

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

Tuesday, 11 September, 2007 at 7.00pm

A G E N D A

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CORPORATE GOVERNANCE DIRECTORATE

Council Meeting

11 September, 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 26 June 2007		1 - 39
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 Mike Freer		
	<p>Council is dismayed that the island of Cyprus continues to be divided since the Turkish invasion and illegal occupation in 1974 and that Greek families remain unable to return to their homes in the north of the island.</p> <p>Council believes an equitable solution must be found that would re-unify the island and allow Greek Cypriot refugees to move back into the property seized from them in 1974.</p>		

Item	Subject	Time for Debate	Page Nos.
	<p>However, Council deplores the inaction by the Labour Government in securing such a settlement, and the increasingly apparent anti-Greek bias demonstrated for example by former PM Tony Blair's intervention in the Annan 5 referendum</p> <p>Council believes this bias has sadly been compounded by the appointment of a Special Envoy to the island. While the long-overdue establishment of such a post is to be commended, the choice of appointee is not.</p> <p>Council notes that Joan Ryan MP has shown increasing partiality on Cypriot affairs, including calling for direct flights to occupied "northern" Cyprus.</p> <p>Council understands that the wisdom of this appointment has already been questioned by a Senior Foreign & Commonwealth Official.</p> <p>The holder of such a vital role must show impartiality and neutrality, Council believes, traits that Ms. Ryan has recently proved not to show.</p> <p>Council accordingly requests the Chief Executive to write to the Prime Minister, asking him to urgently reconsider Ms Ryan's appointment to the post of Special Envoy to Cyprus in view of her recently publicised Turkish Cypriot connections.</p> <p>Councillor Freer 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 Helena Hart		
	<p>Council is appalled that Barnet and Chase Farm Hospital Trust has been given the first ever Improvement Notice on Hygiene to be issued by the</p>		

Item	Subject	Time for Debate	Page Nos.
	<p>Healthcare Commission after serious breaches were found in its infection control procedures.</p> <p>This is a shocking indictment of a Trust that has experienced notable problems with diseases such as Chlostridium Difficile (C Difficile) and MRSA in the past.</p> <p>Further, Council believes the Trust has had ample time to put effective hygiene policies in place, but has evidently failed to do so. This patent lack of supervision and control cannot be allowed to continue.</p> <p>Council also re-iterates its grave concerns on the unacceptable conditions on Barnet Hospital's maternity wards found by the <i>Panorama</i> Report. These included, Council understands, pregnant women being left in corridors, inadequate staffing levels and unqualified volunteers forced into participating in procedures for which they had had no proper training.</p> <p>Council believes it is imperative that drastic action is taken immediately to improve both the hygiene and general standards of care at Barnet and Chase Farm Hospitals and notes Cabinet's previous warnings on all of these and other local NHS failings.</p> <p>Council further believes that compliance with the terms of the Improvement Notice is the very minimum that patients should be able to expect.</p> <p>Council's continuing confidence in the Board of Management is dependant on the following areas of concern being properly addressed within the next 6 months:</p> <ol style="list-style-type: none"> 1. The lack of trained midwives - which resulted at one point in one midwife having to look after 23 mothers (There should be at least 1-1.4 midwife to each mother in labour) 		

Item	Subject	Time for Debate	Page Nos.
	<p>2. The shortage of foetal monitors</p> <p>3. The insufficient number of beds available to cope with the numbers of expectant mothers wishing to be admitted (There should be enough beds for every patient admitted – on average around 70 mothers are admitted each week)</p> <p>4. Staff attitudes to expectant mothers - particularly when under pressure</p> <p>5. The rate and actual numbers of patients contracting MRSA and C Difficile (The overall NHS policy is for a year on year reduction in MRSA infections. A National Public Service agreement calls for a 60% reduction in the MRSA numbers against the 2003/4 baseline by 2007/8. The local target for C Difficile reduction is 20% from the 2006/7 baseline).</p> <p>Council therefore requests that LBB's Chief Executive writes to the Chairman of the Barnet and Chase Farm NHS Trust accordingly and requests that proper and adequate management controls are put into place immediately to rectify this most unacceptable state of affairs and further requests that the Council is informed of such remedial action and the effects of it.</p> <p>Councillor Hart 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 Charlie O- Macauley		
	<p>New youth facilities for every community.</p> <p>Council believes that it must play a leadership role in supporting and</p>		

Item	Subject	Time for Debate	Page Nos.
	<p>helping all young people across Barnet, and particularly those in deprived areas, to take part in enjoyable and purposeful activities in their free time so that they can develop and gain new skills and raise their aspirations.</p> <p>Council notes that last year only 35.24% of participating young people aged 13-19 gained a recorded outcome from youth work in Barnet, compared with 59% in top performing local authorities.</p> <p>Council also notes that last year only 14.98% of participating young people aged 13-19 gained an accredited outcome from youth work in Barnet, compared with 25% in top performing local authorities.</p> <p>Council further notes that Barnet's youth service is funded poorly, that funding levels have fallen over the previous 3 years, and a commitment to increase funding has still not been given.</p> <p>Council therefore welcomes the government's plans to invest £184 million of new money in UK youth facilities, in addition to the £495 million of continuing funding and the planned re-investment sourced from unclaimed assets that lie in dormant bank accounts in order to provide young people with access to new and improved youth facilities in every community.</p> <p>Council urges Cabinet to take youth facilities more seriously and make a commitment to increase the level of funding to Barnet's youth service.</p> <p>Councillor O- Macauley 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> <p style="text-align: center;">----- vi</p>		

Item	Subject	Time for Debate	Page Nos.
8.4	From Councillor Anne Hutton		
	<p>Childcare places in every community</p> <p>Council believes that the early years are crucial to a child's development and their future prospects and that it must put in place and support services that provide every child with the very best possible start in life.</p> <p>Council notes Cabinet's pledge to develop a flexible childcare offer with up to 15 hours free nursery entitlement a week.</p> <p>However, Council also notes that out of 32 London boroughs, Barnet is the only borough that has not taken up a single place offered by the London Development Agency's Childcare Affordability Programme (CAP) – which subsidises full day care and flexible childcare places.</p> <p>Council therefore welcomes the government's recently announced cash injection of more than £4bn in early years nationally, with £23m being invested in Barnet alone, part of which is designed to make sure there are sufficient childcare places in each Local Authority area, and to increase the take-up of childcare and early education especially among disadvantaged groups.</p> <p>Council notes that this is in addition to other government investment in children over the last ten years including free nursery education, Sure Start children's centres, Connexions, childcare and family tax credits and extended schools</p> <p>Council urges Cabinet to make full use of available affordability programmes like the London Development Agency's CAP and ensure we deliver quality early year provision to all Barnet families.</p>		

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	<p>Councillor Hutton 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	<p>From Councillor Colin Rogers</p>		
	<p>Cycling</p> <p>Council believes that it must encourage the use of more sustainable modes of travel such as cycling, and that increasing cycling rates can help combat obesity and protect the environment by reducing congestion.</p> <p>Council notes that the Mayor of London and Transport for London have increased the annual level of investment in cycling in London from just £5.5m in 2000 to £36m in 2007. Improvements include 900km of signed cycling routes by 2010, 10,000 more cycle parking spaces in the last two years, and increased education, training and cycle promotion.</p> <p>Council further notes that cycling in London has increased by 83% since 2000 with an estimated 480,000 cycle journeys each day across the Capital – 30,000 more than a year ago.</p> <p>Council also notes that while neighbouring boroughs Haringey, Camden and Brent have bid for and secured between them over £11m of investment in cycling from TFL since 2003, Barnet have only managed to bid for and secure about £200,000 for cycling from TFL during 2003/4-2006/7.</p>		

Item	Subject	Time for Debate	Page Nos.
	<p>Council believes that more must be done by the administration to support and encourage cycling in Barnet.</p> <p>Council recalls a recent complaint at the Finchley and Golders Green Residents' Forum about the removal of and general lack of cycle stands in the borough.</p> <p>Council notes the cycling bids submitted in the Local Implementation Plan but urges the Executive to be more ambitious in their future bids for TFL money, so that further enhancements of cycling provision at transport interchanges can actually be realised.</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>		
8.6	From Councillor Anne Hutton		
	<p>Council congratulates all A-level and GCSE students in Barnet for their outstanding exam results this year, which are continuing to improve every year.</p> <p>Council acknowledges the hard work of all those involved in producing such excellent results, including pupils, teachers, governors, and parents, as well as council staff in Children's Service</p> <p>Council asks Cabinet to instruct the Chief Executive to write to all secondary schools in the Borough to convey Council's appreciation of their efforts.</p> <p>Councillor Hutton has requested, in accordance with Council Procedure Rule, Part 4, Section 1, 31.5, that if the</p>		

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	item is not dealt with by the end of the meeting it be voted upon at the council meeting.		
	Break	8.45pm – 9.00pm	
	<u>Part 4 – Policy Development (60 minutes)</u>	9.00pm – 10.00pm	
9.1	Administration Policy Item (30 minutes) Barnet's Carbon Foot Print		40
9.2	Opposition Policy Item (30 minutes) Implementation of trial car club scheme		41 - 43
	<u>Part 5 – Statutory Council Business (40 minutes)</u>	10.00pm – 10:40pm	
10.	Reports from Cabinet		
11.	Reports from Overview and Scrutiny committees		
12.	Reports from Other Committees		
12.1	Report of the Special Committee (Constitution Review) 31 July 2007 - Review of the Governance Arrangements for the London Borough of Barnet Pension Fund		44 - 60
13.	Reports of Officers		
13.1	Democratic Services Manager		61 - 69
1.	Amendment to the Leader's Scheme of Delegation		
2.	Reports exempted from the call-in process because they are urgent:		
3.	Executive Decisions and the Operation of the Call-In and Urgency Process – Review		
4.	Amendments to the Constitution		
5.	Chief Officer Appointments Panel – Chief Executive's Annual Appraisal		

Item	Subject	Time for Debate	Page Nos.
13.2	Monitoring Officer		
	<u>Part 6 Accountability (20 minutes)</u>	10.40pm – 11.00pm	
14.	Comments on the work of the Cabinet (10 minutes) –		
14.1	From Councillor Monroe Palmer To comment on the practice of handing out parking penalty notices on what a local Church Minister described as 'the rather deserted Finchley Road early on Bank Holiday Monday'. Do we really need to treat bank holidays as a further example of Barnet's money grabbing culture?		
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 MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at The Town Hall, Hendon, NW4, on Tuesday, 26 June 2007.

PRESENT:

- *The Worshipful the Mayor (Councillor Maureen Braun)
- *The Deputy Mayor (Councillor Richard Cornelius)

Councillors:

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

*denotes Member present

17. PRAYER (Agenda Item 1):

The Mayor's Chaplain offered prayer.

18. APOLOGIES FOR ABSENCE (Agenda Item 2):

Apologies were received from Councillors Jeremy Davies and Christopher Harris who were both ill.

- 19. MINUTES OF MEETING HELD ON 15 May 2007 (Agenda Item 3):**
RESOLVED – That the minutes of the meeting held on 15 May 2007 be approved.

20. OFFICIAL ANNOUNCEMENTS (Agenda Item 4):

The Worshipful the Mayor congratulated Councillors Agnes Slocombe and Melvin Cohen on having both achieved 25 years service as Members of the Council, commenting that both had also served as Mayor, for the years 1997-8 and 2003-4 respectively, and had made particular contributions in the field of planning, as well as being dedicated ward members .

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

The following Members declared personal and prejudicial interests in the items indicated, and withdrew from the room during the discussion and decision – making process:

- Councillor Richard Weider in Item 9.2, as he worked for the Department of Transport.

The following Members declared personal and non – prejudicial interests in the items indicated, and remained in the room during the discussion and participated in the decision – making process:

- Councillors Monroe Palmer, Hugh Rayner and Julie Johnson in Motion 8.7, as they were directors of Barnet Homes.
- Councillor Barry Rawlings in Item 9.1 as his work brought him into contact with youth services.
- Councillor Brian Salinger in Motion 8.1 as he had attended Mill Hill School.

22. BUSINESS REMAINING FROM LAST MEETING

None.

23. SUSPENSION OF STANDING ORDERS

Councillor Alison Moore, duly seconded, moved under Council Procedure Rule, Section 1, paragraph 14.1.2, that standing orders be suspended to allow members of the public to submit a petition and speak on Motion 8.3.

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

24. VARIATION OF ORDER OF BUSINESS

Councillor Alison Moore, duly seconded, moved under Council Procedure Rule, Section 1, paragraph 10.2.2, that the order of business relating to Agenda Item 8 be varied so that Motions 8.2, 8.3 and 8.4 be heard first.

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

25. QUESTION TIME FOR MEMBERS (Agenda Item 7):

Questions were put to the Leader and the relevant Members of the Cabinet. Those questions, together with the original answers provided and the text of any supplementary questions and answers are set out in an Appendix to these minutes.

26. VARIATION OF ORDER OF BUSINESS

Councillor Joan Scannell, duly seconded, moved under Council Procedure Rule, Section 1, paragraph 10.2.2, that the order of business relating to Agenda Item 8 be varied so that Motions 8.2, 8.5 and 8.1 be heard first.

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

RESOLVED – That the order of business be varied to allow Motions 8.2, 8.5 and 8.1 to be heard first.

27. MOTION IN THE NAME OF COUNCILLOR MATTHEW OFFORD (Agenda Items 8.2 and 13.1.5 (ii)):

Motion 8.2 in the name of Councillor Matthew Offord was moved.

Amendments in the names of Councillors Kath McGuirk and Monroe Palmer were moved. Debate ensued. During the debate Councillor Geof Cooke rose and spoke on a point of personal explanation in response to comments made by Councillor Offord.

Upon being put to the vote the amendments in the names of Councillors Kath McGuirk and Monroe Palmer were declared lost. The substantive motion was declared carried.

RESOLVED – 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.

Council believes this has been achieved through groundbreaking initiatives such as Compulsory Recycling and the ever-expanding Flats’ Recycling Service.

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.

Council notes that nearly 40% of English and Welsh Councils have adopted a fortnightly collection scheme to increase recycling.

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.

Council believes these problems would cause unacceptable damage to the street environment in Barnet.

Council further believes LBB can continue to increase recycling levels in the Borough without resorting to fortnightly collections.

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.

28. MOTION IN THE NAME OF COUNCILLOR LYNNE HILLAN (Agenda Items 8.5 and 13.1.5 (iv)):

Motion 8.5 in the name of Councillor Lynne Hillan was moved.

An amendment in the name of Councillor Ross Houston was moved.
Debate ensued.

Upon being put to the vote the amendment in the name of Councillor Ross Houston was declared lost. The substantive motion was declared carried.

RESOLVED – 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.

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.

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.

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.

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.

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.

Council calls on Cabinet to:

- **Oppose these national funding rules, which continually divert money away from investment in Barnet’s social housing**
- **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.**

29. MOTION IN THE NAME OF COUNCILLOR FIONA BULMER, AS AMENDED BY COUNCILLOR BRIAN SALINGER (Agenda Items 8.1 and 13.1.5 (i)):

Motion 8.1 in the name of Councillor Fiona Bulmer was moved.

Amendments in the names of Councillors Brian Salinger and Barry Rawlings were moved. Debate ensued.

The amendment in the name of Councillor Brian Salinger was accepted by Councillor Fiona Bulmer. Upon being put to the vote the amendment in the name of Councillor Barry Rawlings was declared lost. The substantive motion was declared carried.

RESOLVED – Council is extremely proud of Barnet’s diverse and highly successful schools.

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 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.

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.

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.

Council congratulates the Mill Hill School Foundation on its bi-centenary. Council recognises the contribution that the schools have made to the life of Barnet and its predecessor authorities over the 200 years.

30. MOTION IN THE NAME OF COUNCILLOR COLIN ROGERS, AS AMENDED BY COUNCILLOR MATTHEW OFFORD (Agenda Items 8.3 and 13.1.5 (iii)):

Motion 8.3 in the name of Councillor Colin Rogers and an amendment in the name of Councillor Matthew Offord were put to the vote without debate. The amendment in the name of Councillor Matthew Offord was declared carried. The substantive motion was declared carried.

RESOLVED – 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.

However, Council is proud of the work being undertaken to improve Cherry Tree Wood. This includes finding an operator for the café, and the work done to improve the park towards this year's Green Flag Awards, an accolade that has already been given to four of our Premier Parks.

Council calls on Cabinet to ensure the improvements to facilities at Cherry Tree Wood continue, and that the contractors fulfil their obligation to lock the park at night.

31. MOTION IN THE NAME OF COUNCILLOR ANSUYA SODHA (Agenda Item 8.4):

Motion 8.4 in the name of Councillor Ansuya Sodha was put to the vote without debate and was declared lost.

32. MOTION IN THE NAME OF COUNCILLOR SUSETTE PALMER (Agenda Item 8.6):

In accordance with Council Procedure Rule 31.5, as there was no time to debate this item it was referred to Cabinet for consideration and any necessary action.

33. MOTION IN THE NAME OF COUNCILLOR ALISON MOORE, AS AMENDED BY COUNCILLOR MIKE FREER (Agenda Items 8.7 and 13.1.5 (v)):

Motion 8.7 in the name of Councillor Alison Moore, an amendment in the name of Councillor Mike Freer and a further amendment in the name of Councillor Kath McGuirk, moved orally, were put to the vote without debate.

The amendment in the name of Councillor Mike Freer was declared carried and the amendment in the name of Councillor Kath McGuirk was declared lost. The substantive motion was declared carried.

RESOLVED – Council welcomes the fact that all this authority's employees earn above the hourly rate suggested as the London's Living Wage.

Council deplores the political posturing of the Mayor of London and Opposition spokesmen which would actually cut the lowest hourly rate for Barnet employees

Council congratulates the Conservative Administration for delivering for employees without signing up for pointless initiatives, and calls on Cabinet to ensure investment in first-rate staff continues.

34. MOTION IN THE NAME OF COUNCILLOR RICHARD WEIDER, AS AMENDED BY COUNCILLOR CHARLIE O-MACAULEY (Agenda Items 8.8 and 13.1.5 (vi)):

Motion 8.8 in the name of Councillor Richard Weider and an amendment in the name of Councillor Charlie O-Macauley were put to the vote without debate. The amendment in the name of Councillor Charlie O-Macauley was declared carried. The substantive motion was declared carried.

RESOLVED – Council welcomes the fact that the area of Barnet in the past has welcomed refugees; including those escaping the Holocaust.

Council notes that:

- **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.**

Council recognises the efforts of the British Government to bring lasting peace and security to Darfur including:

- **Sponsoring UN Resolution 1593 referring the situation in Darfur to the International Criminal Court**
- **Pressing the UN to be ready for early deployment of peacekeepers**
- **Committing £67 million to the African Union Mission in Darfur**
- **Pursuing targeted sanctions through the Security Council against individuals on any side who violate the ceasefire, impede the peace process or commit human rights violations**
- **Working to extend the arms embargo on Darfur to the whole of the Sudan**
- **Contributing £190 million in humanitarian assistance to Sudan since April 2004**

Council believes that:

- **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.

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.

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.

35. ADJOURNMENT OF MEETING

In accordance with the Agenda, the Mayor adjourned the meeting for 15 minutes.

The meeting reconvened at 9.00 pm

36. ADMINISTRATION POLICY ITEM: THE FUTURE OF THE CONNEXIONS SERVICE (Agenda Items 9.1 and 13.1.5 (vii))

Councillor Fiona Bulmer proposed the item and moved that it be adopted. An amendment in the name of Councillor Barry Rawlings was moved. Debate ensued. Upon being put to the vote the amendment in the name of Councillor Barry Rawlings was declared lost. The substantive motion was declared carried.

RESOLVED - 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.

37. OPPOSITION POLICY ITEM: TACKLING CONGESTION HOTSPOTS ON BARNET ROADS (Agenda Items 9.2 and 13.1.5 (viii))

Councillor Kath McGuirk proposed the item and moved that it be adopted. An amendment in the name of Councillor Matthew Offord was moved. Debate ensued. Upon being put to the vote the amendment in the name of Councillor Matthew Offord was declared carried. The substantive motion was declared carried.

RESOLVED - 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, and regret TfL's decision to axe ticket offices at three local Tube Stations, which we believe will serve to discourage such travel. However, 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. However, these objectives are preferable routes to tackling congestion than Road Pricing, which has unfortunately found support among two of the Borough's MPs, Mr Dismore and Dr Vis.

Council accordingly calls on Cabinet to continue the implementation of schemes to tackle congestion across the Borough and monitor them closely to ensure their effectiveness at tackling hold-ups and easing traffic flow.

These include:

- **Road Resurfacing**
- **Removal of unnecessary traffic calming measures**
- **Improving Road markings**
- **Improving Junctions**
- **Improving sight-lines**

38. REPORT OF CABINET 18 JUNE 2007 (Agenda Items 10 and 13.1.3):

Councillor Mike Freer moved reception and adoption of the report of Cabinet with the following recommendations:

DRAFT BEST VALUE PERFORMANCE PLAN (Report of the Leader of the Council and Cabinet Member for Policy and Performance – agenda item 7):

Having considered the attached report of the Cabinet Members concerned, and for the reasons set out in it, Cabinet

RESOLVED TO RECOMMEND - That Council approve the format and proposed content of the draft 2007/08 Best Value Performance Plan (BVPP).

NB: Cabinet's instructions regarding amendments to and publication of the BVPI are recorded in their decisions of this date.

Debate ensued. Upon being put to the vote it was **RESOLVED – That the Report of Cabinet dated 18 June 2007, together with the revised Best Value Performance Plan as set out in Appendix A to the Supplemental Report of the Democratic Services Manager be approved and adopted.**

39. REPORT OF THE STANDARDS COMMITTEE 13 JUNE 2007 (Agenda Item 12):

Councillor Joan Scannell moved reception and adoption of the report of the Standards Committee with the following recommendations:

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.

Debate ensued. Upon being put to the vote it was
RESOLVED – That the Report of the Standards Committee dated 13 June 2007 be approved and adopted.

40. AMENDMENT TO THE CONSTITUTION (Report of the Democratic Services Manager - Agenda Item 13.1.1):

RESOLVED – 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.**

41. FILMING AT COUNCIL AND COMMITTEE MEETINGS (Report of the Democratic Services Manager - Agenda Item 13.1.2):

RESOLVED –

(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

42. CHANGES IN COMMITTEE MEMBERSHIPS (Supplemental Report of the Democratic Services Manager – Agenda Item 13.1.6)

Councillor Linda McFadyen moved that Councillor Geof Cooke replace Councillor Ross Houston as a Substitute Member of the Resources, Performance and Partnerships Overview and Scrutiny Committee

RESOLVED that the following changes in Committee memberships be approved:

- Councillor Richard Weider to replace Councillor Christopher Harris as a member of the Cleaner, Greener, Transport and Development Overview and Scrutiny Committee.
- Councillor Terry Burton to replace Councillor Jazmin Naghar as a Substitute Member of the Cleaner, Greener, Transport and Development Overview and Scrutiny Committee.
- Councillor Dean Cohen to replace Councillor Christopher Harris as Chairman of the Finchley and Golders Green Residents Forum.
- Councillor Mukesh Depala to replace Councillor Dean Cohen as a Member of the Audit Committee.
- Councillor Dean Cohen to replace Councillor Mukesh Depala as a Substitute Member of the Audit Committee.
- Councillor Geof Cooke to replace Councillor Ross Houston as a Substitute Member of the Resources, Performance and Partnerships Overview and Scrutiny Committee.

43. FEES AND CHARGES FOR GAMBLING PREMISES LICENCES (Report of the Director of Corporate Governance - Agenda Item 13.3):

RESOLVED –

(1) That the fees for applications for premises licences under the Gambling Act 2005 as set out in Appendix A to these minutes be approved and come into effect on the 27 June 2007.

(2) That hereafter the responsibility for setting fees for applications for premises licences under the Gambling Act 2005 be delegated to the Licensing Committee

(3) That the Democratic Services Manager be instructed to amend the Terms of Reference of the Licensing Committee to include agreeing increases to fees and charges for licence applications under the Gambling Act 2005.

(4) That references to the Director of Planning & Environmental Protection or the Head of Planning in the Licensing and Gambling Policies be altered to Director of Corporate Governance and the Director of Corporate Governance take the appropriate action.

44. COMMENTS RELATING TO THE WORK OF CABINET (Agenda Items 14 and 13.1.4)

Councillor Richard Weider commented

Madam Mayor, Stonegrove is the only park within the Edgware eruv and is the only park within Edgware that orthodox Jewish families with young children can use on the Sabbath. Could the Cabinet Member look into improvements which could be made to the park, such as reducing litter and the damage caused from anti-social behaviour in the park. This is so that families and all members of the Edgware community can enjoy using the park.

Councillor Matthew Offord responded

Madam Mayor, Stonegrove is typical of many green spaces in the borough that have suffered years of under investment. The grass cutting and litter clearance are attended to to an acceptable standard, however, much of the shrubbery and horticultural features are well past their best. However, from this autumn onwards there will be a phased programme of renewal, refurbishment and removal of planted areas to ensure that these features are both sustainable and able to be maintained in the longer term. This will allow members of all the communities, as Councillor Weider says, to enjoy them on every day of the week, particularly Jewish members of our community who are inside the eruv.

Councillor John Hart commented

I went today to see Mill Hill East station, I thought I'd go and see the place, it has been slightly spruced up. The difficulty there is the rumours about its closing. I went to buy a ticket, "no we don't sell tickets", and yet they have a ticket office with a big man sitting inside it. Another kind man came out and said "you could take the bus, sir." I said how much is it by train to go to Finchley Central, where you have to change, the shuttle stops? "£3, but it's £2 by bus so I'd recommend it." So I said thank you very much, but it strikes me as very strange when you have a ticket office that doesn't sell tickets. A ticket office that doesn't sell tickets is like a baker's shop that doesn't sell bread. It just gives you information about bread, all they have is an information office. We recommend you warm your croissants. We recommended that you eat wholemeal bread sir, constipation. What's the good of that, I want to buy the bread. So I really think that the difficulties in covering – 1 ½ minutes of covering a problem like this is rather insufficient. So I will sit down, I've made my point perhaps the Cabinet Member would like to reply.

Councillor Brian Coleman responded

Madam Mayor I'm delighted to learn that Councillor Hart is too young to apply for a Freedom Pass but, Madam Mayor, Councillor Hart is quite right. The news that three stations in this borough, Totteridge & Whetstone in my own ward, West Finchley at the bottom of the road I live in, and Mill Hill East which Councillor Hart has done so much work to help improve over the last few years, will no longer have functioning ticket offices is a major blow to the travelling public in this borough and particularly in Mill Hill East where they have seen a downgrading of the service, now a shuttle service to Finchley Central outside of rush hours, and what really worries me is this is the first stage, or second stage to closure, particularly of the Mill Hill East branch line. There have been attempts to close the West Finchley Station in the past, once you've closed the ticket office what else is left? It will provide security risks for passengers, particularly female passengers using these stations late at night and I would hope that the Labour Group and Councillor McGuirk will join me in condemning TfL and the Mayor of London, who defended this, I think there are 30 plus station ticket office closures across Greater London, of which 3 are in Barnet, I hope she will join us in condemning the Mayor of London for these booking office closures.

Councillor Linda McFadyen commented

Thank you, Madam Mayor. Many respondents to the draft consultation document on the Watling Conservation area made the comment on structures on the front of the shops on the Watling Avenue. This has reflected case work over the years and recent comments at the first forum in the area. The draft refers to them as temporary structures but many residents agree with me that they look pretty damn permanent and not very attractive. The response to the comments in the draft document was consistently that we will refer to our colleagues in planning. Well when I've referred to the colleagues in planning, the only answer I get that it's on private property and there's nothing we can do and there's nothing we can enforce. But Madam Mayor, I'm sure that you know yourself, that having something on your private property does not mean that the planning officers can't do something about it. So I would ask the Cabinet Member that when this eventually comes to Cabinet that we do actually have a definitive response on what can be done on the structures on the front of the shops on the Watling Avenue.

Councillor Melvin Cohen responded

Madam Mayor, Councillor McFadyen is premature. When the Cabinet will consider this matter, when it comes to Cabinet, she can re-submit her comment but at this moment in time I have nothing further to add until it's considered by Cabinet and any comment by me would itself be premature.

The meeting finished at 10.24pm

Council Questions to Cabinet Members
26 June 2007
Questions and Responses

Question No. 1**Councillor Brian Gordon**

Please could the Cabinet Member outline his plans for Fairway Primary School in Hale?

Answer by Councillor John Marshall

I am pleased to be able to confirm that Fairway Primary School, Fairway's Children Centre and Northway Special School are all included in the Council ambitious Primary School Capital Investment programme. We hope that rebuilding work in respect of these three school will be completed in 2010-11. Fairway Primary School will remain a one form of entry school.

I should like to congratulate all three Hale Councillors on the interest they take in their Ward.

Supplementary Question No. 1**Councillor Brian Gordon**

The first question of tonight's meeting in which you rightly refer to the excellent and commendable school Capital Investment Programme, coincides with Tony Blair's final day as Prime Minister. Now 10 years ago when I believe you were in Parliament, Councillor Marshall, Mr Blair promised his priorities would be education, education, education? Do you consider that Mr Blair has lived up to these promises? Is Barnet's excellent education record a result of government policy or is it in spite of government policy?

Answer by Councillor John Marshall

Can I thank Councillor Gordon for that very difficult supplementary question. Councillor Gordon has a reputation for asking what I think are called in another place helpful questions. Of course Mr Blair hasn't lived up to that, I was back at my old university at the weekend and, of course, students now going to that university from England are having to pay top-up fees, whereas in the 2001 general election campaign Mr Blair and the Labour party promised not to introduce top-up fees. That shows that Mr Blair could not be trusted nor could his acolyte Mr Brown because he was a party to that decision and he was a party to that pledge. There are more unredeemed pledges in the Labour government than there are in the average pawnbroker's office.

Question No. 2**Councillor Jeremy Davies**

Would the Cabinet Member for Planning and Environmental Protection please inform Council how many retrospective planning applications there have been in the Borough, by ward, for following financial years, 2004/05, 2005/06 and 2006/07?

Answer by Councillor Melvin Cohen

The number of retrospective planning applications is attached below for the financial years requested:

Ward	2006/7	2005/6	2004/5
Brunswick Park	4	3	1
Burnt Oak	3	4	1
Childs Hill	10	6	6
Colindale	2	1	3
Coppetts	3	4	5
East Barnet	1	2	5
East Finchley	1	2	4
Edgware	1	3	1
Finchley Church End	16	8	8
Garden Suburb	14	3	5
Golders Green	4	9	1
High Barnet	11	6	7
Hale	8	10	5
Hendon	10	10	4
Mill Hill	8	5	0
Oakleigh	1	4	8
Totteridge	13	5	2
Underhill	6	3	2
West Finchley	7	5	5
West Hendon	6	4	3
Woodhouse	2	3	7
Totals	131	100	83

Question No. 3

Councillor Agnes Slocombe

Does the Cabinet Member agree with me that all estate agents should be responsible for removing their for-sale or to-let boards within 14 days once the sale / letting has been made and not leave them in place for months at a time?

Answer by Councillor Melvin Cohen

The property market is a dynamic one in an attractive borough like Barnet and sales and to-let boards are a sign of activity and necessary for transactions and rentals to take place. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 grant 'deemed consent' for many temporary advertisements, that is to say prior consent is not necessary for their display. The estate agent's boards granted deemed consent are restricted in their size and number. A further restriction requires that they are removed within 14 days of completion of the sale, or granting of a tenancy. The date of completion is, however, often difficult to establish. Where such signs are exempt from control the Council has no formal planning powers to seek their removal. As Cabinet Member for Planning and Environmental Protection I would encourage estate agents and property owners to be responsible and sensibly recycle their obsolete signs once a sale or letting has been agreed, but ultimately that is a matter for them.

Where there is formal planning Advertisement control the Council may grant temporary consent and require subsequent removal. Few estate agents for sale or to let signs fall within this category.

Supplementary Question No. 3**Councillor Agnes Slocombe**

Thank you I understand what you're saying and I know if you say you're going to do something you will do it, once you can. But would you permit me if I do see the estate agents' boards thrown on the greens and on the pavements, to take their names and send them to you? If you don't want me to I wouldn't but if you want me to I will.

Answer by Councillor Melvin Cohen

I'm very happy for you to do precisely that, but I think you should know, Councillor Slocombe, that the control of advertisement regulations which places certain planning controls over signs displayed on property, but there are a number of exempt or deemed exempt advertisements including the typical small estate agents signs and the Council have got no council control for either their display or their removal. So there's a reserve power when the Council considers there is harm to visual amenity or safety issues in that it can serve a discontinuance notice for the removal of an offending sign and I think small estate agents for sale or let signs would rarely fall within that category. So we're up against the situation where we have no power to do anything in these circumstances, but clearly if a sign fell on the ground and is causing a danger then I'd be very happy for you to report it and what we will do, we'll do what we can.

Question No. 4**Councillor Brian Gordon**

How successful was Barnet's road gritting operation on the day of snowfall in January?

Answer by Councillor Matthew Offord

I believe very successful. The actions taken by the Environment & Transport Service over the period of 7-9 February were as follows:

A heavy gritting took place on the Wednesday afternoon in anticipation of the overnight weather conditions. This was followed by the gritting of footways around transport hubs (tube stations and major town centres) starting at 9.30pm.

The gritters were used to put down a heavy carpet of material on primary roads (major traffic carrying and bus routes) from 2am. After the snow started to fall at 3.50am we gritted all the primary routes twice between 4am and 7.30am. The gritters were then switched onto dealing with the main through routes across the borough eg. A1000, A5109 to assist the morning peak movement period. Fortunately, because snow was already lying when people awoke many were put off from commuting by car and the traffic flows were very much lighter than normal.

At 8am one gritter was deployed to East Barnet to treat the secondary routes in that area, acknowledging the likely greater local movement generated by the local bye-election. All gritters continued to treat the primary routes through the morning and into the afternoon. At 2pm two gritters were used to treat the secondary routes in East Barnet and Oak Hill Park area until dusk.

The forecast was for some light snow showers during the afternoon with a keen frost overnight. As this would result in very slippery conditions as the thawing snow froze, we put down another heavy carpet of grit on primary routes at 7pm. and re-gritted the transport hubs around 9pm. Two gritters then worked through the night treating all primary routes with all gritters back on the secondary routes from 7.30pm on the Friday morning. Fortunately the overnight freezing conditions did not materialise and the snow was generally cleared from all movement corridors in time for the morning peak period. Approximately 600 tonnes of salt was used over the three days.

In addition, on the Thursday morning we deployed our parking enforcement staff (18 no.) into the town centres. They did not issue tickets as it would be difficult with lines covered from view, but were able to inspect the condition of the footways in particular and phoned into their Action Desk with requests for gritting which were passed onto and actioned by the winter maintenance team.

The street cleansing operation was already on standby for manual gritting activities and it was decided that street cleaning would be suspended and all resources switched to manual gritting of the borough's town centres and other priority locations.

In addition, it was decided to cancel the refuse operation for the 8th February 2007. This decision was taken in the interest of health and safety and to avoid the risk of road traffic accidents. Refuse staff worked loading the street cleansing fleet with salt. Crews were dispatched to manually grit the borough's town centres and other priority locations.

The total number of staff employed on manual gritting was 135. This figure can be broken down to show 64 were from street cleaning, 30 from refuse and 41 from grounds maintenance. All resources from the aforementioned services were diverted to gritting footways and other priority locations. This activity continued through the day up to 9pm.

Supplementary Question No. 4

Councillor Brian Gordon

Councillor Offord, may I commend you on the detailed and meticulous step by step account of the Council's road operation on a day of snowfall in January. It really does show, does it not, that our Council gets down to the nitty gritty. Now would you agree that the changes we are seeing in the meteorological climate are being very much reflected in changes in the political climate which will very soon, we hope, see a Conservative government elected and certainly a Conservative MP in Hendon, unfortunately it's not going to be me, but never mind they'll have second best and they'll get you.

Answer by Councillor Matthew Offord

I'd like to thank the Member for his glowing endorsement of the service within the London Borough of Barnet, but on a serious note I'd like to pay particular thanks to the staff who worked so hard on that day: not only the people in the gritting lorries and working on the streets, but also the refuse collectors and traffic wardens who dispensed with their usual day-to-day activities and assisted with a very difficult situation to ensure that the people of Barnet didn't come to a standstill.

Question No. 5

Councillor Duncan Macdonald

Further to my question about the cost of software licensing. Could you provide a breakdown of the annual cost provided in the previous answer by supplier? Can you also confirm if these costs include maintenance contracts on software which are often part of the licence agreement? If maintenance costs are excluded can you list those by supplier separately?

Answer by Councillor Mike Freer, Leader of the Council

This information is commercially sensitive.

Question No. 6

Councillor Alan Schneiderman

What is the final Council Tax collection rate for 2006-07 and what in cash terms is the shortfall compared with the predicted income?

Answer by Councillor Mike Freer, Leader of the Council

The in year collection rate for 2006/07 is 94.6% but the actual collection rate that will be achieved (we vigorously pursue late payers) will be very much higher. The shortfall is £150,000.

Supplementary Question No. 6

Councillor Alan Schneiderman

Can Councillor Freer say how much money the Council has lost out on by not raising its target level of collection rates? So if you had raised the 96.5% of the council tax which was the set target how much more money would we have got in compared with what you did manage to raise?

Answer by Councillor Mike Freer, Leader of the Council

I'll write to the Member.

Question No. 7

Councillor Brian Gordon

Do you agree with the Local Government Association's campaign to increase the number of local councillors who are women, or do you consider that the gender of local councillors is largely irrelevant as long as they are capable of doing a good job?

Answer by Councillor Mike Freer, Leader of the Council

I support the recruitment of more women and men of the highest calibre.

Supplementary Question No. 7

Councillor Brian Gordon

Councillor Freer, I, like you, also agree that politicians, and indeed officers, should be of the highest calibre, but do you not agree that gender is largely irrelevant, what really counts is a person's ability to do the job, a matter of merit, rather than what particular gender they are or colour or race, or any other particular aspect of their background?

Answer by Councillor Mike Freer, Leader of the Council

In my view, calibre is both colour and gender blind.

Question No. 8

Councillor Duncan Macdonald

Can you explain why Barnet runs its own assisted travel scheme instead of supporting the TFL run taxicard scheme? Barnet being one of only two London Boroughs not to contribute to this scheme.

Answer by Councillor Lynne Hillan

The scheme is actually run by London Councils, not TFL. Barnet decided to run its own voucher scheme in order to give our residents choice to make their own arrangements with a variety of taxi firms who accept the vouchers. This scheme is running successfully as Barnet is an Outer London Borough and is not regularly on the radio Taxi's circuit.

However, TFL as the main funder is currently reviewing the service due to cost increases and we are awaiting the outcome. In the meantime, we will continue running our own scheme which is beneficial to our residents.

Supplementary Question No. 8

Councillor Duncan Macdonald

Thank you Madam Mayor, can I just ask Councillor Hillan, the problem with the Barnet scheme is it's actually more expensive for the residents than the one run by London Councils and could she look at whether we can fully support that scheme, as it would actually be of better benefit to residents?

Answer by Councillor Lynne Hillan

Thank you, well I think that we may well have to look at everything in the near future as you're probably aware that TfL and London Councils are reviewing the whole scheme anyway. But currently our residents have got the choice, they can either use the taxi-card scheme or they can use Barnet's scheme. More and more people are choosing to use taxi-cards so we shall certainly be looking at it in the near future.

Question No. 9

Councillor Andrew McNeil

Will the Cabinet Member tell me how many new tree wardens volunteered in the periods 1998-2002 and 2002-2007 respectively under the boroughs tree warden scheme?

Answer by Councillor Matthew Offord

For the period from 1998-2002, there were approximately 70 wardens. From the information that is available to me, I can advise that at the beginning of 2002 there were approximately 36.

Supplementary Question No. 9

Councillor Andrew McNeil

I thank Councillor Offord for his answer, the more so because I'm sure it wasn't that easy to obtain. The Tree Warden Scheme was a valuable one, as I and my colleagues Councillor Johnson and Councillor Rogers, who were active in the scheme in the past, can testify. Will Councillor Offord there agree to reversing the funding cuts of the scheme the Tories imposed when coming to power in 2002 as a cost effective way of using the skills and enthusiasm of local people to protect and enhance our trees?

Answer by Councillor Matthew Offord

Madam Mayor, I think by pursuing the initiative we are looking forward to working with many different people within the borough in regard to the Tree Warden Scheme. I am pleased that the Member has welcomed the initiative that I am pursuing and I would welcome his involvement if he wishes to continue in that role.

Question No. 10

Councillor Brian Gordon

The London Safety Camera Partnership has called for more speed cameras to be introduced in Barnet. What is your view on this?

Answer by Councillor Matthew Offord

The London Safety Camera Partnership has identified sites across London which meet the Department for Transport casualty criteria for speed cameras to be considered. The casualty criteria is just one part of the overall assessment which needs to be carried out before installing speed cameras or taking other action.

Transport for London are leading on the assessment of the sites. This includes site layout surveys and average speed surveys. Transport for London has identified sites in Barnet where they would like to look at whether a speed camera would be an appropriate measure.

We have asked them to provide us with the accident data for these sites so we can do our own analysis of the accidents – particularly to determine whether speed was a factor in the accidents or not.

Supplementary Question No. 10

Councillor Brian Gordon

Do you agree there are too many speed cameras and do you agree with my view that speed limits are too low?

Answer by Councillor Matthew Offord

Madam Mayor, I couldn't answer on every particular road because I'm not sure which the Member is referring to. But I think he will agree with me that there are, I believe, inappropriate speed cameras and he'll also be interested to learn that Transport for London are proposing to install a camera at Hendon Central. I remain concerned about their motivations for doing this. I feel it would penalise many people in the local area – and no doubt yourself and myself as a Cabinet Member will be blamed for the particular camera when, in fact, it is not us but it's your good friend Mayor Livingstone who is behind all these such initiatives.

Question No. 11**Councillor Jack Cohen**

I refer to your recent reply to my question under the (now abolished) executive rule 3 procedure. This was in relation to the pay and display bay in Cricklewood Lane. Please provide separately, the cost of purchasing the ticketing machine; the cost of installing the machine, the cost of changing the parking designation; the cost of new signage; the cost in officer time.

Answer by Councillor Matthew Offord

Current cost of a single P&D machine is £2350.

Current cost to install is £150.

Sign (remove existing, manufacture and erect new one) would be about £100.

The actual cost in officer time is not available as it has not been possible to establish the length of time it took to draft order, consultation and works procurement for one ticket machine as part of the overall scheme.

Supplementary Question No. 11**Councillor Jack Cohen**

Thank you Madam Mayor, Councillor Offord, just to remind you, this pay and display bay was originally a residents parking bay which was converted to a pay and display bay. The answer you gave me under the former executive rule 3 suggests that the new pay and display machine takes an average of no more than £2 per day, so it certainly was a costly piece of work. But I wonder whether, Councillor Offord, you are aware of the new situation down in this part of Cricklewood and perhaps you would ask your officers to investigate, as a matter of urgency, that some residents parking only bays have now been taken up by skips from a major building works that's going to go on for at least 10 months, so they have been deprived of their residents' bay, but the pay and display bay where they could park previously now remains empty for most of the days, which is almost opposite. But perhaps the skips could be moved into the pay and display bays which are not taking any money at all, so that residents can actually utilise the bays in fact for what they pay for annually.

Answer by Councillor Matthew Offord

Madam Mayor, I'm certainly happy to investigate that issue but I would say to the Councillor that when this initial proposal came forward he and his colleagues were asked for their opinion of the proposal. Unfortunately officers did not receive any such comments from the Members and it would have been useful to have the comments he's made tonight then. Furthermore I would urge him and all Members to do so when they are asked their opinion. I do look at what people say and I do take it into account when making a decision.

Question No. 12**Councillor Ansuya Sodha**

What is the administration doing to increase the number of women in senior management positions in the Council?

Answer by Councillor Mike Freer, Leader of the Council

In 2001/02 the % of women in senior posts was 40.4% and is now 52%. We will continue to ensure we are an attractive place to work.

Supplementary Question No. 12

Councillor Ansuya Sodha

Madam Mayor, I am pleased to note that the Council is going to continue to make this an attractive place to work, but I hope that they continue to make this an attractive place to work for women. If you look at what has been achieved by our Labour government by having 97 women in Parliament in the last 10 years compared to the Tory Party that have only got 15, actually Cameron has got more people named David in his Cabinet than women. Don't you think that the whole country, the aspect and the lives of women have changed because our Labour government have introduced pension reforms, domestic violence, even worked towards equal pay, it has been said that the women's lives in this country have been improved greatly because we have got 97 women, 97 Labour MPs, have done a lot for women in this country. So I'm just asking and I hope that this Council, as it says, that they're going to continue to make this an attractive place for women and I hope they continue to do so. The Member can come back and report in 6 month's time, or a year's time, what he has done to make this an attractive place for women to work.

Answer by Councillor Mike Freer, Leader of the Council

I'll do my best to make the administration as attractive as possible to women, I might be barking up the wrong tree but I'll do my best. However, Madam Mayor, on a more serious note, because I suspect there was a serious element somewhere in that question, I don't think we'll need to take any lessons. Let's see how many women survive Gordon Brown's Cabinet re-shuffle and, of course, let's not forget soon-to-be former Prime Minister Blair forgot to pay Meg Munn when she was made Minister for Women and, of course, Gordon Brown has refused to give Harriet Harman the Deputy Prime Ministership and even a Cabinet Portfolio, so I think that the Councillor may wish to write to Gordon for a more fulsome reply on the Labour Party's commitment.

Question No. 13

Councillor Sachin Rajput

Please could the Cabinet tell us what plans he has to support nature conservation and bio-diversity in non-Premier parks and greenspaces?

Answer by Councillor Matthew Offord

In order to support nature conservation and bio-diversity in green spaces, a programme has been prepared to bring the 'countryside' and the benefits associated with the greenbelt further into the urban fabric of Barnet. Areas of amenity green space have been identified for conversion into semi-natural green spaces. An initial target of 20 areas has been identified with schemes that propose to change the management regimes ready for implementation at various times from this year onwards. The proposals include changing the intensity of grass cutting, the planting of native tree species to create new oasis for wildlife, the establishment of small scrapes (shallow ponds), the planting of endemic wild bulbs and the enhancement of public recreation throughout the Borough. The plans have an emphasis not only on re-creating and helping the natural environment, but on involving the community in both the establishment of the changes (where for example new planting is required), and the maintenance and 'adoption' of the sites as local areas to be proud of and involved with. Signs will be erected to explain to those not directly involved what is occurring in their local green space. The proposals will develop in conjunction with site management plans, the involvement of community partners, the costs of the proposals and further landscape change options where applicable.

Supplementary Question No. 13**Councillor Sachin Rajput**

Madam Mayor, I'd like to thank the Cabinet Member for his full and proper response to my question. If I can ask a supplementary to that, does the Cabinet Member agree with me that this demonstrates that the London Borough of Barnet is committed to improving the environment of all parks within this borough, both premier and non-premier?

Answer by Councillor Matthew Offord

Madam Mayor, it gives me great pleasure to say yes it does and I look forward to announcing the proposals to Councillors.

Question No. 14**Councillor Anne Hutton**

Will the Cabinet Member tell me how much Greenwich Leisure charges for its concessionary card and whether there are any restrictions on its use?

Answer by Councillor Andrew Harper

Concessionary cards are available to residents of the borough. There are two types of membership:

- annual pay and play membership which costs £1.00 and entitles users to discounted rates (up to 50%) on activities
- prepaid – these can be paid monthly by direct debit at £21.25 or annually at £212.50.

Those entitled to a concessionary card are: people on income support, housing benefit, council tax benefit, receive jobseekers allowance (income-based), working families tax credit (income-based), senior citizens (60+) or people under 25 on the following schemes: foundation modern apprenticeship, advanced modern apprenticeship, NVQ training scheme or life skills training.

Those with a concessionary membership have unlimited access to the centres between 9.00am and 5.00pm Monday to Friday and on weekends. (Swimming allows unlimited access before 5.00pm Monday to Friday and at weekends). People using the centre outside of these times can still do so, but will be requested to pay the standard member activity rate.

Supplementary Question No. 14**Councillor Anne Hutton**

Thank you Madam Mayor, thank you Councillor Harper, for your reply, the first part of which is a bit more positive than I was expecting because I had been led to believe that it was going to be more expensive. But I wonder if there would be able to be a commitment for concessionary members to be able to use facilities without any restrictions, because some of them are working, they're not all necessarily elderly or not working, so I was asking if there could be no restriction on the time that members could use it.

Answer by Councillor Andrew Harper

Thank you Madam Mayor. Firstly, I'm glad to discover that Councillor Hutton found the first part of the response more positive than she expected. Secondly, commitment for concessionary members to have unlimited access – I do believe that what we're offering now is a very good package. It's certainly commensurate with the offer that is made in other boroughs and certainly those where Greenwich Leisure are working and I don't think there have been too many problems with that. Therefore, I hope that Councillor Hutton will join with me in encouraging people who may be beneficiaries of concessionary membership to take up the very good offer that we have in our leisure centres in Barnet, and indeed, other residents who may find it beneficial to belong to our leisure centres, bearing in mind that what they can get there is a much better deal and much better value than is possible to obtain from the many private fitness centres in the borough.

Question No. 15**Councillor Daniel Thomas**

Please will the Cabinet Member for Children join me in thanking and congratulating the Head of Brookland Infant and Nursery School, Mrs. Sheila Abbott, on making the school so successful in her 25 years in the post? Please will she further pay tribute to Mrs. Abbott's many outstanding achievements in that position that have included her receiving the Barnet Civic Award?

Answer by Councillor Fiona Bulmer

Mrs Abbott has worked tirelessly for the whole school community and she is held in the highest esteem by pupils, parents, staff and colleagues. At the same time as her work in her own school, Mrs Abbott has undertaken a variety of other roles in the local authority, sharing her expertise and experience across the wider educational community. She has been a valued member of many committees over the years, liaising with a range of external agencies and businesses to support the work of our schools.

I am delighted to record my formal thanks and congratulations to Mrs Abbott for her outstanding service to children in Barnet.

Question No. 16**Councillor Geof Cooke**

What action has been taken in the last three months to address the high likelihood – high impact corporate risks relating to:

- a. lack of revenue and capital resources to fund school rebuilding;
- b. service continuity in the event of an emergency;
- c. availability of accurate and timely customer service information.

Answer by Councillor Mike Freer, Leader of the Council

Officers continue to monitor the risk register for the likelihood and impact of all major risks facing the Council. Officers advise Cabinet Members as and when issues arise on options for mitigation.

Supplementary Question No. 16**Councillor Geof Cooke**

Councillor Freer, you've been invited to report to the Council and the public on action you have taken to address the high likelihood, high impact risks which were identified as threats to this Council and through the Council, to the people of the borough and this was reported to the Audit Committee three months ago, and you've chosen not to do so, so is that just because you do not like to be scrutinised in what you do and do not do as a public servant or is it also because you have been too busy trying to get elected as an MP to attend to your important duties as Council Leader?

Answer by Councillor Mike Freer, Leader of the Council

Well, Councillor Cooke, if that's the best you can do I suspect I'll be elected rather faster than you imagine. I have no idea what you're talking about on the Audit Committee. In terms of the risk register and all the risks associated with the items that you've listed, all those risks are fully reported, fully mitigated and fully scrutinised.

Question No. 17**Councillor Hugh Rayner**

Please could the Cabinet Member inform Council how many lamp posts were installed under the Council's PFI contract at the end of April 2007?

Answer by Councillor Matthew Offord

1,764 new lighting columns have been erected. A further 1,800 are being placed in the six months up to the end of October 2007, making a total of circa. 3,600 renewed lamp columns.

Supplementary Question No. 17**Councillor Hugh Rayner**

Councillor Offord, thank you very much for the clarity of your answer, the benefit to the Council of this new lighting is obvious, the new reduced carbon footprint, the reduced electricity bill, but can you please outline some of the benefits to the residents?

Answer by Councillor Matthew Offord

Madam Mayor, I think I can outline those very quickly and very easily. It will ensure that we will have a cleaner, greener and safer borough.

Question No. 18**Councillor Kath McGuirk**

What action has the Council taken in the last three months to address the high likelihood – high impact corporate risks relating to the shortfall in the number of parking attendants?

Answer by Councillor Matthew Offord

Officers continue to monitor the risk register for the likelihood and impact of all major risks facing the Council. Officers advise Cabinet Members as and when issues arise on options for mitigation.

Supplementary Question No. 18**Councillor Kath McGuirk**

It's nice to see that copying and pasting came in very handy on tonight's question time, but looking at the response which looks rather similar to others on the paper tonight, do I take it that no action has been taken?

Answer by Councillor Matthew Offord

No, the Member cannot take that. As has been outlined in many other places within this Council in different meetings, this Council has taken an active risk management role. We actively manage the risk in a way that has not been done before in the history of the Council and we will continue to undertake that role in all the services we provide.

Question No. 19**Councillor Richard Weider**

Please will the Leader confirm that he will write to the Vice-Chancellor of Middlesex University calling on him to distance the University from the position of the Universities and College Union and any of his staff, that has called for an academic boycott of Israel?

Answer by Councillor Mike Freer, Leader of the Council

I have already done so.

Supplementary Question No. 19**Councillor Richard Weider**

Thank you Madam Mayor, I'd like to thank the Leader for his continued support for the Jewish community. Would he tell me what the Vice-Chancellor said in their response to your request to the University asking them to distance themselves from the UCU boycott, and does he agree that this unfounded criticism by the UCU and Unison unions of Israel, the most democratic state in the Middle East, will lead to a rise in anti-Semitic attacks upon the Jewish community in Barnet?

Answer by Councillor Mike Freer, Leader of the Council

Madam Mayor, I'll take that in two parts. I did write to Professor Driscoll in the strongest terms about his confirmation that Middlesex University would not tolerate this boycott and I am pleased to report to Councillor Weider that Professor Driscoll said that the University does not support the boycott, he is not aware of any members of staff or any group of staff who are promoting support for the boycott.

He shares our concerns about the damage that can be done by such actions and he assures us that he will not tolerate any attempt to stop interaction between staff in Israel and Middlesex University. And finally, in terms do I believe that such intolerant behaviour can feed anti-Semitism, yes I do.

Question No. 20

Councillor Ross Houston

What action has the Council taken in the last three months to address the high likelihood – high impact corporate risks relating to increasing homelessness?

Answer by Councillor Lynne Hillan

Officers continue to monitor the risk register for the likelihood and impact of all major risks facing the Council. Officers advise Cabinet members as and when issues arise on options for mitigation.

Supplementary Question No. 20

Councillor Ross Houston

Given that the answer to this question is identical to another four questions on tonight's paper, am I to assume, as Councillor McGuirk assumed, that no action is going to be taken with regard to these statistics?

Answer by Councillor Lynne Hillan

Well I'm actually delighted that the Labour Party are making such good use of our published risk register and what a shame that they didn't publish one when they were in administration so that we could have done the same. We are, as the previous answers, we constantly monitor the risk register, but I would like to say that we have already been recognised as regional champion for tackling homelessness by the CLG, and it's just been announced we've been recognised by them as one of two regional centres of excellence for youth homelessness.

Question No. 21

Councillor Brian Salinger

Does the Leader agree with the speakers at the conference held on 10th May at NLBP entitled Behind Closed Doors, that early intervention and support for children with behavioural problems, and those children who have been exposed to domestic violence, is the best way to try to ensure that those individuals are less likely to turn to crime and violent crime in later life?

Answer by Councillor Mike Freer, Leader of the Council

Yes.

Supplementary Question No. 21

Councillor Brian Salinger

Thank you Madam Mayor, I'm grateful to the Councillor for his succinct answer. In the press release that he issued regarding the conference he stated "This conference raised awareness of what is being done and what needs to be put in place to prevent the lives of more children being ruined by the action of the people that should be there to protect them." As I said in the question, those of us who were there, and not many Councillors were present, who attended the conference, we were told that there was a clear and well researched evidence from across the world that young people could be identified at an early age who are likely to become more involved with crime and anti-social behaviour in their teens. We were also told by the experts who had been brought in to address the conference that early intervention and support for young people with behavioural problems and those had been exposed to crime and who had endured and witnessed violence in their parents' behaviour had benefited from that support with consequent reductions in long term problems both for the individuals and for the wider community. Madam Mayor can the Leader now tell us whether we can expect to see more resources being directed to early intervention to support these children?

Answer by Councillor Mike Freer, Leader of the Council

Madam Mayor, the easy answer to that would be no, because actually I'm not convinced that more resources at this stage are necessary. The Councillor is quite right that 30% of domestic violence starts in pregnancy and something like 50% of our looked after children have suffered from domestic violence or seen domestic violence during their formative years. However the Council already supports the Sanctuary Project, the Sutton Programme, social and emotional aspects of learning, parenting programmes and Barnardos Comprehensive Assessment Tool. We are already putting significant resources into this difficult area and I think that we are doing a sterling job.

Question No. 22

Councillor Jim Tierney

What action has been taken by the council in the last three months to address the high likelihood – high impact corporate risks relating to housing supply being constrained by regeneration plans?

Answer by Councillor Anthony Finn

Officers continue to monitor the risk register for the likelihood and impact of all major risks facing the Council. Officers advise Cabinet members as and when issues arise on options for mitigation.

Question No. 23

Councillor Brian Salinger

Will the Cabinet Member for the Environment please advise members how many speed humps have been installed in new locations on Borough maintained roads in the last 12 months?

Answer by Councillor Matthew Offord

No new speed humps have been installed in new locations in Borough maintained roads in the last 12 months.

Question No. 24

Councillor Linda McFadyen

What action has been taken by the council in the last three months to address the high likelihood – high impact corporate risks relating to poor governance of health partnerships?

Answer by Councillor Helena Hart

Officers continue to monitor the risk register for the likelihood and impact of all major risks facing the Council. Officers advise Cabinet members as and when issues arise on options for mitigation.

Supplementary Question No. 24

Councillor Linda McFadyen

Thank you Madam Mayor, can the Cabinet Member tell me if she has been advised by officers of any issues that have arisen in the last three months and how they would come into the public domain had she been?

Answer by Councillor Helena Hart

Madam Mayor, I can tell Councillor McFadyen that I have not been advised of any high impact, high likelihood risks. In general all of those risks are identified in the Council's Corporate Risk Register, but specifically, as far as health is concerned, no there haven't been any, and again as Councillor McFadyen knows, the Adult Strategy Group manages, mitigates and, hopefully, obviates the risk of ineffective partnership working in many ways.

Now I can detail all of those ways if you wish, but, in short, risk in general is mitigated through thorough review, not only at every ASG meeting, including the use of London Health Observatory data when available, and effective performance management, but also at the sub-groups and of particular importance in this regard is the institution of the Health Improvement Working Group with its joint senior officer involvement.

But why I don't I take this opportunity, Madam Mayor, if I may of telling you the really good news, the Health Observatory report on Barnet for 2007 shows that Barnet residents can expect to live nearly two years longer than English average. The London Health Observatory to which I just referred, who highlight any risks and any problems with the provision of health services in the London Borough of Barnet, have just given us a glowing report and I would have thought that you would have been delighted to read it.

Question No. 25

Councillor Brian Salinger

The Council has decided to terminate the contract with Baytree Ltd who have for a number of years cared for people recovering from mental health problems. Will the Cabinet Member please advise members of:

- a) the number of people who will have to be re-housed as a result of this decision?
- b) the number other people will be re-housed elsewhere if the accommodation to be used by ex Baytree residents is currently being occupied by other people recovering from mental illness?

Answer by Councillor Lynne Hillan

The contract with Baytree expired in April 2006 and was extended for a further year to allow time for a review to be carried out by Supporting People in conjunction with mental health professionals, users and carers.

Accommodation is currently provided for 45 residents supported by Social Services.

There are currently 19 people who will be moving on to more suitable accommodation, thus freeing up their current homes for Baytree residents. Other residents may be moving directly into independent living.

Supplementary Question No. 25

Councillor Brian Salinger

Thank you, Madam Mayor, I'm sure the Councillor will appreciate that this is a very large group of vulnerable people needing to be re-housed effectively over a very short period of time. Many of these people, but not all, are my constituents and I've already been approached by one lady who was extremely concerned that what she was offered was inappropriate for her needs. Can she please give me an undertaking that the individual needs of each of these people will be met when arrangements for their future housing and wellbeing are being determined?

Answer by Councillor Lynne Hillan

I can assure you that I am receiving regular reports back on the move from Baytree and I shall be monitoring it.

Question No. 26

Councillor Barry Rawlings

Will the Cabinet Member clarify what the national Conservative Party's policy is on selection in secondary schools?

Answer by Councillor Fiona Bulmer

The Conservative Party's position supports the work we are doing in Barnet to ensure every child receives the high quality education that will help them to achieve their full potential. It recognises the rich diversity of Barnet's education provision in Barnet – a provision that includes high performing selective, faith, comprehensive schools and academies.

Supplementary Question No. 26

Councillor Barry Rawlings

I'd like to thank the Member for giving us this week's position for the Conservative Party on education. Given in her answer, she claims about doing everything in Barnet to ensure each child receives a high quality education. Will she, I think I might know the answer, will she on behalf of the whole Council write to Gordon Brown thanking him for his pledge to raise the amount of money spent per pupil to that of the independent sector of £8,000 per head, in other words predicting another 60% rise, or will she let petty party politics stand in the way of the education of our children?

Answer by Councillor Fiona Bulmer

I think we've all heard those pledges from Gordon Brown before and where's the money? If we get the money I'll thank him for it.

Question No. 27

Councillor Alison Moore

How much extra income would the Council have received if it had managed to achieve the target Council Tax collection rate for 2006-07 of 96.5%?

Answer by Councillor Mike Freer, Leader of the Council

I refer the Councillor to the answer I provided to her colleague Councillor Schneiderman. She may wish to confer with him.

Supplementary Question No. 27

Councillor Alison Moore

In your answer to Councillor Schneiderman, you indicate that the final collection rate will be very much higher than 94.6% quoted in the 2006/07 outturn. I'll ask again the question I asked at Cabinet Overview and Scrutiny Committee last night, when and where will that additional collection income be reported?

Answer by Councillor Mike Freer, Leader of the Council

It will be reported as is it is normally reported, Madam Mayor, through the Cabinet Resources monitoring of post year collection rates.

Question No. 28

Councillor Colin Rogers

At the moment it is difficult to get a tree protected unless it is under threat from a planning application. Does the Cabinet Member agree that if mature trees in the borough that are not causing damage to property, and are not involved in a planning application, are a valuable amenity and need protecting?

Answer by Councillor Melvin Cohen

Trees are often a valuable amenity and which ensure we have a green borough. We are fortunate that Barnet is abundant with trees and has a very high number of Tree Preservation Orders (TPOs). It also has one of the busiest Trees Planning services in London. Many other trees not with TPO protection benefit from Conservation Area protection, of which there are 17 areas across the borough protecting thousands more trees. It is therefore important to prioritise the level of tree protection where there is significant amenity value and where there is a threat from development.

It is not sensible to impose blanket controls over all trees as this would undermine the purpose of protection on the grounds of amenity value and likely to put the Council at risk. It is considered that given the high numbers of TPOs and conservation area protection of trees in the borough the council has the right balance. Where there is a sustainable and justified need the council will consider the serving of a new TPO.

Supplementary Question No. 28

Councillor Colin Rogers

Thank you Madam Mayor, Barnet has reduced its team of Tree Officers from 3 to 2. Does Barnet agree that if an increase in funding for Tree Preservation Orders is particularly justified nowadays to respond to the increase in insurers trying to minimise the risks at the expense of valuable trees?

Answer by Councillor Melvin Cohen

Fundamentally, the thrust of the Councillor's question is to try to impose a blanket Tree Preservation Order over the whole borough and if he reads the answer to my question, and I'm not sure where it's not clear, it is not sensible to impose blanket controls over all trees as this would undermine the purpose of protection on the grounds of amenity value and likely to put the Council at risk. I thought my answer was very clear and that job can be done perfectly well by two Tree Officers.

Question No. 29

Councillor Zakia Zubairi

What is the Council doing to deal with the problem of dog-fouling on the pavements in Colindale and elsewhere in the Borough?

Answer by Councillor Matthew Offord

Dog fouling problems are dealt with by a combination of Verbal / Written Warnings and / or Fixed Penalty Notices.

Supplementary Question No. 29

Councillor Zakia Zubairi

How many fixed penalty notices have been issued in Colindale?

Answer by Councillor Matthew Offord

Thank you Madam Mayor, you wouldn't expect me to have that information to hand so I'll write to the Member on that subject.

Question No. 30

Councillor Ansuya Sodha

When will West Hendon get it's own Town Keeper?

Answer by Councillor Matthew Offord

West Hendon's Town Keeper service was launched on Friday 8th June.

Supplementary Question No. 30

Councillor Ansuya Sodha

I am pleased that West Hendon has got a town keeper, can you please confirm that this is a dedicated town keeper for West Hendon only and that he won't be called out to other wards, and secondly, can he confirm how many hours he's going to spend in West Hendon please?

Answer by Councillor Matthew Offord

Madam Mayor, it is a full-time position and it's dedicated to West Hendon.

Question No. 31**Councillor Julie Johnson**

There has been recent press coverage of the scandalous state of the road surface along West Hendon Broadway in the Hendon Times. Given that constantly patching and re-surfacing the road is repeatedly costing council tax-payers money what role is the Council playing in getting Three Valleys Water to sort out the underlying problem that is leading to the subsidence?

Answer by Councillor Matthew Offord

The Street Works team are aware that Three Valleys Water has experienced a number of problems in the area with water leaks and have, as a consequence, dug up the road in several locations. Following inspections Street Works officers are now in discussion with Three Valleys Water about the extent of reinstatement works which are required to return the condition of the road to an acceptable state.

Question No. 32**Councillor Kath McGuirk**

What assessment has been made of the effect to the Council's income as a result of the new parking regulations due to come into force on 1 July?

Answer by Councillor Matthew Offord

The introduction of new parking regulations may change the current behaviour in the way the public park and may result in increased compliance of the parking contraventions. It is not possible to factor this in at present until data is available to assess the impact of differential charging.

Supplementary Question No. 32**Councillor Kath McGuirk**

Can Councillor Offord tell this Chamber when this data is likely to become available?

Answer by Councillor Matthew Offord

Unfortunately, I'm not in a position to do so but I'm sure there'll be a following question in a few weeks time.

Question No. 33**Councillor Alan Schneiderman**

What has been the cost to the Council in penalty payments during 2006-07 as a result of invoices not being paid on time?

Answer by Councillor Mike Freer, Leader of the Council

Nil.

Supplementary Question No. 33**Councillor Alan Schneiderman**

Thank you Madam Mayor, I read Councillor Freer's answer but the minutes of the Resources Scrutiny Committee on 1 May under Section 6 on page 3 it says "In some cases the Council did have to endure penalties". What does this refer to and how much was paid?

Answer by Councillor Mike Freer, Leader of the Council

Penalties may be due but none were paid.

Question No. 34**Councillor Ross Houston**

What housing benefit related income loss did the Council suffer during 2006-07 as a result of Pericles implementation and what level of compensation has been paid by the supplier?

Answer by Councillor Lynne Hillan

The implementation of Pericles, as with any major new system, has had both direct and indirect costs. There has been some loss of subsidy income due in part to the need to shut the system down for a period to transfer data from the old to the new system and in part to functionality problems with Pericles. We have not yet signed off acceptance of the product and discussions about any supplier liability for losses form part of the discussions necessary before that is done. Figures for losses are therefore currently of commercial sensitivity and it would not be in the Council's interests for me to quote them at this time.

Supplementary Question No. 34

Councillor Ross Houston

This is clearly a problem at our end affecting many vulnerable residents. What compensation are we getting and can you assure me that this is not having a detrimental impact on individual residents? If you cannot assure me of that can you tell me what has been done to financially support those facing particular difficulties?

Answer by Councillor Lynne Hillan

The implementation of Pericles has indeed been problematic. The good news is that we have now caught up and not only have we caught up with the days lost that we had before but we have exceeded that, so things are looking a lot better. It is a difficult situation, as I say, it is very sensitive so I can't really tell you any more at this moment.

Question No. 35

Councillor Julie Johnson

How many households, and people, are currently in temporary accommodation on the West Hendon estate?

Answer by Councillor Lynne Hillan

As at 31 May 2007 there were 63 households, 145 people, in temporary accommodation on the West Hendon Estate.

Supplementary Question No. 35

Councillor Julie Johnson

Councillor Hillan, can you tell me what will happen to these families when the estate regeneration is completed, please?

Answer by Councillor Lynne Hillan

As you know, we currently have choice based lettings so they will be given points and they will be able to bid just like everybody else.

Question No. 36

Councillor Alison Moore

On what dates and in what locations have 'Leader Listens' events already taken place and what is the schedule for planned future events?

Answer by Councillor Mike Freer, Leader of the Council

Already taken place:

25 October 2006 – Finchley Church End

25 January 2007 – Hale

24 May 2007 – Underhill

12 June 2007 – Woodhouse

Scheduled but no venues fixed:
September – Mill Hill
October – East Barnet
November – Childs Hill
December – West Hendon

Supplementary Question No. 36

Councillor Alison Moore

Thank you Madam Mayor, I'd like to ask the Leader how much these sessions cost the council tax payer including publicity for them, and what changes to Council policy or improvements to services have these sessions resulted in?

Answer by Councillor Mike Freer, Leader of the Council

I can write to the Member with the specific cost, but I can assure her that they are a damn sight cheaper than the area forums and better attended. In terms of the changes to policy, that is too early to tell but the issues raised do form part of the intelligence gathering that I use as part of budgetary development.

Question No. 37

Councillor Linda McFadyen

Given the appalling start to the new meals on wheels contract, are there any lessons that the Cabinet Member has learned that would change what she agrees and the way she does it in the future?

Answer by Councillor Lynne Hillan

The Meals at Home did have problems at the start but these problems have now been resolved and complaints about late deliveries – which were high in the first two weeks – have almost totally disappeared.

The main problem was that the new provider was unable to deliver the meals in the time frame we set in the contract which is between 12-2 pm every day. The provider failed to fully appreciate the complexities of the contract – which is provided jointly with Enfield. The Council is following up the detail of these issues to see what can be learned for the council's future contracting.

Supplementary Question No. 37

Councillor Linda McFadyen

Could the Cabinet Member, sorry having had experience personally of these bags left for considerably longer than 24 hours, could the Cabinet Member tell me how many times the contract has failed to deliver on collecting the bags and what penalties we can take against the contractors?

Answer by Councillor Lynne Hillan

I haven't got that information to hand but I can say that the Meals on Wheels contract as we all know started off very badly. I wrote to Sadexo and I would like to take this opportunity to thank all the staff who jumped in immediately to help with the delivery of the meals.

Question No. 38

Councillor Agnes Slocombe

At the Council meeting in January the Cabinet Member promised to write to me with the amount of money collected from successful prosecutions of skip hire companies for the year 2005/2006. I have still not received his answer, can he please submit it now?

Answer by Councillor Matthew Offord

If you read the minutes of the meeting you will recognise that I said I would respond in the fullness of time – I did not make what you assert as a “promise”.

There have not been any occasions when it has been necessary for a skip company to be prosecuted through the courts. A procedure operates that where it is identified that a skip has not been licensed the skip company is required to pay a fixed fee for failing to apply for the license and they are also required to pay the appropriate licence fee. If these fees are not paid the skip company is ordered to remove the skip from the highway.

Supplementary Question No. 38**Councillor Agnes Slocombe**

Councillor Offord, I am not sure if I should thank you for the question, as I am more confused than ever before. Your answer states there have not been any occasions when it has been necessary for a skip company to be prosecuted through the courts.

The answer in January 2007 was last prosecutions of a skip company was in 2005 when two prosecutions were made through the courts and it would not be wise, as it is very time consuming, that is why it left me more confused as it was not consistent.

And I quote a long philosopher, whose name escapes me, Councillor Offord, your political career begins with hypocrisy, proceeded with arrogance, and finishes with contempt.

Answer by Councillor Matthew Offord

Madam Mayor, the Member was obviously reading from the philosophy of Tony Blair, but I think she answered her own question. She, just like Tony Blair, was looking back and I was looking forward. But the approach I would like to take in any of the services that we provide is that I would prefer not to go down the heavy handed legal route that she seems to be advocating. I would prefer to reconcile issues and problems as they arise in this borough rather than taking the approach of a heavy handed Council.

Question No. 39**Councillor Linda McFadyen**

Road sweepers leave bags of leaves at the side of the pavement whilst sweeping the streets. Under the current contract what is the maximum length of time these bags can be left on the pavement before being cleared?

Answer by Councillor Matthew Offord

The bags that are placed at pre-arranged locations on the footway contain litter and other arisings following either litter bin emptying or street cleaning. In residential streets the service aims to remove the bags of arisings on the same day they originated, e.g. in conjunction and with the four 4 weekly cleaning operation or at the very latest (subject to the volume of litter and arisings collected by the removal teams) by noon on the following day. In town centres the bags will be removed during the shift in operation, so any bags left between 7am and 3pm will be cleared within those hours and same for the late shift from 3.30 pm onwards.

Question No. 40**Councillor Barry Rawlings**

How long does it take on average to get an initial educational psychologist assessment, and how many cases are currently waiting for assessment?

Answer by Councillor Fiona Bulmer

The educational psychology team has no waiting list.

Referrals to the educational psychology team (EPT) for children at school are managed through joint planning meetings with the school. These meetings determine the work programme for the school's linked educational psychologist (EP). If cases requiring urgent action arise during the year, an immediate response is made by either the school's linked EP or another EP.

Question No. 41

Councillor Geof Cooke

Which cafés and kiosks in parks are currently unused?

Answer by Councillor Mike Freer, Leader of the Council

There are 6 kiosks/cafes currently unused, but of these 4 are under offer for completion and re-opening shortly and the remaining 2 (at Cherry Tree Wood Pavilion and Scratchwood) will be remarketed shortly.

Question No. 42

Councillor Ansuya Sodha

How many children that were attending the Lakeview nursery are now attending the new Parkfield childrens' centre, and how many children from the West Hendon Estate are on the waiting list at Parkfield nursery?

Answer by Councillor Fiona Bulmer

When Lakeview Children and Families Centre relocated to Parkfield Children's centre, there were 16 children on roll. Six children moved from Lakeview to Parkfield and the rest transferred to schools.

There are now 64 children attending Parkfield Children's Centre:

13 0-2 year olds
22 2-3 year olds
29 3-5 year olds.

A further 52 3-5 year olds are taking up their early education entitlement in the nursery class in the main school. These places are filled currently and the 30 places which will become available for September are also filled.

Question No. 43

Councillor Barry Rawlings

Are the council satisfied that all Governing Body appointees go through Criminal Records Bureau checks?

Answer by Councillor Fiona Bulmer

Currently, there is no statutory requirement that school governors, (except those with unsupervised access to children) have Criminal Records Bureau clearance and it is at the discretion of schools to determine what requirements they wish to place on their governors.

Question No. 44

Councillor Charlie O-Macauley

How much does the council spend on Black History month each year and what proportion of council grant funding goes to BME organisations?

Answer by Councillor Mike Freer, Leader of the Council

£131,500 was granted to BME groups and £800 (plus officer time) was spent on Black History Month.

Question No. 45**Councillor Ross Houston**

In line with the London Plan this council has an important target in it's Unitary Development Plan of aiming to secure at least 50% affordable housing in all new developments. The borough's own Housing Needs Survey has highlighted the significant need for more affordable housing for rent, as well as shared ownership. Could the executive member confirm her support for the policy promoted in the UDP and in the London Plan and in particular outline what she has done to promote the increase in affordable housing for rent in the borough, and what more could be done to help meet the desperate need of those Barnet residents, many of them families, who cannot afford to buy in the borough?

Answer by Councillor Lynne Hillan

The UDP has been adopted by the Council on the recommendation of Cabinet and therefore has my full support. Both the UDP and the London Plan aims to provide 50% affordable housing whilst adhering to the Boroughs three strand approach of Protect, Enhance and Grow.

The Housing Strategy was approved last year, seeks to widen choice and opportunity and is in line with both the UDP and the London Plan.

During 2006/07 we saw 323 affordable homes start on site against a target of 212. This includes low cost home ownership and socially rented. We saw 447 households take up housing options under the New Start (out of London) and private sector tenancy schemes, against a target of 350. We reduced the number of people forced to take temporary accommodation from the Council to 502, against a target of less than 600. We enabled 134 households to enter low cost home ownership for the first time.

Question No. 46**Councillor Charlie O-Macauley**

What is the Council's policy on advance advertisement of road works (signage / direct mail etc.,) to the public?

Answer by Councillor Matthew Offord

A Section 58 Notice under the requirements of the New Roads and Street Works Act 1991 is published in the London Gazette and The Barnet Press giving three months notice of an initial batch of the Approved proposed works. The notice is also sent to all the utility companies operating in the borough and included on the Agenda for the quarterly co-ordination meeting with the utility companies.

Once the proposed start and completion dates with the contractor has been agreed, one month's notice is then registered on the street works notification system. A letter to residents and businesses is circulated at least two/ three weeks prior to the intended start date by the contractor. At least three days prior to the start date of the work another letter, from the contractor, is then circulated confirming the expected start and finish dates of the work.

A day before the contractor arrives on site notices are placed on parked cars which gives contact details and instructions to find alternative parking arrangements. Signs are also installed on the approach to work sites to identify the works, the contractor carrying out the works and to apologise for any inconvenience caused.

Appendix A - Gambling Act 2005 - Premises Licence Fees.

No Fees have been set for Casino Premises as the Council has made a resolution under Section 166 of the Act not to licence such Premises.

Figures in bold are the recommended fee levels for gambling premises in Barnet.

Classes of Premises Licence	Maximum Permitted Fee	Fee
Fast Track Application for Premises Licence Conversion	£300.00	£270:00

Non Fast Track Application for Premises Licence Conversion

Bingo Premises Licence	£1,750.00	£1200:00
Adult Gaming Centre Premises Licence	£1,000.00	£1000:00
Betting Premises (Track) Licence	£1,250.00	£1000:00
Family Entertainment Centre Premises Licence	£1,000.00	£1000:00
Betting Premises (Other) Licence	£1,500.00	£1100:00

New Application Fee

Bingo Premises Licence	£3,500.00	£1750:00
Adult Gaming Centre Premises Licence	£2,000.00	£1750:00
Betting Premises (Track) Licence	£2,500.00	£1750:00
Family Entertainment Centre Premises Licence	£2,000.00	£1750:00
Betting Premises (Other) Licence	£3,000.00	£1750:00

Annual Fee

Bingo Premises Licence	£1,000.00	£750:00
Adult Gaming Centre Premises Licence	£1,000.00	£750:00
Betting Premises (Track) Licence	£1,000.00	£750:00
Family Entertainment Centre Premises Licence	£750.00	£750:00
Betting Premises (Other) Licence	£600.00	£425:00

Classes of Premises Licence	Maximum Permitted Fee	Fee
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Provisional Statement - Application Fee

Bingo Premises Licence	£3,500.00	£2500:00
Adult Gaming Centre Premises Licence	£2,000.00	£1550:00
Betting Premises (Track) Licence	£2,500.00	£2150:00
Family Entertainment Centre Premises Licence	£2,000.00	£1550:00
Betting Premises (Other) Licence	£3,000.00	£2325:00

Application Fee - Provisional Statement Holders

Bingo Premises Licence	£1,200.00	£425:00
Adult Gaming Centre Premises Licence	£1,200.00	£425:00
Betting Premises (Track) Licence	£950.00	£425:00
Family Entertainment Centre Premises Licence	£950.00	£425:00
Betting Premises (Other) Licence	£1,200.00	£425:00

Transfer - Application Fee

Bingo Premises Licence	£1,200.00	£625:00
Adult Gaming Centre Premises Licence	£1,200.00	£625:00
Betting Premises (Track) Licence	£950.00	£625:00
Family Entertainment Centre Premises Licence	£950.00	£625:00
Betting Premises (Other) Licence	£1,200.00	£625:00

Classes of Premises Licence	Maximum Permitted Fee	Fee
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Variation - Application Fee

Bingo Premises Licence	£1,750.00	£1625:00
Adult Gaming Centre Premises Licence	£1,000.00	£1000:00
Betting Premises (Track) Licence	£1,250.00	£1250:00
Family Entertainment Centre Premises Licence	£1,000.00	£1000:00
Betting Premises (Other) Licence	£1,500.00	£1425:00

Re-instatement - Application Fee

Bingo Premises Licence	£1,200.00	£625:00
Adult Gaming Centre Premises Licence	£1,200.00	£625:00
Betting Premises (Track) Licence	£950.00	£625:00
Family Entertainment Centre Premises Licence	£950.00	£625:00
Betting Premises (Other) Licence	£1,200.00	£625:00

Notification Of Change of Circumstances Fee – All Premises	£50.00	£50:00
Copy of Licence Fee – All Premises	£25.00	£25:00

Council: 11 September 2007

Administration Policy Item: Cllr. Matthew Offord

Barnet's Carbon Footprint

Barnet's environmental achievements to date have been extensive and have included:

- Solar Panels and wind turbines on some schools
- A Carbon Trust Audit on Barnet's Energy usage
- Opting for green energy at Council sites where possible
- Energy efficiency measures at Council properties
- Solar powered parking machines
- A groundbreaking SPD designed to ensure sustainability in new developments

However, in order to tackle Climate Change, we believe that further action is taken to identify the authority's Carbon Footprint, and that a specific environmental policy is worked up to tackle it.

Accordingly, Cabinet is requested to:

- 1) Identify scope and analysis to determine the Council's carbon footprint, either through in-house work or by joining the Carbon Trust's Local Authority management programme.
- 2) Investigate whether potentially unavoidable carbon emissions can be effectively "offset" by investing in external projects to cut and control CO₂.
- 3) Focus on new areas of the authority that could be supplied by "green" energy.

Opposition Policy Item – Implementation of trial car club scheme

Background

As up to 90% of pollution emissions in London come from motor vehicles, car clubs can play a valuable role in the reduction of pollution. Studies in Europe have shown that each Car Club vehicle typically replaces five to ten private vehicles, thereby reducing congestion and pollution.

A car club provides its members with quick and easy access to a car for short term hire. Members can make use of car club vehicles as and when they need them. We have explained below how Car Clubs operate based on successful schemes in neighbouring Brent. We have specifically stated that the business case for the scheme should demonstrate that the scheme can at worst be revenue neutral.

Using Car Clubs

Book - for as little as half an hour at a time, using telephone or internet. The booking can be made well ahead of time or with a few minutes notice.

Unlock - cars are located at designated parking bays in the local area and accessed using the member's smart card

Drive – Once inside the driver enters a pin and drives away, returning the car at the end of the journey. It is possible to extend the booking if necessary

Pay - Pay-as-you-go charges include fuel and maintenance costs. A subscription charge is paid monthly or annually.

Benefits of a Car Club

Joining a car club is an excellent way to reduce the financial and environmental costs of the private car, while retaining most of the benefits.

The obvious incentive to become a member of a car club is to avoid the initial heavy outlay for a vehicle and still enjoy the benefits of a car. Thereafter, members of a car club enjoy the benefits of reduced car dependency and enjoy the health benefits of greener travel modes that are reduced stress and improved health.

The high fixed cost involved in owning a car and the comparative low usage cost, encourages owners to maximise their use even where alternative more environmentally friendly modes would be more efficient modes of travel.

Car ownership brings an environmental cost in the production of an extra vehicle and the additional car usage that comes with ownership.

The benefits of car clubs, is that they reduce car ownership and therefore car dependency.

The benefit of a car clubs is that the entire travel cost is transferred to the user as a usage cost and therefore, a fairer cost comparison can be made between the different travel modes at the point of use. This can only encourage more people to use public transport, cycle and walk around the borough.

Benefits for Businesses

Reduced parking demand – shortages of parking spaces can be alleviated with car sharing and car clubs.

Save Money – Reduction in the need to lease parking spaces.

Reduced congestion – many businesses have staff that need to make business trips by car and congestion impacts on their travel time.

Healthier workforce – sustainable travel modes are more physically active and can help staff to achieve their 10,000 steps a day, or if they cycle do the 30 minutes required to half their risk of heart attack. Physical activity is good for a healthier work life balance and is a good stress reliever.

Reduced Cost – Car clubs take responsibility for the maintenance and repair of the vehicle. User pay per hour of use and for fuel usage.

The need to reduce car dependency

For each car-owner that switches to car clubs, 1.2 tonnes of carbon emissions are saved per annum.

Road Transport contributes to 88% of the UK's carbon monoxide emissions

In recent years increased car dependency has resulted in dramatic increases in congestion. Between 2002 and 2006 traffic volumes have risen by 48%. Reducing car dependency through increased car sharing and reduced car ownership can help to slow or even reverse this trend.

In the UK, former car owners increase their use of non-car transport modes by 40% after joining a car club. Two-thirds of those who owned a car before joining saw their mileage fall, by an average of around 25%

72% of London City Car Club users have given up one or more of their privately owned vehicles or deferred the purchase of a vehicle.

Creating liveable communities

Car sharing reduces pressure on road space freeing up road space for other users. Carplus summed up the benefits in these terms:

“Noisy busy roads littered with cars divide communities and foster social exclusion. Car clubs allow neighbourhoods to function with fewer parking spaces, which enable initiatives such as City Living (high density urban lifestyle with convenient access to facilities and mobility), Car Free Housing and Home Zones (a street designed primarily to meet the interests of pedestrians and cyclists rather than motorists, opening up the street for social use) to succeed. Giving space back to people from the car improves social cohesion and makes for vibrant communities.”

The proposal

Council requests that the cabinet draw up plans for a trial Car Club scheme. The Car Club will operate on the following basis:

1. The club will be operated by a private contractor selected by the Council.
2. A business case will be developed that aims for the trial car club scheme to be revenue neutral at worst.
3. The trial area should be chosen on the basis of it being an area that would benefit most from reduced car usage. We would suggest one or more of the following areas:
 - High Barnet – The area to the west of Barnet High Street
 - Cricklewood Broadway - where a joint strategy with the London Borough of Brent (who already operate several car clubs) could be implemented.
 - Hendon - Brent Street
4. That after a fixed initial term that the relevant Overview and Scrutiny Committee review the trial and if judged a success look at ways of extending the scheme.

**Report of the Special Committee
(Constitution Review)
31 July 2007**

Members:

- * Councillor Melvin Cohen LL B (Chairman)
- * Councillor Mike Freer (Vice-Chairman)

Councillors:

- | | | |
|---|------------------|---------------------|
| * Jack Cohen | * Linda McFadyen | * Joan Scannell |
| * Robert Rams (sub for
Cllr Richard Cornelius) | * Alison Moore | * Alan Schneiderman |
| | * Matthew Offord | * Daniel Webb |

* denotes Member present

**REVIEW OF THE GOVERNANCE ARRANGEMENTS FOR THE LONDON
BOROUGH OF BARNET PENSION FUND (Report of the Deputy Director of
Resources and Chief Finance Officer - agenda item 5)**

The Committee, having considered the attached report and addendum report,

RESOLVED TO RECOMMEND

(1) to agree an exception to the political balance requirements and delegate responsibility for the management of the Pension Fund to a Pension Fund Committee comprising two members from each political party, and two substitutes from each political party, in accordance with Option 2 within Appendix 1 to the report, and to delegate the functions indicated to the Chief Finance Officer

AND

a quorum of three Members, with the rules relating to committees and sub-committees set out in Part 4, Section 2 of the Constitution to apply with the exception of paragraph 15(4) of the explanatory note and paragraph 5.3 of the extract from Part 3 of the Constitution [exclusion of ability of minority of members to move recommendations to Council]

ADDITIONALLY

with Admitted Bodies and Trade Unions having observer status only, in both public and exempt parts of the Committee, and the External Adviser also attending both parts of the Committee in an Advisory capacity only

(2) to appoint the Members and Substitute Members and a Chairman and Vice-Chairman

(3) subject to having consulted and considered the views of the Independent Remuneration Panel, to allocate a Special Responsibility Allowance at scale 4 (currently £7,125 per annum) to the Chairman of the Pension Fund Committee, paid for by the Pensions Fund

(4) to include the Pension Fund Governance Compliance Statement (GCS) (as presented in Appendix 1 to the report) in the Constitution, it being the basis for all decisions concerning the strategic management and governance of the Pension Fund, and in so doing revoke the current arrangements set out in the constitution.

(5) to authorise the amendments to Part 3 of the Constitution (Responsibility for Functions) as outlined in change 2 within Appendix 1 to the report.

(6) to authorise the amendments to the Financial Regulations as outlined in Change 3 within Appendix 1 to the report.

(7) to instruct the Democratic Services Manager to:-

(i) make the appropriate changes to the Council's Constitution

(ii) determine the dates for the meetings of the Committee in consultation with the Chairman

(8) to note the wider implications set out in paragraph 6.3 of the report on decisions taken by General Functions Committee relating to staffing and pension conditions of service matters.

(9) to instruct the Democratic Services Manager to

(a) request the Independent Remuneration Panel to consider the structure and workload of the Pension Fund Committee and make recommendations on allowances for the members of that Committee and

(b) report their recommendations, together with the cost implications to the Council.

AGENDA ITEM: 5 Page nos. 1 – 14

Meeting	Special Committee (Constitution Review)
Date	31 July 2007
Subject	Review of the Governance Arrangements for the London Borough of Barnet Pension Fund
Report of	Deputy Director of Resources & Chief Finance Officer
Summary	In June 2007, amendments to regulations covering the governance arrangements of the Local Government Pension Scheme (LGPS) came into force. This report reviews and proposes revisions to the London Borough of Barnet Pension Fund's governance arrangements in light of these amendments.

Officer Contributors	Deputy Director of Resources & Chief Finance Officer Finance Manager (Strategic Projects) Finance Manager (Treasury Management)
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix 1 – proposed changes to Council Constitution
For decision by	Special Committee (Constitution Review): Recommendation 1.1 Council: Recommendations 1. 2 – 1.9
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information: Clive Medlam (020 8359 7110) or Andrew Filby (020 8359 7210)

1. RECOMMENDATIONS

- 1.1 That the reasons set out in the body of this report for revising the current governance arrangements for the London Borough of Barnet Pension Fund be approved.**

That the Council be recommended

- 1.2 to delegate responsibility for the management of the Pension Fund to a politically balanced Pension Fund Committee comprising seven members from each political party, with two substitutes from each political party, in accordance with current council policy, in accordance with Appendix 1, and to delegate the functions indicated to the Chief Finance Officer**

OR

to agree an exception to the political balance requirements and delegate responsibility for the management of the Pension Fund to a Pension Fund Committee comprising two members from each political party, and substitutes from each political party, and to amend Appendix 1 accordingly, and to delegate the functions indicated to the Chief Finance Officer

AND

in either case a quorum of three Members, with the rules relating to committees and sub-committees set out in Part 4, Section 2 to apply with the exception of paragraph 15(4) of the explanatory note and paragraph 5.3 of the extract from Part 3 of the Constitution [exclusion of ability of minority of members to move recommendations to Council]

ADDITIONALLY

In either case, with Admitted Bodies and Trade Unions having observer status only, in both public and exempt parts of the Committee, and the External Adviser also attending both parts of the Committee in an Advisory capacity only

- 1.3 to appoint the Members and Substitute Members and a Chairman and Vice-Chairman**
- 1.4 subject to having consulted and considered the views of the Independent Review Panel, to allocate a Special Responsibility Allowance at scale 4 (currently £7,125 per annum) to the Chairman of the Pension Fund Committee, paid for by the Pensions Fund**
- 1.5 to include the Pension Fund Governance Compliance Statement (GCS) (as presented in Appendix 1) in the Constitution, it being the basis for all decisions concerning the strategic management and governance of the Pension Fund, and in so doing revoke the current arrangements set out in the constitution.**
- 1.6 to authorise the amendments to Part 3 (Responsibility for Functions) as outlined in change 2 within Appendix 2.**
- 1.7 to authorise the amendments to the Financial Regulations as outlined in Change 3 within Appendix 1.**

- 1.8 to instruct the Democratic Services Manager to:-**
- (i) make the appropriate changes to the Council’s Constitution**
 - (ii) determine the dates for the meetings of the Committee in consultation with the Chairman**
- 1.9 To note the wider implications set out in paragraph 6.3 on decisions taken by General Functions Committee relating to staffing and pension conditions of service matters.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Delegated Powers Report: Deputy Director of Resources & Chief Finance Officer - 30 March 2006 (Pension Fund Governance Arrangements) which agreed to conduct a review of pension fund governance arrangements.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The recommendations proposed by this report will assist the Council in meeting its key objective to enhance and further develop its corporate governance, and in so doing to achieve its corporate priority “More Choice, Better Value”.

4. RISK MANAGEMENT ISSUES

- 4.1 The proposed GCS has been designed specifically to mitigate against the risk that the LBBPF will be damaged as a result of poor governance or mismanagement.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Good governance arrangements will benefit everyone who contributes to the fund.

6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 6.1 The Special Responsibility Allowance at scale 4 (currently £7,125 per annum) allocated to the Chairman of the Pension Fund Committee will be funded from the Pension Fund.
- 6.2 There are no staffing, ICT or property implications arising from this report.
- 6.3 Changes are proposed in Appendix 1 to the responsibility of General Functions Committee, such that any decisions having a significant impact on the Pension Fund and/or council budget will be subject to agreement also by the PFC and/or Cabinet Resources Committee as appropriate. This proposed change does not relate solely to pension fund matters, but also addresses an anomaly whereby General Functions Committee has the ability through the way the Constitution is currently written to take budget decisions, which are reserved to the Executive, e.g. approve a restructure that increases the net budget.

7. LEGAL ISSUES

- 7.1 This report and its recommendations are based on the provisions of the Local Government Pension Scheme (Amendment) (No.3) Regulations 2007, which itself has its basis in the Superannuation Act 1972.

8. CONSTITUTIONAL POWERS

- 8.1 The report recommends the creation of a Pension Fund Committee. This committee will be a Committee of the Council, with responsibility for setting policy and providing strategic leadership for the Pension Fund. This Committee will operate according to Part 4, Section 2 of the Council's Constitution.

9 BACKGROUND INFORMATION

9.1 Background

- 9.1.1 In June 2007, various amendments to regulations governing the Local Government Pension Scheme (LGPS) came into force. These include revised responsibilities regarding pension governance arrangements, which will require LGPS Administering Bodies to include the extent to which its arrangements comply with guidance given by the Secretary of State within its Governance Compliance Statement (GCS).
- 9.1.2 Although the Secretary of State's guidance is not due to be published until August 2007 (with the deadline for Barnet to publish a GCS based on this guidance being 1 April 2008), current governance arrangements have been reviewed in accordance with this.
- 9.1.3 The remainder of this report details this review and outlines the basis used for constructing the proposed revised GCS (Appendix 1). Although, it is hoped that the proposed GCS will closely match the requirements of the Secretary of State's guidance, it is recognised that it will almost certainly need to be amended to some degree once the guidance is published.
- 9.1.4 It is intended that the proposed revised GCS will supersede the existing GCS as outlined in the Pension Fund Governance Arrangements delegated powers report of the Chief Financial Officer dated 30 March 2006.

9.2 Review of Current Pensions Governance Arrangements

- 9.2.1 In conducting this review, arrangements in a sample of other LGPS Administering Bodies have been taken, alongside the Department of Communities and Local Government (DCLG) letter on the amended regulations.
- 9.2.2 It is felt that the existing GCS attaches specific responsibilities to particular roles rather than providing a generic framework within which responsibilities are assigned to roles. This leads to a lack of clarity over how roles are aligned to responsibilities for areas that are not explicitly listed within the statement (e.g. producing the Communications Strategy or assessing

applications from would-be admitted bodies). It also provides no mechanism for determining the appropriate assignment of new responsibilities when developments or unforeseen events occur. An overarching framework with more general terms of reference would enable responsibilities to be assigned to roles more completely, and enable the flexibility to manage new developments without necessarily needing to re-draft the GCS.

- 9.2.3 Barnet's Pension Fund assets total over £500m and as a result its management has the potential to affect significantly the Council's overall financial position (e.g. 2007/08 employer contributions will exceed £20m). Currently, responsibility for the investment of these funds rests entirely with the Chief Finance Officer, with the Pension Fund Advisory Panel (comprising one Member from each group) acting in a purely advisory role. This is a significant responsibility to delegate to a single officer and it is considered more appropriate to establish a Pensions Fund Committee (PFC) comprising elected members with responsibility for setting policy and taking decisions likely to have a material impact on the Fund.

In the absence of a dedicated PFC to date, the General Functions Committee has been given the responsibility to decide high level strategy such as the Statement of Investment Principles and other matters that the Fund Management Advisory Panel (FMAP) believes are significant enough for Member-level decision. However, in view of the increasing and specialist nature of the work load, it is considered appropriate to recommend the Council to appoint a dedicated Pensions Fund Committee for the purpose.

9.3 Proposed Pension Governance Arrangements

- 9.3.1 Based on the analysis within Section 9.2 above, the key weakness in the current governance arrangements is the lack of a dedicated committee of Members to take responsibility for matters concerning the Pension Fund. It is proposed, therefore, that the Council should delegate responsibility for the management of its Pension Fund to such a committee. A combination of legal advice and analysis of pension fund arrangements elsewhere has enabled various conclusions to be drawn, which are covered in the remainder of this section.
- 9.3.2 Some authorities have a two-tier structure for their PFCs, with high-level strategy determined by the primary committee and lower level policy decisions delegated to a sub-committee. However, given the work involved, a two-tier structure is considered unnecessarily bureaucratic and could result in confusion over roles and responsibilities, so a single-tier arrangement is proposed for Barnet.
- 9.3.3 For those London Boroughs that responded to our questionnaire, PFCs comprise between three and eight Members from the Administrative Body. It is proposed that Barnet's PFC comprises seven Elected Members (with full voting rights), as this number:-

- (i) works better in the calculation for political balance within Barnet¹;

¹ Legal advice is that the committee should be politically balanced as it is a non-executive function. The calculation as at 1 June 2007 works out at 4:2:1.

- (ii) provides pensions with a higher profile within the Council than a smaller membership would;
- (iii) is not so large that it would encumber effective decision-making.

9.3.4 It is further proposed that the Chairman be allocated a Special Responsibility Allowance at Scale 4, which is currently, £7125. Although it is expected that the Committee will generally meet 4 times a year, it has a significant responsibility. There is also an expectation that the Chairman will keep him/herself briefed on key issues throughout the year.

9.3.5 Scale 4 is the same level of Allowance payable to the Chairmen of the Overview and Scrutiny Committees, the Audit Committee, Planning and Environment Committee and the Area Planning Committees, and it is considered that the Chairmanship of the Pension Fund Committee would be on a par with that of the Audit Committee. The Pension Fund will pay the Special Responsibility Allowance. The Independent Remuneration Panel will be consulted upon the proposed Special Responsibility Allowance, and if this report and recommendations are approved their response will be reported to the Council Meeting

9.3.6 In addition to elected members, some other councils include representatives of other stakeholders within their PFC. These tend to be non-voting, although this is not always the case. The types of representation are discussed below, along with a recommendation for how and whether these should be incorporated within Barnet's PFC.

- **Scheduled & Admitted Bodies**

Most of the councils surveyed invite scheduled and admitted bodies to attend their PFCs, despite this invitation not being taken up in many cases. Although in the minority, some councils do provide the larger scheduled and admitted bodies with voting rights. However, given that responsibility for the management of the Pension Fund lies with the Council as the Administrative Body, to ensure accountability and responsibility are fully aligned, it is recommended that scheduled or admitted bodies should not be offered voting rights but merely invited to attend as observers.

Currently Middlesex University (a scheduled body) is the only other employer invited to attend the Pension Fund Advisory Panel meetings. This invitation may need to be extended to other large employers, e.g. Barnet Homes.

- **Unions**

The majority of councils surveyed invite union representatives to attend their PFC meetings. In the interest of employee relations this is seen as a positive and it is recommended that such an invitation is extended to unions to attend our PFC (as occurs at present with the Pension Fund Advisory Panel). However, based on the same issues expressed in the paragraph above, it is not seen as appropriate to grant unions voting rights.

- **External Advisers**

In general, independent external advisors always attend PFCs to provide advice where necessary but do not have voting rights. This appears to be appropriate and it is recommended that our independent external adviser continue to attend the PFC in this capacity.

- 9.3.7 In general, our survey of other LGPS Administering Bodies revealed that although some PFCs meet quarterly, a couple meet less often, with another couple meeting more often. Given that our external fund managers are required to report every quarter, it would seem logical to continue meeting on a quarterly basis as happens currently – as close as possible after the publication of the fund managers’ reports. However, the flexibility to call additional meetings when necessary should be retained.
- 9.3.8 The key purpose of any governance arrangements should be to provide clarity over roles and responsibilities, and to ensure these are allocated appropriately within the organisation. In light of this, and given the comments in paragraph 2.2, it is proposed that the GCS should apportion responsibility at three key levels – the Council, the Pension Fund Committee and the Chief Finance Officer. The proposed responsibilities to be assigned to these levels are set out in the proposed revised GCS (Appendix 1).
- 9.3.9 Within their guidance, the DCLG intend to publish a set of best practice governance principles (similar to the ten Myners investment principles) that form the basis of the Statement of Investment Principles. Once this has been published, it is proposed that an appendix be added to the GCS that demonstrates how it complies with these principles.

9.4 Draft Agenda for Pension Fund Committee

- 9.4.1 It is envisaged that the public part of the agenda would cover the following matters:-

Quarterly

- Overview of investment performance for the last quarter.
- Analysis of key and emerging issues that will or could affect investment performance and Fund standing.

Annually

- Overview presentation of the investment performance for the previous year, from the Fund’s performance measurement organisation (currently WM).
- Consideration and approval of the Pension Fund Annual Report².

Triennially

- Approval of key statutory documents (i.e. Statement of Investment Principles, Funding Strategy Statement, Governance Policy Statement, Pension Administration Strategy, Communication Policy Statement). These would be reviewed every three years, but not necessarily all at the same time.

² Production of a Pension Fund Annual Report will be a new requirement wef the 2007/08 financial year.

- The actuarial valuation of the Pension Fund and any matters arising from this.

Ad hoc

- Appointment of independent advisor(s), fund managers, actuaries or any other external body supporting management of the Pension Fund.
- Determination of applications from organisations wishing to become admitted bodies into the Pension Fund, where legislation provides for discretion, including the requirements for bonds.
- Consideration of information and advice regarding legislative changes that might affect the performance or standing of the Pension Fund.

9.4.2 It is envisaged that the exempt part of the agenda would cover the following matters:-

Quarterly

- Scrutiny of fund managers' performance.

Annually

- Detailed presentation of investment performance over the previous year, from the Fund's performance measurement organisation (currently WM).

9.5 Member Focus & Commitment

9.5.1 The Myners Review of Institutional Investment in the UK 2001 "signalled a profound shift in expectations with regard to trustee competence". With regard to this, the PFC, acting as the Pension Fund's trustees, will have the delegated responsibility to ensure the Pension Fund's ability to meet its future liabilities and to take the ultimate responsibility for its financial performance and standing. It is important to make it clear that the focus of this role is the long-term viability and health of the Pension Fund, not the impact that the Pension Fund has on the Council budget.

9.5.2 In order to fulfil this role, Members of the PFC will be expected to undertake training in matters pertaining to pension fund investments, and make time to review information circulated on Barnet's Pension Fund, or pension fund investment in general, in order to keep up to date with recent developments and be informed generally about the subject.

10. LIST OF BACKGROUND PAPERS

10.1 Survey of other local authority pension fund governance arrangements.

10.2 Anyone wishing to inspect these papers should contact Andrew Filby on 0208 359 7210.

Legal: JEL
CFO: CM

Changes to Council Constitution

CHANGE 1

It is proposed that the following Governance Compliance Statement be incorporated in the Constitution as a new stand alone section.

Pension Fund Governance Compliance Statement

1. Background

- 1.1 The Local Government Pension Scheme (Amendment) (No.3) Regulations 2007 require that all LGPS pension fund Administering Bodies in England and Wales prepare a Governance Compliance Statement (GCS). This GCS has been prepared in full accordance with these regulations and any guidance provided by the Secretary of State.
- 1.2 In order to ensure that the Council meets its fiduciary duties with regard to its Pension Fund, it is important governance arrangements assign roles and responsibilities that are consistent with political and organisational accountability. This GCS seeks to do this by defining three tiers of responsibilities – the Council, the Pension Fund Committee (PFC) and the Chief Finance Officer. It draws on best practice in other pension funds and guidance provided by the Secretary of State.
- 1.3 As this Pensions Fund Committee will now be a Committee of the Council the normal provisions relating to publication of agendas, admission of press and public to meetings etc will apply

2. Statement of Responsibilities

2.1 Responsibilities of Council in relation to the Pension Fund

2.1.1 To appoint:-

[EITHER]

Option 1
<ul style="list-style-type: none"> • <i>seven elected members on a politically balanced basis, to a Pension Fund Committee (PFC), responsible for discharging the Council's leadership and strategic management responsibilities regarding its Pension Fund;</i> • <i>substitute members, two from each political group.</i>

OR

Option 2

- *Six elected members on a non-politically-balanced basis to a Pension Fund Committee (PFC), responsible for discharging the Council's leadership and strategic management responsibilities regarding its Pension Fund;*
- *substitute members, two from each political group.*

In accordance with Council policy, it is proposed that each Political Group has two substitute Members. Furthermore, in line with their responsibilities, only elected members (or their substitutes where appropriate) appointed to the PFC have voting rights at any PFC meeting.

2.2 Responsibilities delegated by Council to the Pension Fund Committee

2.2.1 To approve and act in accordance with statutory Pension Fund documents:-

- Statement of Investment Principles
- Funding Strategy Statement
- Governance Policy Statement
- Pension Administration Strategy
- Communication Policy Statement

2.2.2 To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so (e.g. change in statutory guidance on what these documents should cover).

2.2.3 To receive and approve the Pension Fund Annual Report.

2.2.4 To invite a recognised representative from the trades unions and a representative from Middlesex University (the largest scheduled/admitted body) to meetings of the PFC. These representatives are appointed to advise the PFC on behalf of the interests they represent, but are not to have any voting rights. Further invites to scheduled/admitted bodies to be decided by the chairman of the PFC.

2.2.5 To appoint independent investment advisors.

2.2.6 To appoint Pension Fund investment managers.

2.2.7 To appoint Pension Fund actuaries.

2.2.8 To review and challenge at least quarterly the Pension Fund investment managers' performance against the Statement of Investment Principles in general and investment performance benchmarks and targets in particular. One of these meetings to be the annual review, at which the representative

from our performance management organisation attends to comment on the relative performance of the fund managers.

- 2.2.9 To consider actuarial valuations and their impact on the Pension Fund.
- 2.2.10 To consider advice given by the Chief Finance Officer, independent advisors, and views expressed by non-voting representatives at Pension Fund Committee meetings.
- 2.2.11 To approve applications from organisations wishing to become admitted bodies into the Pension Fund where legislation provides for discretion, including the requirements for bonds.
- 2.2.12 To determine the appropriate course of action on any matter not specifically listed above that pertains to the leadership and/or strategic management of the Pension Fund, in particular any matter which could materially affect its financial performance or long-term standing.
- 2.2.13 To convene regularly each quarter and additionally at such times outside the regular quarterly cycle as the Chairman deems appropriate
- 2.2.14 To require that all voting members receive adequate training on matters relating to the operation of the LGPS to enable the PFC to fulfil its fiduciary responsibilities in a satisfactory manner.
- 2.2.15 To comply with all the Procedure Rules for Council Committees and Sub-Committees, as set out in Part 4, Section 2 of the Council's Constitution.
- 2.2.16 To conduct its business only when the number of voting members in attendance reaches or exceeds a quorum of 3.
- 2.2.17 To refer decisions made by the PFC to the Council at the request of two or more members, irrespective of whether that number constitutes a minority or majority of the number of members in attendance. (Council Constitution Part 3: paragraphs 5.3 Part 4, Section 2, paragraph 15).

2.3 Responsibilities Delegated to the Chief Finance Officer

- 2.3.1 To implement the decisions of the PFC efficiently and effectively.
- 2.3.2 To administer the Pension Fund within the parameters set by the PFC, delegating these responsibilities as appropriate to other council officers and/or external contractors.
- 2.3.3 To advise the PFC on all matters pertaining to the management of the Pension Fund, drawing upon the knowledge and expertise of other council officers, the independent advisor, the actuaries and other sources where appropriate.

- 2.3.4 To attend PFC meetings, ensuring an appropriate substitute is sent where attendance is not possible.
- 2.3.5 To require other relevant individuals to attend PFC meetings where appropriate.
- 2.3.6 To require the Fund's independent advisor to present a report each quarter to the PFC on the key and emerging issues that will or could affect the Pension Fund's future performance and standing
- 2.3.7 To organise adequate training to enable members of the PFC to be in a position meet their fiduciary responsibilities in relation to the Pension Fund.
- 2.3.8 To request that the Chairman convene additional meetings where a matter arises that requires its urgent consideration.
- 2.3.9 To prepare and submit the following Pension Fund documents for approval to the PFC on either triennially or more frequently than this should circumstances require:-
- Pension Fund Annual Report
 - Statement of Investment Principles
 - Funding Strategy Statement
 - Governance Policy Statement
 - Pension Administration Strategy
 - Communication Policy Statement
- 2.3.10 To publish the documents stated in 2.3.9, upon their approval by the PFC, in a timely, accessible and cost-effective manner.
- 2.3.11 To make available to scheme representatives, scheme members and any other interested bodies, upon request, any other information pertaining to the London Borough of Barnet Pension Fund where this is not covered by exemptions provided by Acts of Parliament.

CHANGE 2

Part 3 – Responsibility for Functions

The following changes are proposed in paragraph 2 - Responsibility for Council Functions

Body Responsible	Functions	Membership
General Functions Committee [extract]	All other Council functions that are not reserved to Council including <ul style="list-style-type: none"> • Staff matters (i.e. salaries and conditions of service). [THE FOLLOWING TO BE ADDED]	

	Where decisions have a significant impact on the Pension Fund and/or council budget, decisions will be subject to agreement also by the PFC and/or Cabinet Resources Committee.	
Pension Fund Management Advisory Panel [ALL DELETED]	To advise officers on all matters relating to the use, management and investment of the superannuation fund including matters relating to the appointment and removal of Fund Managers, and major changes in benchmarks for investment. To make recommendations to the General Functions Committee on any matters where a member level decision is necessary.	

c) The following section would be added to paragraph 2:-

Body Responsible	Functions	Membership
Pension Fund Committee	As set out in the Pension Fund Governance Compliance Statement (which follows on at the end of this paragraph)	tbc

d) The following section would be added to Section 6, Powers Delegated to Officers, Specific Powers, Section 6.8:-

The Chief Finance Officer to have responsibilities set out in the Pension Fund Governance Compliance Statement.

CHANGE 3

Financial Regulations

Section 8.1 on Pension Fund Management includes the following responsibilities of the Chief Finance Officer:-

- appointing pension fund investment managers, independent investment advisors and any other external advisors or administrators in respect to pension fund investment management;
- producing and publishing a Funding Strategy Statement;
- recommending a Statement of Investment Principles to the General Functions Committee, after consulting first with the Pension Fund Advisory Panel;
- appointing actuaries;

- communicating with other employers that are scheduled or admitted bodies as appropriate on aspects of pension fund investment management;
- keeping under review arrangements for governance of the pension fund, taking into account current best practice guidance.

It is proposed that this section be deleted.

For the avoidance of doubt, Section 8.2 of Financial Regulations is unaffected save for being renumbered 8.1. This section deals with responsibilities delegated to the Pensions Manager to deal with day to day administration.

SPECIAL COMMITTEE (CONSTITUTION REVIEW)

31 JULY 2007

Addendum Report to the Agenda

Agenda Item 5 – Review of the Governance Arrangements for the London Borough of Barnet Pension Fund

The Committee is asked to note the following amendments to various paragraphs within the report as follows:

Paragraph 1.2 (first part)

to delegate responsibility for the management of the Pension Fund to a politically balanced Pension Fund Committee comprising seven members, with two substitutes from each political party, in accordance with current council policy, in accordance with Appendix 1, and to delegate the functions indicated to the Chief Finance Officer

Paragraph 1.6

to authorise the amendments to Part 3 (Responsibility for Functions) as outlined in change 2 within Appendix 1.

Appendix 1

Paragraph 2.2.15

To comply with all the Procedure Rules for Council Committees and Sub-Committees, as set out in Part 4, Section 2 of the Council's Constitution with the exception of paragraph 15(4) of the explanatory note and paragraph 5.3 of the extract of Part 3 of the Constitution [exclusion of ability of minority of members to move recommendations to Council].

Paragraph 2.2.17 to be deleted

Change 2, Paragraph (c)

c) The following section would be added to paragraph 2:-

Body Responsible	Functions	Membership
Pension Fund Committee	As set out in the Pension Fund Governance Compliance Statement	tbc

Council Meeting
11 September 2007

REPORT OF THE DEMOCRATIC SERVICES MANAGER
AGENDA ITEM 13.1

1. Amendment to the Leader's Scheme of Delegation:

The Leader has advised the Democratic Services Manager of various changes and clarifications to his portfolio and the portfolios of the Cabinet Members for Community Services and Planning and Environmental Protection.

The revised portfolios are attached as Appendix A.

The Democratic Services Manager will make the appropriate changes to the Council's Constitution.

2. Reports exempted from the call-in process because they are urgent:

These matters are reported to the Council to meet Constitutional requirements. No action is required by the Council and the decisions have been implemented.

In the cases listed below the Chairman of the Cabinet Overview and Scrutiny Committee agreed that the decisions proposed were reasonable in all the circumstances, were urgent and therefore has consented to the proposed decisions being exempted from call-in:

- (i) The Leader of the Council's report on A Commissioning Strategy for Physical and Sensory Impairment reported his decision, following comments made at the Cabinet Overview and Scrutiny Committee on 16 April, 2007, (1) to instruct the Democratic Services Manager to (i) request the Supporting the Vulnerable in our Community Overview and Scrutiny Committee to include the annual scrutiny of the progress and implementation of the Commissioning Strategy for Physical and Sensory Impairment Services in its work programmes over the three year period of the duration of the strategy; and (ii) request the Supporting the Vulnerable in our Community Overview and Scrutiny Committee and the First Class Education and Children Overview and Scrutiny Committee to give joint consideration to the need for more carer support across all age groups and to make joint recommendations, if appropriate, to Cabinet; and (2) to write to the Commissioner of the Metropolitan Police on the lines suggested by the Cabinet Overview and Scrutiny Committee, following consultation with the Cabinet Members for Health, Community and Children's Services. The report was exempted from call-in to enable the relevant Overview and Scrutiny Committees to consider inclusion of these issues in their respective work programmes for 2007/08 as one of these Committees was meeting to consider their work programme prior to the next meeting of Cabinet Overview and Scrutiny Committee.

- (ii) The Cabinet Member for Environment and Transport approved a Local Implantation Plan (LIP) Addendum as a formal response to a request from Transport for London (TfL) for additional and revised material they considered necessary in order for the LIP to be approved by the Mayor of London; Cabinet on 23 January 2006 having delegated this task to the Cabinet Member. The report was exempted from call-in to enable the completed addendum to be submitted to TfL by the 10 August 2007 in order to comply with a direction from the London Mayor under Section 153(2)(a) of the GLA Act 1999, and this was prior to the next meeting of the Cabinet Overview and Scrutiny Committee.

3. Executive Decisions and the Operation of the Call-In and Urgency Process – Review

The Council's Constitution requires the Democratic Services Manager to report to the Council on the operation of the provisions of the call – in and urgency process with proposals for review if necessary.

The process was last revised by Council on 12 September 2006 (minute 63) who noted the situation.

With regard to the review for the year 2006/2007, set out below, is the situation relating to 2004/05, 2005/06 and 2006/7 –

Year	No. of Cabinet Decisions	No. of Cabinet Resources Committee Decisions	No. of Cabinet Member delegated powers reports	No of Area Environment Committee Decisions
2004/2005	0	6	11	0
2005/2006	0	0	4	0
2006/2007	0	0	6	2
2007/8 (up to 28 August)	0	0	2	0

The Chief Executive is continuing, personally, to monitor requests for exemptions from the call – in process and will take immediate action if he considers that there are areas for concern, in consultation with the Chairman of the Cabinet Overview and Scrutiny Committee, as in previous years.

RECOMMEND – That the report of the Democratic Services Manager relating to Executive Decisions and the Operation of the Call-In and Urgency Process - Review be noted.

4. Amendments to the Constitution

In order to correct some anomalies, some of which have come about following the recommendations made to this meeting by the Special Committee (Constitution Review) the following amendments are recommended, and are shown at Appendix B:

- (i) Part 3 – Responsibility for Functions , Section 1 Allocation of Local Choice Functions – amendment at Point 9 of “Improvement Overview and Scrutiny Committee” to “Resources, Performance and Partnerships Overview and Scrutiny Committee”.
- (ii) Part 4, Section 2 – Committees and Sub-Committees – amendment of Rule 9.1 to exclude meetings of Licensing Sub-Committees, or the Licensing Committee if it is conducting the hearing or review of determinations under the Licensing Act 2003 or the Gambling Act 2005 (as rights to speak at such meetings are set down within those Acts and associated regulations).
- (iii) Part 4, Section 3 – Panels and Consultative Bodies – removal of reference to the Pension Fund Management Advisory Panel from paragraph 3.
- (iv) Part 4, Section 4 – Public Participation – removal of the Pension Fund Management Advisory Panel from Section 1, the list of meetings excluded from the rules.
- (v) Financial Regulations, Part 2 – Financial Administration – amendment of paragraph 4.1 to refer to “Deputy Director of Corporate Governance” rather than “Head of the Corporate Anti-Fraud Team (CAFT)”.

Items (iii) and (iv) are recommended for alteration, subject to Council having approved the recommendations of the Special Committee (Constitution Review) at Item 12.1 of the agenda.

RECOMMEND – That the amendments to the Constitution shown in Appendix B be approved, subject in the case of items (iii) and (iv) to Council having approved the recommendations of the Special Committee (Constitution Review) at Item 12.1 of the agenda, and that the Democratic Services Manager be instructed to make the necessary amendments.

5. Chief Officer Appointments Panel – Chief Executive’s Annual Appraisal

Under the Constitution the annual performance appraisal of the Chief Executive is carried out by the Chief Officer Appointments Panel. These panels are constituted as and when required, and Council are asked to constitute a panel to conduct the appraisal process due to commence in December this year.

The Panel comprises seven members: four Conservative, two Labour and one Liberal Democrat. Two substitute members are allowed for each political group.

The Panel must include the Leader of the Council or another member of the Executive. It is usual for the three Group Leaders to be appointed to the Panel

RECOMMEND – That Chief Officers Appointments Panel to conduct the Chief Executive’s Annual Appraisal be appointed on the basis of

4 Conservatives
2 Labour
1 Liberal Democrat
2 substitutes from each Group
ands that a Chairman and Vice – Chairman be appointed.

Janet Rawlings
Democratic Services Manager

Appendix A

Executive Member and Portfolio	Responsibilities	Delegation
<p>Cllr Mike Freer 23 Claverley Grove Finchley London N3 2DG</p> <p>Finchley Church End Ward LEADER RESOURCES</p>	<p>The Leadership of the Council.</p> <p>Specific individual responsibilities:</p> <p>To lead on budget and policy formulation and implementation in relation to:</p> <ul style="list-style-type: none"> • resources (including billing, collection and recovery of local taxation) • financial forward planning and budgeting • risk management • asset management • major corporate contracts • communications and marketing • HR, equalities and diversity <p>The monitoring of the Council's budget and to instigate such interventions as necessary to ensure spending is kept within limits determined by council.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p> <p><u>Responsibility for the oversight of the Council's duties as an employer under health and safety related legislation</u></p>	<p>The Leader may discharge any function of the Executive.</p>
<p>Cllr. Lynne Hillan 20 Ashurst Road North Finchley London, N12 9AX</p> <p>Brunswick Park Ward</p> <p>COMMUNITY SERVICES</p>	<p>To lead on budget and policy formulation and implementation in relation to social care and housing (including housing and council tax benefit).</p> <p>In particular, promoting the best possible adult social services and seamless care in the community by working with and optimising all opportunities offered by other providers to further these aims.</p> <p>In particular working with Barnet Homes, housing associations and other providers to secure the optimum provision and associated environmental, neighbourhood development and social facilities for all those members of the community not living</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>In addition this Cabinet Member may approve grants to voluntary organisations, up to £20,000 per annum.</p> <p>Certain functions are delegated to officers, in consultation with the Cabinet Member.</p>

	<p>in private accommodation, or for those who require public sector housing.</p> <p><u>Also to promote the better integration of privately rented properties into the borough's housing framework, including the distribution of grants, as necessary, for the adaptation of private properties, to further care in the community.</u></p> <p>All matters related to public sector housing including the administration of Housing Benefits.</p> <p>The distribution of all grants, except those relating to the adaptation of properties in the private sector, after consultation with appropriate portfolio holders.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	<p>These are set out in Paragraph 6 of Part 3 of the Constitution.</p>
<p>Cllr Melvin Cohen 146 Broadfields Avenue Edgware HA8 8SS Golders Green Ward PLANNING AND ENVIRONMENTAL PROTECTION</p>	<p>To lead on budget and policy formulation and implementation in relation to planning, development plans, building and property construction.</p> <p>To include all aspects of the development and development control service, environmental health, building control and the naming and numbering of streets and properties.</p> <p><u>Responsibility fro the Council's regulatory role of ensuring that other organisation and businesses in the Borough comply with their duties under health and safety related legislation.</u></p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to officers, in consultation with t Cabinet Member. These are set out in Paragraph 6 of Part 3 of the Constitution.</p>

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Also to promote the better integration of privately rented properties into the borough's housing framework, including the distribution of grants, as necessary, for the adaptation of private properties, to further care in the community. ¶

Amendments to the Constitution

(i) Part 3 – Responsibility for Functions , Section 1 Allocation of Local Choice Functions

1. ALLOCATION OF LOCAL CHOICE FUNCTIONS

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

Function	Decision making body
1. Any function under a Local Act.	1. The Executive
2. Determining an appeal against any decision made by or on behalf of the authority where there is a right of appeal to a Council Committee. (This excludes matters where statutory arrangements exist).	2. Appeals Committee
3. The appointment of housing benefit review boards.	This is no longer a function of the local authority
4-6. Making arrangements for appeals against exclusion of pupils, school admission and appeals by governing bodies.	4-6. The Council but delegated to the Democratic Services Manager.
7-8. Do not apply.	
9. Conducting best value reviews.	9. The Executive has the legal duty, which it will discharge through the approval of an action plan. The <u>Resources, Performance and Partnerships</u> Overview and Scrutiny Committee will oversee a review and evaluate and analyse the findings.
10-15. Any function relating to contaminated land and statutory nuisances.	10-15 Planning and Environment Committee with delegation to Area Committees and Officers.

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Function	Decision making body
16. & Planning and other information 17. Notices.	16. & Planning and Environment 17. Committee, with delegation to Area Committees and Officers, except in so far as the notice relates to an executive function.
18. Highways agreements.	18. Planning and Environment Committee, with delegation to Area Committees and Officers, except in so far as the agreement relates to an executive function.
19. Appointments.	19. The Council, with delegation to the General Functions Committee.

(ii) Part 4, Section 2 – Committees and Sub-Committees

9. Councillors' rights to speak at committees or sub-committees when they are not a member

9.1 Where a councillor has a right to attend a committee or sub-committee under standing order 8, with the exception of meetings of Licensing Sub-Committees, or the Licensing Committee if it is conducting the hearing or review of determinations under the Licensing Act 2003 or the Gambling Act 2005, he or she may speak at a meeting subject to:

9.1.1 giving notice to the Chairman of the meeting at least 15 minutes before the start of the meeting and

9.1.2 the Chairman giving his or her consent.

9.1.3 the following rules, which apply to a member speaking at a meeting of an area planning committee of which they are not a member:

- (a) the Member can only speak on applications within their ward;
- (b) the Member must follow any propriety rules adopted by the Council, which prevent Members speaking in support of initiatives, which they or a body of which they are a member are supporting.

(iii) Part 4, Section 3 – Panels and Consultative Bodies

3. Other advisory or consultative bodies

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

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

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(iv) Part 4, Section 4 – Public Participation

1. **Excluded meetings**

These Rules do not apply to

- The Council meeting, The Council acting as Licensing Authority, the Licensing Committee (except where the committee is dealing with policy items or other matters not involving the hearing or review of determinations under the Licensing Act 2003 or Gambling Act 2003) or the Licensing Sub-Committee
 - Appeals Committee
 - Chief Officers Appointments, Investigating and Disciplinary Panels
 - ~~Meetings of the Executive and its Committees or any other public meetings at which executive decisions are taken apart from Area Environment Sub-Committee meetings (but see Explanatory Note above).~~
 - Standards Committee when dealing with reports or hearings concerning complaints of a breach of the Members Local Code of Conduct

Deleted: <#>Pension Fund Management Advisory Panel¶

(v) Financial Regulations, Part 2 – Financial Administration

4 **CORPORATE ANTI-FRAUD TEAM**

- 4.1 Under Section 151 of the Local Government Act 1985 the Council has a statutory obligation to ensure the protection of public funds and to have an effective system of prevention and detection of fraud and corruption. The Deputy Director of Corporate Governance has the delegated authority for providing and maintaining this service.

Deleted: Head of the Corporate Anti-Fraud Team (CAFT)