure that any written statement of that decision records the existence and nature of that interest.

Prejudicial Interests

10. (1) Subject to sub-paragraph (2) below, a member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member’s judgement of the public interest.
- (2) A member may regard himself as not having a prejudicial interest in a matter if that matter relates to –
- (a) another relevant authority of which he is a member;
 - (b) another public authority in which he holds a position of general control or management;
 - (c) a body to which he has been appointed or nominated by the authority as its representative;
 - (d) the housing functions of the authority where the member holds a tenancy or lease with a relevant authority, provided that he does not have arrears of rent with that relevant authority of more than two months, and provided that those functions do not relate particularly to the member’s tenancy or lease;
 - (e) the functions of the authority in respect of school meals, transport and travelling expenses, where the member is a guardian or parent of a child in full time education, unless it relates particularly to the school where the child attends;

- (f) the functions of the authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the member is in receipt of, or is entitled to the receipt of such pay from a relevant authority; and
- (g) the functions of the authority in respect of an allowance or payment made under sections 173 to 176 of the Local Government Act 1972 or section 18 of the Local Government and Housing Act 1989.

Overview and Scrutiny Committees

- 11 (1) For the purposes of this Part, a member must if he is involved in the consideration of a matter at a meeting of an overview and scrutiny committee of the authority or a sub-committee of such a committee, regard himself as having a personal and a prejudicial interest if that consideration relates to a decision made, or action taken, by another of the authority's –
- (a) committees or sub-committees; or
 - (b) joint committees or joint sub-committees,
- of which he may also be a member.
- (2) But sub-paragraph (1) above shall not apply if that member attends that meeting for the purpose of answering questions or otherwise giving evidence relating to that decision or action.

Participation in Relation to Disclosed Interests

- 12 (1) Subject to sub-paragraph (2) below, a member with a prejudicial interest in any matter must –
- (a) withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless he has obtained a dispensation from the authority's standard's committee;
 - (b) not exercise executive functions in relation to that matter; and
 - (c) not seek improperly to influence a decision about that matter.
- (2) A member with a prejudicial interest may, unless that interest is of a financial nature, and unless it is an interest of the type described in paragraph 11 above, participate in a meeting of the authority's –
- (a) overview and scrutiny committees; and
 - (b) joint or area committees,
- to the extent that such committees are not exercising functions of the authority or its executive.
13. For the purposes of this Part, "meeting" means any meeting of –
- (a) the authority;
 - (b) the executive of the authority; or
 - (c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees.

PART 3

THE REGISTER OF MEMBERS' INTERESTS

Registration of Financial and Other Interests

14. Within 28 days of the provisions of an authority's code of conduct being adopted or applied to that authority or within 28 days of his election or appointment to office (if that is later), a member must register his financial interests in the authority's register maintained under section 81(1) of the Local Government Act 2000 by providing written notification to the authority's monitoring officer of –
- (a) any employment or business carried on by him;
 - (b) the name of the person who employs or has appointed him, the name of any firm in which he is a partner, and the name of any company for which he is a remunerated director;
 - (c) the name of any person, other than a relevant authority, who has made a payment to him in respect of his election or any expenses incurred by him in carrying out his duties;
 - (d) the name of any corporate body which has a place of business or land in the authority's area, and in which the member has a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
 - (e) a description of any contract for goods, services or works made between the authority and himself or a firm in which he is a partner, a company of which he is a remunerated director, or a body of the description specified in sub-paragraph (d) above;
 - (f) the address or other description (sufficient to identify the location) of any land in which he has a beneficial interest and which is in the area of the authority;
 - (g) the address or other description (sufficient to identify the location) of any land where the landlord is the authority and the tenant is a firm in which he is a partner, a company of which he is a remunerated director, or a body of the description specified in sub-paragraph (d) above; and
 - (h) the address or other description (sufficient to identify the location) of any land in the authority's area in which he has a licence (alone or jointly with others) to occupy for 28 days or longer.
15. Within 28 days of the provisions of the authority's code of conduct being adopted or applied to that authority or within 28 days of his election or appointment to office (if that is later), a member must register his other interests in the authority's register maintained under section 81(1) of the Local Government Act 2000 by providing written notification to the authority's monitoring officer of his membership of or position of general control or management in any –
- (a) body to which he has been appointed or nominated by the authority as its representative;
 - (b) public authority or body exercising functions of a public nature;
 - (c) company, industrial and provident society charity, or body directed to charitable purposes;
 - (d) body whose principal purposes include the influence of public opinion or policy; and
 - (e) trade union or professional association.
 - (f) private club, society, order, lodge, fellowship, fraternity, institution or other association (for the avoidance of doubt this category includes freemasons)
16. A member must within 28 days of becoming aware of any change to the interests specified under paragraphs 14 and 15 above, provide written notification to the authority's monitoring officer of that change.

17. A member must within 28 days of receiving any gift or hospitality over the value of £25 provide written notification to the authority's monitoring officer of the existence and nature of that gift or hospitality.

Council Meeting
26 June 2007

REPORT OF THE DEMOCRATIC SERVICES MANAGER

AGENDA ITEM 13.1

1. Amendment to the Constitution:

Under Article 12 of the Constitution, Revised Table of Chief Officers, paragraph 12.01 (b) it is stated that

“The Director of Corporate Governance will have reserve powers to exercise all or any of the power delegated to the Head of Legal under the Constitution”.

In order to cover absence or any other circumstance which may require the powers of the Democratic Services Manager to be exercised by another officer, it is proposed to amend this paragraph to include the Democratic Services Manager, alongside the Head of Legal. This will enable the Democratic Services Manager’s powers also to be exercised by the Director of Corporate Governance. It is also proposed that the Director of Corporate Governance be authorised to exercise certain statutory officer functions also granted to the Democratic Services Manager.

Recommend – That Article 12 of the Constitution, Paragraph 12.01 (b) be amended to include the Democratic Services Manager, alongside the Head of Legal, as an officer whose powers under the Constitution can be exercised by the Director of Corporate Governance, together with the following statutory officer powers:

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

2. Filming at Council and Committee meetings

Introduction

The Council’s policy up until now has been not to permit any form of recording of Council or Committee meetings (other than the audio recording of Question Time

and Comments on the work of the Cabinet for the purpose of Council meeting minutes). The Policy and Resources Committee on 20 October 1993 in noting an earlier decision of the General Purposes Committee on 21 November 1983 were advised that unless a full report was considered by Committee the General Purposes Committee's decision would stand.

However, recently, the Council have been receiving requests from the media to film parts of meetings, including the request referred to below. Therefore, in view of the potential benefits to the Council, it is considered appropriate to request the Council to review the position.

Current Request

This request has been prompted by a documentary series commissioned by BBC 1 and produced by IWC Media following the planning process. Access to North London Business Park and on planning officers' site visits for the two-person crew has been agreed by the relevant directors and both the Leader and relevant Cabinet Member have been kept informed.

The producers' aim is to follow a range of planning applications through every stage, speaking to officers, applicants and objectors. Inevitably they are most interested in applications with a high public interest. These will frequently be the cases that go to committee so the company has requested permission to film meetings.

IWC is also working with Barking and Dagenham Council and is in talks with other London boroughs and councils within the "M25 circle".

Their intention is to highlight the breadth of cases that crop up, particularly focusing on the more high public interest applications received by the Local Planning Authority.

It is considered that the series offers the Council an excellent opportunity to portray local government, the council and the planning service, especially, in a very favourable light.

To take the specific case of filming for the BBC documentary, there are a number of points to make.

The Communications and Consultation Director is confident that there is no intention to show the council in a negative light. IWC are keen to film meetings because that is the logical conclusion to the planning process for applicants and objectors in many cases. Filming would be for this purpose only and the company have said that footage would not be used out of context.

It is impracticable for IWC to follow every application received by the Local Planning Authority. The company has indicated that they would only film the specific cases that they have been following and no others. Therefore, it is unlikely that they would film more than one case on any given Area Planning Sub-committee or Planning and Environment Committee agenda.

It is understood that a crew for this purpose would consist of no more than two people, with one hand-held camera, being as discreet as possible and would not be obtrusive in the Chamber or Committee Room.

As the company is not filming on an ad hoc basis, we would know in advance whether they planned to attend and film at any meeting. This gives an opportunity to brief members about their presence.

IWC have expressed a willingness to meet the chairmen and vice-chairmen of the Planning and Environment and Area Planning Sub - Committees to explain in more detail what they would be doing. If this proposal is adopted it is suggested that all Members and Substitute Members of these Committees are briefed.

Filming committee meetings – general

There is an increasing drive in local government actively to engage with residents on a wider basis than traditional methods allow. This is evidenced by the number of councils that film and broadcast council meetings online. In London alone this includes Camden, Croydon, Enfield, Haringey and Hounslow.

Should this Council wish to take advantage of opportunities further advances in technology will allow, then the current rules around filming meetings would need to be relaxed.

Under the Local Government legislation, local authorities are required to make provision for members of the public and the press to attend meetings, subject to certain provisos, which are set out in the Council's Constitution. However, this requirement does not extend to other media, although the Council may permit filming and recording if it so wishes.

It is therefore proposed that this Council permits reputable broadcast organisations to film council and committee meetings. If this is agreed, it is further proposed that these organisations would be subject to the same provisos as members of the press.

Permission would not extend to members of the public wishing to record meetings.

It is not anticipated that a large volume of requests would be received. Analysis of media enquiries received by the Communications Service for each month of 2007 shows that the proportion from TV, Radio and online outlets has yet to exceed 10%, with printed press typically being responsible for 90% of enquiries.

Furthermore, despite having dealt with many enquiries from broadcasters in the past 18 months, no requests for permission have been sought to film council meetings for news programmes.

Risks and Risk Management

(i) While one potential pitfall that must be considered is that the Council will have no ultimate control over what footage is used, if, as is suggested, only reputable broadcast organisations are permitted to film, the credentials of the organisation will be verified by the Communications and Consultation Director.

(ii) There are potential concerns if the filming, or questioning of applicants and objectors/members of the public in particular, causes disruption to the meeting. To mitigate this risk, protocols would be drawn up and a member of the Communications and Consultation Director's staff would be on duty at all times filming was being carried out. Additionally, signs would be put up advising the public that filming was taking place as, on occasions, children and persons under 18 years of age attend meetings.

(iii) Members may have concerns over the filming and its potential disruption, although a potential drawback of not allowing filming is that viewers draw the conclusion that decisions are being taken behind closed doors. All Members will be able to be briefed generally on the principles of the proposals. However, it must be noted that filming could only be undertaken in those parts of a meeting which are normally open to the public and will not be allowed during consideration of exempt business.

Process

Protocols would be drawn up whereby

- (i) there would be clear indications as to deadlines for receipt of applications to film at Council, Committee and Executive meetings
- (ii) It is suggested that the Chief Executive be authorised to approve applications on advice from the Communications and Consultation Director and following consultation with the Leader in the case of meetings of the Executive and the Chairmen of the relevant Committees and Sub- Committees in the case of other decision making bodies.

Way forward

In conclusion, providing chairmen are properly briefed and committee members are advised in advance, the potential risks can be minimised to a significant degree. The gains associated with transparently demonstrating the democratic principles underpinning the planning process will benefit not just Barnet, but local government as a whole, and significantly outweigh the risks.

However, as the proposals would represent a significant departure from their policies and practices, it is suggested that Council approves the request made by IWC as a test case with the outcome reported to the General Functions Committee at their meeting in November 2007.

RECOMMEND –

(1) That subject to

- (i) the Chairmen of the Planning and Environment and the relevant Area Planning Sub – Committees having no objection to the filming of proceedings during the public part of the meetings;**
- (ii) all members of those committees being offered the opportunity of being briefed on the filming proposals;**
- (iii) the Company being clearly advised that they must not cause any disruption to or disturbance of proceedings;**
- (iv) notices being erected advising the public that committee proceedings are being filmed for the purpose of a television documentary;**
- (v) staff from the Communications and Consultation Director’s Service being on duty at all times that filming is taking place; and**
- (vi) provision of all necessary indemnities to the Council from the Company**

permission be granted to IWC on a pilot arrangement basis to film meetings of the Planning and Environment Committee and the Area Planning Sub – Committees for the purposes of the BBC television documentary.

- (2) That the Chief Executive be instructed to report to the November 2007 meeting of the General Functions Committee on the outcome of the pilot**

arrangement to enable the Committee to decide whether or not the Council's policy relating to the filming and audio recording of Council and Committee meetings should be varied permanently, and, if so, the protocols, etc, to be applied.

(3) That The Chief Executive be instructed to report separately to the Leader with regard to meetings of the Executive

Janet Rawlings
Democratic Services Manager