

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

Tuesday, 29 January 2008 at 7.00pm

A G E N D A

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CORPORATE GOVERNANCE DIRECTORATE

Council Meeting

**29 January, 2008
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 meetings held on 18 December 2007 7 January 2008 (Extraordinary Meeting)		1 – 29 30 – 73
4.	Official announcements		
5.	Declarations of interest		
6.	Any business remaining from last meeting <i>Agenda Item 8 - Motions</i> Council agreed to vary the Order of Business to allow Motions 8.1, 8.2 and 8.4 to be heard first. Council are asked to note that during this Part of the Agenda Councillors Julie Johnson, Ansuya Sodha, Barry Rawlings intend to seek Council's consent to withdraw their Motions and Councillor Kath McGuirk, the Opposition Policy Item from the agenda for 18 December Council meeting. Subject to Council's agreement to withdraw the items at this stage, the Councillors have submitted them for consideration by the Council on 29 January, referenced to in Items 8 and 9.2 in Parts 3 and 4 respectively.		
8.1	Councillor Julie Johnson		
	<u>West Hendon estate</u> Council notes the proposal to re-phase the West Hendon estate regeneration. Council recognises the importance of getting the timing right for the infrastructure and affordable housing elements of the regeneration, particularly in terms of the quality of life of the residents currently living on the estate.		amendment page 74

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	<p>Council believes it must use its influence to help secure the best possible outcome for those residents affected.</p> <p>Council therefore asks Cabinet to work energetically to ensure that the infrastructure, affordable housing and community elements of the regeneration are delivered as early as possible, and that Cabinet works in partnership with Barratts, Metropolitan Housing, local residents and ward Councillors to ensure the minimum possible disruption to all tenants.</p> <p>Council also asks that Cabinet work in partnership with Barnet Homes and Metropolitan Housing to ensure that the properties within the West Housing Regeneration receive a proper level of maintenance before demolition.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
8.2	<p>Councillor Charlie O-Macauley</p>		
	<p><u>Pavilion Way Football Fields</u></p> <p>Council regrets that the council-owned Pavilion Way Football Fields in Burnt Oak ward have been closed to public use for several years. Council welcomes the efforts of the local MP, Andrew Dismore, to bring sporting and voluntary sector partners together, to find a way of re-developing the facilities at Pavilion Way to meet the needs of the local community.</p> <p>Council also thanks Terry Revill of Flash Musicals, and PC Day of the Burnt Oak Safer Neighbourhoods Team for all the work they have contributed to the project so far.</p> <p>Council supports the re-provision of youth and community recreational facilities on this land, as required by the site's covenant, and welcomes the interest of the Football Association in supporting the development of the site for youth and community recreation.</p> <p>Council believes Cabinet should grasp this opportunity to revive a sporting facility that would support the growing local community.</p>		<p>amendments page 75 – 77</p>

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	<p>Council therefore asks Cabinet to investigate all avenues to help re-develop the facilities at Pavilion Way, including:</p> <ul style="list-style-type: none"> - Working with the Football Association, and relevant voluntary sector partners, to identify possible funding partners. - Granting a lease to an approved organisation to develop and deliver the facilities on site on behalf of the Council. <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
8.4	Councillor Fiona Bulmer		
	<p>Council is proud of its Children’s Service, which is delivering effective, and high quality education and care for children and young people across the London Borough of Barnet.</p> <p>Council welcomes the recent Annual Performance Assessment (APA), which has given Barnet Council an overall good (Grade 3) rating and an outstanding (Grade 4) rating for the “Enjoying and Achieving” category.</p> <p>Council is proud of the excellent test and exam results achieved by pupils in Barnet and welcomes OFSTED’s recognition that the improvement in performance 'reflects the success of the local authority in tackling underachievement'. Council is also very proud of the effective work that has been carried out to improve school attendance; the positive contribution made by young people to the community; and the reduction in the numbers of young people not in education, employment or training.</p> <p>Council congratulates staff, schools and parents on their hard work and dedication which has played a vital role in helping the council to provide the highest quality children's services in Barnet.</p> <p>Council welcomes the excellent progress made by the Conservative administration since 2002 in transforming a poor performing service into one that is receiving national recognition for excellence.</p>		<p>amendments page 78 – 80</p>

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	<p>Accordingly, Council requests that Cabinet continues to work with all those with an interest in children and young people in Barnet to improve and enhance provision even further.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
8.3	<p>Councillor Ansuya Sodha</p>		
	<p><u>International Women's Day</u> Council notes that according to the 2001 Census over 52% of Barnet's population are women. Council also notes that, despite forming the majority of the population, and despite some social progress, many women still have to contend with fundamental inequality and injustice on the basis of their gender in all aspects of their lives.</p> <p>Council further notes that each year International Women's Day (held on the 8th March) marks the continuing struggle for women's rights here and across the world, and celebrates those advances made in the cause to achieve full and equal participation for women.</p> <p>Council accordingly requests that Cabinet convene a cross-party working group of interested Councillors to investigate ways that Barnet mark and celebrate International Women's Day next year and every year.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		<p>amendments page 81</p>
8.5	<p>Councillor Barry Rawlings</p>		
	<p><u>More money for Barnet's young people</u> Council welcomes the news that Barnet's young people will benefit from £1.8m to be invested in new local youth facilities following an announcement by Mayor of London, Ken Livingstone and Minister for Children, Young and Families, Beverley Huges MP last month.</p> <p>Council notes that this is part of a £79 million funding package, from the Mayor and the Government, for young Londoners, which will benefit each of London's 33 local authorities.</p>		<p>amendments page 82</p>

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	<p>Council is delighted that the extra investment will provide more activities and services for young people in Barnet and across the capital.</p> <p>Council asks Cabinet to ensure that the £1.8m funding reaches those young people in the communities in Barnet that need it most.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
8.6	Councillor Marina Yannakoudakis		
	<p>Council notes the EU Reform Treaty, which is due to be signed by all Heads of State on 13 December and then ratified by each member state thereafter.</p> <p>Council further notes that the proposed European Constitution failed after ratifications in France and Denmark were lost in 2005.</p> <p>The Reform Treaty is essentially the same as the ill-starred Constitution, Council believes, with similar proposals including a Permanent EU President, a common Foreign Minister and a full legal personality, allowing the EU to sign international agreements.</p> <p>Council is therefore dismayed that the EU Reform Treaty contains very similar proposals to the constitution, including the removal of a National Veto in over 30 areas, gives new powers to Europe over justice and Home affairs, consolidate EU Powers in foreign affairs, and creating a long-term EU Presidency Post.</p> <p>Council believes that, if the Treaty were successful, it would curtail the ability of national governments and local Councils to manage their own affairs, and impose more costs and bureaucracy over them.</p> <p>Further, Council believes that such a fundamental change to the workings of the EU should only be ratified through a referendum of those eligible to vote in the UK.</p>		amendments page 83

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	<p>Council notes that the Labour Government promised a referendum on the Constitution in the General Election 2005, but reneged on this commitment soon after.</p> <p>Accordingly, Council calls of the Chief Executive to write to the Prime Minister, call on him arrange a referendum on this matter as soon as possible.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
	<p>Item 9.1 Administration Policy Item</p> <p>Budget 2008/09</p>		<p>84 – 104 amendment page 105</p>
	<p>Item 9.2 Opposition Policy Item</p> <p>The State of Our Street scene</p>		<p>106 amendment page 107 – 108</p>
	<p>Item 12.1 Report of the Special Committee (Constitution Review) 26 November 2007 - Term of office for and recruitment of Independent Members of the Standards Committee</p>		<p>109 – 128 amendment page 129</p>
	<p>Item 13.1 Democratic Services Manager Report & Supplemental Report</p>		<p>130 – 132</p>
1.	Changes to Committee Membership		
2.	Leader's Scheme of Delegation		
3.	<p>Comments on the work of the Cabinet Councillor Duncan Macdonald To comment of the Leader Listens initiative.</p> <p>Councillor Richard Cornelius Comment on the Work of the Cabinet Member for Public Health, specifically on the reconfiguration of the local NHS under the Barnet, Enfield and Haringey Clinical Strategy.</p> <p>Councillor Jeremy Davies Would like to ask the Leader of the Council to comment on the accident, on the 8th December, in Partingdale Lane.</p>		

Item	Subject	Time for Debate	Page Nos.
	Councillor Linda McFadyen To comment on billing in Home Care services and Meal on Wheels.		
Meeting 29 January	<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	Councillor Brian Coleman		
	<p>This Council congratulates the Territorial Army on its Centenary and sends particular congratulations to the TA Centre in Barnet which is 70 years old this year.</p> <p>Furthermore, Council recognises the contribution that the TA makes in Barnet and expresses its support for the Borough's Territorial and Reserve Forces.</p> <p>Accordingly, Council requests the Cabinet Member to organise an appropriate celebration to mark the occasion.</p> <p>Council additionally requests that the Chief Executive sign up to the SaBRE Charter, pledging our support to LBB staff in the TA/ Reserve Forces, and in giving them appropriate Leave in order to undertake their military duties.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting</p>		
8.2	Councillor Julie Johnson <i>Subject to the Council's decision in Part 1</i>		
	<u>West Hendon estate</u> Council notes the proposal to re-phase the West Hendon estate regeneration.		

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	<p>Council recognises the importance of getting the timing right for the infrastructure and affordable housing elements of the regeneration, particularly in terms of the quality of life of the residents currently living on the estate.</p> <p>Council believes it must use its influence to help secure the best possible outcome for those residents affected.</p> <p>Council therefore asks Cabinet to work energetically to ensure that the infrastructure, affordable housing and community elements of the regeneration are delivered as early as possible, and that Cabinet works in partnership with Barratts, Metropolitan Housing, local residents and ward Councillors to ensure the minimum possible disruption to all tenants.</p> <p>Council also asks that Cabinet work in partnership with Barnet Homes and Metropolitan Housing to ensure that the properties within the West Housing Regeneration receive a proper level of maintenance before demolition.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
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	<p><u>Pavilion Way Football Fields</u> Council regrets that the council-owned Pavilion Way Football Fields in Burnt Oak ward have been closed to public use for several years.</p> <p>Council welcomes the efforts of the local MP, Andrew Dismore, to bring sporting and voluntary sector partners together, to find a way of re-developing the facilities at Pavilion Way to meet the needs of the local community.</p> <p>Council also thanks Terry Revill of Flash Musicals, and PC Day of the Burnt Oak Safer Neighbourhoods Team for all the work they have contributed to the project so far.</p>		

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	<p><u>More money for Barnet's young people</u> Council welcomes the news that Barnet's young people will benefit from £1.8m to be invested in new local youth facilities following an announcement by Mayor of London, Ken Livingstone and Minister for Children, Young People and Families, Beverley Hughes MP this month.</p> <p>Council notes that this is part of a £79 million funding package, from the Mayor and the Government, for young Londoners, which will benefit each of London's 33 local authorities.</p> <p>Council is delighted that the extra investment will provide more activities and services for young people in Barnet and across the capital.</p> <p>Council asks Cabinet to ensure that the £1.8m funding reaches those young people in the communities in Barnet that need it most.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
8.6	Councillor Brian Coleman		
	<p><u>No Bendy Buses in Barnet</u> Council notes articulated ("bendy") buses, introduced by the Labour Mayor of London Ken Livingstone, from 2004.</p> <p>Council further notes these largely replaced the much-loved and missed Routemaster vehicles, which served London well for decades.</p> <p>In contrast, Council believes the bendy buses are both inappropriate for London streets and dangerous.</p>		

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	<p>Council recalls there were several fires on the initial fleet in 2004, and notes TfL figures, exposed by the <i>Evening Standard</i>, showing that bendy buses cause more than twice as many injuries compared to other buses.</p> <p>Council understands that in 2006 more than 90 pedestrians and cyclists were injured by these vehicles, and two people killed, including a 12-year old girl. Last year, Council notes, a man was dragged to his death for a mile under a bendy bus, after falling under its wheels in Ilford High Road.</p> <p>The poor manoeuvrability of these buses makes them incompatible with many streets, Council believes, with bus stops needing to be moved and turning and traffic restrictions being introduced to accommodate these buses, which cause much attendant congestion.</p> <p>Further, Council notes that figures released by TfL show bendy buses are more than three times as likely to suffer from fare evasion as their counterparts.</p> <p>Therefore, Council is appalled that the Liberal Democrat candidate for London Mayor, Brian Paddick, has threatened to introduce bendy buses on suburban streets.</p> <p>Council believes Barnet roads are no more suitable for bendy buses than their equivalents in Central London, and notes that many of this Borough's streets already struggle to accommodate existing bus stock.</p> <p>Council believes that bendy buses should be removed from service, and could be replaced with a new model based on the Routemaster, designed to facilitate disabled and pushchair access.</p> <p>Accordingly, Council calls on the Chief Executive to write to the Commissioner of Transport for London (TfL) and the Mayor of London, calling for the removal and replacement of bendy buses, and a commitment that none will be introduced on routes that serve any part of the London Borough of Barnet.</p>		

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	Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.		
8.7	John Hart		
	<p><u>Woodland Burials</u></p> <p>Council notes the lack of available space in the Borough's Cemeteries, which, coupled with the sharp rise in the Borough's population in coming decades, will cause severe problems for burials.</p> <p>Council believes that deeper burials and disinterring remains offer no solution, as they would be extremely insensitive and distressing for relatives and loved ones.</p> <p>Therefore, Council believes a fresh, but sensitive approach is required to this problem.</p> <p>The first Green, or Woodland Burial site opened in 1994, Council notes, and such sites have become increasingly popular, with more than 180 now in England, with additional grounds planned.</p> <p>Council further notes that not only are Woodland Burial sites attractive and environmentally friendly, they also are cost-effective, requiring little maintenance.</p> <p>Council believes that the large tracts of woodland and grassland could be utilised to offer Green or Woodland Burials to Barnet residents who wish to avail themselves of these.</p> <p>Accordingly, Cabinet is requested to investigate the provision of Woodland Burials in Barnet, and by doing so become one of the first London Boroughs to provide such a facility for its residents and easing the pressure on existing Cemeteries.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		

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8.8	Zakia Zubairi		
	<p><u>24 Hour Freedom Pass</u> Council believes that pensioners and the disabled deserve to be able to use their Freedom Pass before 9am so as to enjoy full access to London's public transport system, with all the mobility, flexibility and advantages that brings.</p> <p>Council asks the Chief Executive to write to each of the candidates standing for Mayor of London this year advising them of Council's support for this policy.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
8.9	Anne Hutton		
	<p>"Zip" Oyster Card Council welcomes the recent launch of the "Zip" oyster card for under 18's that will continue to enable young people in Barnet and across London to travel free on buses and trams, whilst ensuring that those few individuals that abuse the free travel privilege can have their card taken away.</p> <p>Council asks Cabinet to do whatever it can to support the principle of free travel for young people.</p> <p>Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.</p>		
	<u>Break</u>	8.45pm – 9.00pm	
	<u>Part 4 – Policy Development (60 minutes)</u>	9.00pm –10.00pm	
9.1	Administration Policy Item (30 minutes) Housing Cuts		133
9.2	Opposition Policy Item (30 minutes) – Subject to the Council's decision in Part 1 The State of Our Street scene		134
	<u>Part 5 – Statutory Council Business (40 minutes)</u>	10.00pm – 10:40pm	
10.	Reports from Cabinet		

Item	Subject	Time for Debate	Page Nos.
11.	Reports from Overview and Scrutiny Committees		
12.	Reports from Other Committees		
13.	Reports of Officers		
13.1	Democratic Services Manager		135 - 146
1.	Future of Scrutiny in Barnet – Proposed working group of Members		
2.	Proposed Calendar of Meetings 2008/09:		
3.	London Local Authorities Bills		
4.	Leaders Scheme of Delegation		
5.	Report of the Director of Corporate Governance - Review of Bylaws		To be circulated separately
13.2	Monitoring Officer		
	<u>Part 6 Accountability (20 minutes)</u>	10.40pm – 11.00pm	
14.	Comments on the work of the Cabinet Councillor Monroe Palmer To comment on the Council's support for Church Farmhouse Museum.		
15.	Questions to representatives on outside bodies (10 minutes)		

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, 18 December 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

101. PRAYER (Agenda Item 1):

The Mayor's Chaplain offered prayer.

102. APOLOGIES FOR ABSENCE (Agenda Item 2):

Apologies for absence were received from Councillors Terry Burton, Wayne Casey, Danish Chopra, Jane Ellison, Wendy Prentice, Kate Salinger, Jim Tierney and apologies for lateness from Councillor Linda McFadyen.

103. MINUTES OF MEETING HELD ON 18 December 2007 (Agenda Item 3): RESOLVED – That the decision of the meeting held on 18 December be approved.

104. OFFICIAL ANNOUNCEMENTS (Agenda Item 4):

There were none.

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

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

- Councillor Brian Salinger on Item 9.1 Budget 2008/09 whose son is a client of the Council's Adult Social Services Department.
- Councillor Barry Rawlings on Item 9.1 Budget 2008/2009 – Children's Services

106. BUSINESS REMAINING FROM LAST MEETING Agenda Item 6):

None.

107. 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.

108. VARIATION OF ORDER OF BUSINESS

Councillor Joan Scannell 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 8.1, 8.4 and 8.5 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 8.1, 8.2 and 8.4 to be heard first.

109. MOTION IN THE NAME OF COUNCILLOR JULIE JOHNSON (Agenda Items 8.1

Motion 8.1 in the name of Councillor Julie Johnson was moved. An amendment in the name of Councillor Anthony Finn was moved.

NOTE: No further debate was possible due to disruption to the proceeding referred to below in minute 110 and 111.

110. CLEARANCE OF THE PUBLIC GALLERY

The Worshipful the Mayor having given two oral warnings to the Members of the public seated in the gallery about their conduct instructed that the gallery be cleared due to the continuing misconduct. The Worshipful the Mayor adjourned the meeting at 7.55pm to enable this instruction to be carried out.

111. RECONVENE AND ADJOURNMENT OF THE MEETING

Despite The Worshipful the Mayor instructions, in view of the continuing disrespect for The Worshipful the Mayor and the Council, The Worshipful the Mayor reconvened the meeting at 8.15pm and under Council Procedure Rules, Section 1, paragraph 12.1.2, The Worshipful the Mayor adjourned the meeting and the remaining business to be dealt with at the next meeting of the Council

The meeting finished at 8.16pm

**Council Questions to Cabinet Members
18 December 2007
Supplementary Questions and Responses**

Question 1**Councillor John Hart**

Could the Cabinet Member for Environment and Transport please report on progress in providing recycling facilities in Gilda Court NW7?

Answer by Councillor Matthew Offord

Following a lack of response to efforts by Council Officers and ECT Recycling to gain permission to install recycling facilities at Gilda Court NW7, a letter was sent on 19 October to the managing agents (JS Estates).

The letter listed the contacts made and messages left by the Council and ECT Recycling to gain permission for recycling facilities at Gilda Court and also Wilton Court N10, and asked for a response as a matter of urgency.

JS Estates gave permission by phone and 2 sets of recycling bins were set up at Gilda Court on 30 October, and one set at Wilton Court on 31 October. These bins enable residents to recycle paper, cans / foil / aerosols, green glass, clear glass and brown glass. These are now being used and recently we have replaced one of the brown glass bins with an additional paper bin as large quantities of paper are being put out by residents for recycling.

Supplementary Question 1**Councillor John Hart**

Thank you to the Cabinet Member for Transport and Environment for a very full answer and his success in obtaining the facilities at Gilda Court, which people who know it, will know, that it's four blocks in very difficult and straitened circumstances, there's not much land to put anything there. My question therefore to him, my supplement is, can he give us some assurance that he will pursue efforts to carry on this success to the many other blocks of flats across the borough where there are no facilities for salvage or to use the present recycling?

Answer by Councillor Matthew Offord

I can give that assurance to Councillor Hart that I will certainly continue to work with other management companies across the borough. Gilda Court was a challenging and difficult location but as I said when the issue was briefly debated at Full Council, we will certainly work with the management company and we will continue to do so to ensure that recycling is a success, not only in Gilda Court, but in other blocks of flats across the Borough.

Question 2**Councillor Jack Cohen**

When will the report in to the sale of land at Underhill be published?

Answer by Councillor Mike Freer, Leader of the Council

I have received a copy of the Auditor's Provisional Views dated 9 November, and asking for any comments that the Council may wish to make by 21 December. The Auditor has not said when he expects to issue his final report. The Auditor has reminded all recipients of his Provisional Views that it is confidential, and that s49 Audit Commission Act 1998 makes it a criminal offence to disclose without authority any information obtained in the course of the audit.

Supplementary Question 2**Councillor Jack Cohen**

The saga of the Underhill inquiry seems to be moving towards a conclusion after six long years. Thank you Councillor Freer for your answer, and I do appreciate the restrictions placed upon you by the Auditor. But your answer prompts me to ask a couple of questions, which are joined. First of all is this, will the report, when it's finalised, be made public and will the Council set in motion some procedure for Councillors to scrutinise that proposal, that report, and to comment on it?

Answer by Councillor Mike Freer, Leader of the Council

As far as I am aware it is a public report and I am sure that I can make it available to Members of the Council if they wish to scrutinise it.

Question 3**Councillor Alison Moore**

According to a government league table, Barnet is the fourth largest producer of carbon emissions out of the 33 London Boroughs. Why are we doing so badly?

Answer by Councillor Matthew Offord

You appear to be referring to the publication of Defra's Report: *2005 Experimental Statistics on Carbon Dioxide emissions at Local Authority and Regional level* published on 20 November 2007. This does not refer to the Council itself but to the area composed of the LBB area of responsibility.

The simple answer is that as one of the more affluent boroughs in London, greater resources are consumed by residents – be it gas, electricity or other kinds of fuel. However, as a local authority we are working in partnership with British Gas to improve the warmth and comfort of private and private rented residents' homes to reduce fuel bills and limit harmful climate changing gases. This is a practical and direct way in which we are working with residents.

In addition to this work, the Council is examining the way in which we conduct our own business and as such are currently working in conjunction with the Energy Saving Trust to develop an action plan to identify and tackle the key areas of climate change impact.

Supplementary Question 3**Councillor Alison Moore**

Thank you very much. You're saying that the Administration is trying to help private rented homes reduce their fuel bills in partnership with British Gas. Now, I remember that's something that we asked the Council to look at in previous motions and amendments, but actually you voted against it. So I'm pleased to see the remarkable conversion, but can you tell me exactly how many homes you've helped as a result of this work?

Answer by Councillor Matthew Offord

I think the Member from the Labour side is as confused as she is in regards to her question. That was a different scheme and this Administration decided that was not financially viable. But the initiatives that I've set out in front of her today gives a good indication of the work we're undertaking here in this Borough. We're not only undertaking the work with British Gas to enable people to keep their homes warm, and also cut down on carbon emissions, but we're also one of the first Local Authorities in the country to produce an environmental policy focussing on actions – in particular to reduce climate change gases and their impacts on the immediate area. We're also one of only three London Boroughs who have been invited to participate with the Energy Saving Trust on its key management programme. This is a significant feather in our cap and a demonstration of not only the progress we're making against climate change, but also the value that people place upon our work in the wider world and in the regional government of London itself.

Question 4**Councillor Joan Scannell**

Can the Cabinet Member for Environment and Transport please give an up-date on the works to replace the bridges on Aerodrome Road?

Answer by Councillor Matthew Offord

The Council's contractor, Norwest Holst Ltd, started work on site at the beginning of September. Despite a three week delay in Network Rail handing over possession of the land between the two lines, which was essential for the completion of the works, the progress on the project has so far been good. The use of the four 32 hour weekend possessions in November has been successful and has resulted in the installation of seven of the eight 2.1m diameter main piles, which will support the bridge decks. During the 24/25 November possession, a combination of delays in getting a crane across the rail lines (no other access due to the motorway proximity) and ground obstructions during drilling meant that the contractor was unable to install the final pile. The contractor is planning to do this over a 16 hour possession during the weekend of 15/16 of December 2007. The contractor is now installing the rest of the smaller piles providing support to the rail embankments, which will allow the demolition of the temporary gabion walls, in preparation for the installation of the bridge decks.

In the meantime the fabrication of the two steel bridge decks is now well under way with the first bridge deck components due to be delivered to site before Christmas.

Question 5**Councillor Jack Cohen**

Will the Cabinet Member join with me in congratulating all the staff and pupils of St Agnes RC Primary school for obtaining a rating of "outstanding" in every category following their recent OFSTED?

Answer by Councillor Fiona Bulmer

I am delighted to add my congratulation to the staff, pupils and parents at St Agnes RC school on their excellent Ofsted report. St Agnes joins 21 other schools in Barnet which have been judged outstanding since September 2005 and the Council is very proud of them all.

Supplementary Question 5**Councillor Jack Cohen**

Thank you Councillor Marshall for joining, well you won't join with me but agree with me that St Agnes's Primary School had an outstanding OFSTED. Would the Cabinet Member agree with me that one of the concerns of many schools, and indeed St Agnes's in particular, is the consistent parking by parents who bring children to school on yellow zig zag lines? This is really a threat to the safety of pupils, and would the Cabinet Member give some undertaking, to speak with his colleagues in the Cabinet who have responsibility for road safety, to ensure that in particular outside St Agnes's School there are traffic wardens to police this on a regular basis to stop parents parking on the yellow zig zag lines.

Answer by Councillor Fiona Bulmer

I'm sorry the Member has got the wrong Cabinet Member, but of course, I am sure my colleague Councillor Offord has been listening to what you say about the traffic problems. I know schools are all devising safer routes to schools, traffic plans and I am hoping that will make a difference.

Question 6**Councillor Julie Johnson**

Will the Cabinet Member confirm that the number of affordable housing units provided for in the West Hendon estate outline planning agreement will not be reduced in any way, and will he also confirm that the agreed Section 106 infrastructure for the project will also not be reduced in any way?

Answer by Councillor Anthony Finn

There are no proposals to reduce the number of affordable housing units nor to reduce the infrastructure within the West Hendon regeneration project.

Question 7

Councillor Brian Gordon

Please could you provide a brief report on the move of the first group of residents into their homes in Grahame Park under the Regeneration Scheme?

Answer by Councillor Anthony Finn

The Demonstration Phase of 32 homes known as Ruby Way at Grahame Park was completed in early November, ahead of schedule. The development consists of 16 properties for sale, 3 shared ownership and 13 for rent. The rented properties are six one bed flats, two 3 bed houses and five 4 bed houses. 13 of these homes were for rent.

The tenants that moved to the houses were all from overcrowded two bed flats and are all delighted with their new homes and really appreciate the extra space, especially having a garden for their young children to play in. They were also able to watch their new homes being built and the children got very excited as each stage was completed. It was also a bonus for the tenants to be able to choose things like the colour of the carpets and tiles, door furniture and colour of walls, which meant they could put their own individual stamp on their new property.

All of the homes for sale have now been sold and a new successful mixed tenure community is rapidly becoming established.

Supplementary Question 7

Councillor Brian Gordon

Councillor Finn thank you for your answer with regard to regeneration. What I would like to know is whether or not you can confirm that we will continue to operate a seamless policy as much as possible in terms of the transition on the regeneration estates from the old accommodation to the new accommodation? This is an important point, I know that you share that view and it's something that's been raised quite a lot at Area Forums and also which we've touched upon on our Housing and Scrutiny committee, so your reassurance about that smooth transition of tenants in whichever regeneration scheme it may be will be very helpful to the Council.

Answer by Councillor Anthony Finn

We will make the transition as seamless as possible.

Question 8

Councillor Jack Cohen

When did you last walk along the Vale in Child's Hill Ward?

Answer by Councillor Matthew Offord

Not as recently as Councillor Monroe and Susette Palmer, who both live in the road.

Supplementary Question 8

Councillor Jack Cohen

Councillor Offord I take it from your reply that you haven't walked down The Vale in a long time, if ever. But if you would care to walk down The Vale, the whole length of The Vale, I am sure you will agree with me that the state of the street cleaning leaves much to be desired, in particular at the junction of The Vale with Claremont Road where I have been constantly complaining to Officers about the disgraceful mess in the road, in my view caused by Donahue lorries. Although Officers have done their best to try to resolve this, it seems to me that this is something that needs to be done at Cabinet level.

Would the Member, therefore, at the earliest opportunity ensure that action is not only taken, if Donahue's are the culprits, but also take action against other things happening in The Vale, for example outside one of the houses at the top of The Vale there is apparently a permanent security guard who has an electric wire across the footpath which is in contravention of health and safety, there is loads of litter all the way down The Vale, there is piles of sand just dumped on the pavement and in spite of me asking on many occasions for something to be done, very little seems to be done to do anything with The Vale.

And before you make any comments and response about Councillor Monroe and Councillor Susette Palmer, will Councillor Offord find time to walk down The Vale and other roads in Childs Hill where he'll see for himself the poor level of street maintenance and will he do something about it.

Answer by Councillor Matthew Offord

This question offers a great risk of giving an answer which perhaps Councillor Cohen wants me to give, and that is if I say I'd like to walk down there I'll have requests from all Members in many different roads across the Borough. What Councillor Cohen doesn't understand is that – I hear Councillor McGuirk says she doesn't want me in her area – but Councillor McGuirk will know that I often run past Hampstead Garden Suburb so I'm often outside her road. I think the residents of Hampstead Garden Suburb will be pleased to know there are now two Labour Councillors live in their ward. However, I'll return to Councillor Cohen comments. Unfortunately for him I regularly go down The Vale, because, as you know, that is a route from here to Belsize Park and as some Members know I have a particular interest in that area – and she will be pleased that I've been speaking about her tonight. But for the same reason that I don't need to go to the Antarctic to know that it's cold, I don't need to go down to The Vale because Officers visited on 27 November and looked at the very issues Councillor Cohen mentioned. They also visited again on 5 December and they spoke to me about the issues that he's already raised. If Councillors' Palmer have a problem in their road I think they've been on the Council long enough so that they can get that problem resolved. So unfortunately Councillor Cohen, on this occasion, I won't take up your offer because I realise you would have to drive a long way from your home, which is nowhere near The Vale and it's nowhere near the ward that you live in. But I can assure you that the Leader will take a personal interest and he will be visiting the area in the next few months.

Question 9

Councillor Alan Schneiderman

What was the cost to the Council of housing benefit and Council tax benefit overpayments classified as local authority error in 2004/05, 2005/06 and 2006/07?

Answer by Councillor Lynne Hillan

There was no cost to the Council due to overpayments classified as local authority error in 04/05 and 05/06. Full subsidy is recovered on these provided the total does not exceed a threshold and this threshold was not reached. Part of the definition of "LA error" is that changes of circumstances which should lead to reduction in benefit count as LA error if they are not processed during the week in which they are received. This presents obvious difficulties with any information received on a Friday afternoon but procedures are in place to cope with this. However during 2006/07 it was necessary to close down most aspects of Benefits Administration on a planned basis for a period to change over from HBIS to Pericles. This inevitably resulted in backlogs and delays, which in turn took the level of delayed changes in circumstances over the threshold. The direct subsidy loss in that exceptional year was £1.3m. However this sum is netted off against the sums recovered through the overpayments recovery team. On 7 December the total sum outstanding due to LA error overpayments was £366,765.

There is a limit to the weekly amount that can be recovered from ongoing claims which means that recovery cannot be instantaneous, and we are confident that this money will be recovered in due course. This amount is equal to 0.2% of the total benefits expenditure projected for this year. These circumstances of 2006/7 no longer apply and our control of this aspect of benefits Administration enables us to ensure that the threshold is not exceeded. The half-year subsidy claim has been accepted without any deductions on this basis. It is therefore projected that, once again, there will be no cost to the Council this year.

Question 10

Councillor Dan Thomas

Please could the Cabinet Member outline if Barnet is considering introducing a Local Area Agreement (LAA) indicator relating to transport?

Answer by Councillor Matthew Offord

The short answer is yes but there is still a debate around which of the transport LAAs best fit into the 35 top indicators we will be selecting to illustrate the successes in Barnet.

Supplementary Question 10

Councillor Dan Thomas

I'd like to ask Councillor Offord if he has any preference amongst the list of indicators?

Answer by Councillor Matthew Offord

Madam Mayor, I do have several that I am particularly keen on, as I say in the answer, that will enable us to tell the Barnet story. In particular those that relate to road accidents and congestion. Anyone who does know my personal history will recognise that I take a specific interest in the safety of children, so that will be one of our priorities.

Question 11

Councillor Jack Cohen

Are you aware of the traffic tailbacks travelling south along Cricklewood Broadway often back to the bus Garage on Sundays. Will the Cabinet Member agree that this is often caused by parked vehicles because waiting restrictions do not apply on Sundays at the junction with Cricklewood Lane and will you agree with me that waiting restrictions should be implemented?

Answer by Councillor Matthew Offord

Vehicles parking in the area on Sundays can cause problems to traffic flow in the area as there are few restrictions to prevent parking and the bus lanes in the area do not operate in the evenings or at weekends.

The Council recently consulted on the Cricklewood Controlled Parking Zone, which covers this part of the A5. I hope you made these comments known as part of that process, in order that a considered decision can be made that takes into account all such concerns.

Supplementary Question 11

Councillor Jack Cohen

I am really disappointed with Councillor Offord. He seems to see in every question some kind of trap. Councillor Offord these are genuine questions, for genuine problems that affect our genuine residents.

Councillor Offord I am giving you notice now, as I gave notice at a number of committee meetings that there is a problem at the junction of Cricklewood Broadway and Cricklewood Lane, I am therefore asking you in your role as Cabinet Member, will you take steps to investigate implementing waiting restrictions on a Sunday so as to enhance the traffic flow at that junction?

Answer by Councillor Matthew Offord

The Council recently consulted on a CPZ in the area, which covers that particular location. I will look for Councillor Cohen's response to that consultation as a Ward Member and I will certainly be very interested in his response.

Question 12

Councillor Anita Campbell

How likely is it that a developer partner for the Dollis Valley estate regeneration will be secured by the end of December, 2007? If it is not likely that the target date will be met, will the Cabinet Member advise what date he believes a partner will be secured by?

Answer by Councillor Anthony Finn

Officers and the Home Group have considered it prudent to review the scheme design and content for Dollis Valley to ensure, as far as possible, financial viability and long term sustainability. This has resulted in an unavoidable delay in the implementation of the developer partner procurement process.

Upon advice from lawyers, the parties will be adopting the EU Competitive Dialogue process for appointing a developer partner. The Council and their advisors have met with Home Group and agreed a timetable. This provides for an OJEU notice to be published in the first quarter of 2008 and it is anticipated that a developer partner will be appointed in the third quarter of 2008.

Supplementary Question 12

Councillor Anita Campbell

Thank you Councillor Finn. The Labour Members on the Scrutiny Committee asked the Officers for the performance indicators for this item to be changed to reflect slippage, but were told that there was no slippage. Can the Cabinet Member finally change the performance indicator to reflect the reality of the situation so we can all monitor it more effectively?

Answer by Councillor Anthony Finn

Performance indicators are not my field of expertise.. If there is a slippage technically, then possibly we will change it. But the point is we are looking forward not to any slippages, we're looking forward to a positive reaction in the coming year. The coming year's going to be an exciting year, it's going to be a year when we're going to get a development partner, we're going to put in place the main frame of the development, it's going to be a year when we're going to consult with residents, it's going to be a year when the development is going to really take off. If that is what you call a slippage, then so be it. In my book that is an advancement, it's something to look forward to and it's an advancement on what's been happening in the past.

Question 13

Councillor Brian Gordon

How well is the Council tackling the problem of school truancy in Barnet?

Answer by Councillor Fiona Bulmer

The Council has been very successful in improving the attendance record of pupils in Barnet and we continue to give this issue a very high priority. The Council provides extensive support to schools to ensure they tackle truancy promptly and effectively. Schools and the Education Welfare team review attendance data and identify pupils who fall below the school's attendance target.

They will then work with the parents to address the issues and in some cases this may lead to the prosecution of the parents or an application to the family court for an Education Supervision Order and, in some cases, may be dealt with by issuing a Fixed Penalty Notice. The Council also works in partnership with the Metropolitan police to conduct targeted truancy patrols to identify truanting pupils.

Supplementary Question 13**Councillor Brian Gordon**

Councillor Bulmer, thank you very much for your reassurance that we're doing everything we can to tackle the problem of truancy in schools. Can you tell me, do you find that truancy is less of a problem in those schools which concentrate on the concepts of high academic achievement, staff satisfaction and firm classroom discipline?.

Answer by Councillor Fiona Bulmer

We're very lucky that our schools in Barnet meet all those criteria and we do have an excellent attendance record. Last year's figures show that Barnet had the best secondary attendance record in London. All the schools take the issue very seriously and set the highest standards as we'll be hearing later on tonight.

Question 14**Councillor Jack Cohen**

Please provide me with most up to date information relating to the expenditure of section 106 monies derived from planning permissions in Child's Hill Ward.

Answer by Councillor Melvin Cohen

The following spreadsheet details the planning applications from Childs Hill Ward in which a Section 106 agreement was signed, the amounts of the contribution related to the planning application, whether that contribution has been received and for what purpose any received funds were allocated to. Should you wish to know more about any of the particular planning applications, this can be found by searching the listed number through the website resource.

Scheme ref no	Planning Ref	Date of agreement	Site	Amount due	Amount received	Amount applied (used)	Purpose - agreement	Projects to which S106 has been applied
19	C02954L	20/10/97	Claremont Rd / Fairview	375,000	-		Education purposes (index-linked). New planning application to be made - S106 may have to be renegotiated. DO NOT COMMIT	
75	C09203E	13/09/00	Land between 89 and 93 Platts Lane NW3	3,320	-		Education facilities within the Borough to meet increased demand resulting from occupation of the development.	
91	C00700N/00	31/01/01	Annandale House, 2 West Heath Avenue NW11	70,253	72,134		Affordable housing and education. Allocated to childrens centres.	
92	C02377G00	08/02/01	146-150 Golders Green Road NW11	2,743	-		Education facilities incl books and computers etc and staff required	
100	C00249W/00	08/04/01	170 Granville Road NW2	35,000	35,711		Education facilities incl feasibility studies. NB Not libraries. Allocate to modernisation.	
118	C00467J/99	26/11/01	The Crown Hotel, Cricklewood Broadway NW2	20,000	20,000		Highway pedestrian and parking improvements and activity restrictions in Yew Grove	
150	C02856K/99	21/10/02	779/783 Finchley Road NW11	25,000	25,000		£25,000 Parking & Traffic amelioration measures within vicinity	
165	C04578Q/ 00	03/06/03	17-21 Ravenscroft Avenue and 12 Wentworth Road	9,200	-		Education facilities incl feasibility studies. NB Not libraries	
184	C01593D/02	28/07/03	759-763 Finchley Road NW11	7,620	7,620		Education £7620 incl libraries, feasibility studies. Allocated to childrens services.	
184	C01593D/02	28/07/03	759-763 Finchley Road NW11	1,000	1,000	1,000	Highways £1000 - amendment of Local Traffic Order	Special Parking Account
185	C15207/03	29/09/03	27 Ash Grove	1,000	1,000	1,000	Amendment of Local Traffic Order £1000	Special Parking Account
205	C02437Q/99	26/01/04	11-17 Cricklewood Lane NW2	11,531	-		Education incl libraries, feasibility studies	

Scheme ref no	Planning Ref	Date of agreement	Site	Amount due	Amount received	Amount applied (used)	Purpose - agreement	Projects to which S106 has been applied
205	C02437Q/99	26/01/04	11-17 Cricklewood Lane NW2		-		15 flats to be leased to Hsing assn	
244	C04988k/02	15/07/04	10a-c Wentworth Road NW11	1,000	-		Highways - removal of yellow lines fronting the land (traffic order, public advertising, sign and line changes)	
268	C03767W/02; C03767X/02	28/11/02	905-907 Finchley Road NW11	18,911			£18,917.87 Educational facilities, incl. feasibility studies, furniture, fitting out costs and professional fees. NB not Libraries.	
268	C03767W/02; C03767X/02	28/11/02	905-907 Finchley Road NW11	1,000			£1000 Traffic Regs Order	
272	C02536M/04	22/03/05	51 West Heath Drive	6,232	6,232		Education incl Libraries, feasibility studies. Allocated to childrens centres.	
276	C02856P/04	07/04/05	779-783 Finchley Road NW11	22,184			£47,769.55 Education not incl Libraries. (NB £25,586 paid under ref 150 above)	
276	C02856P/04	07/04/05	779-783 Finchley Road NW11	10,000			£35,000 Highways (£25,000 paid under ref 150above) - towards improvements to the junction of The Ridgeway / Hodford Rd / The Vale / Rodborough Rd	
276	C02856P/04	07/04/05	779-783 Finchley Road NW11	85,000			£85,000 Open Space - Childs Hill ward	
287	C04988N/05	12/07/05	21 Ravenscroft Avenue and 12 Wentworth Road	19,718			Education facilities incl feasibility studies, Libraries	
287	C04988N/05	12/07/05	21 Ravenscroft Avenue and 12 Wentworth Road	21,600			Open Space within Barnet	
288	C04859E/05	11/10/05	The Temple, 847 Finchley Road NW11	2,000			Highways - amendment to Golders Green CPZ	
288	C04859E/05	11/10/05	The Temple, 847 Finchley Road NW11	5,000			Highways -Travel Plan monitoring contribution	

Scheme ref no	Planning Ref	Date of agreement	Site	Amount due	Amount received	Amount applied (used)	Purpose - agreement	Projects to which S106 has been applied
294	C13638M/05	25/10/05	67 West Heath Road	17,962	17,962		£17,962 Education facilities incl libraries, feasibility studies, furniture, fitting out costs and professional fees. Allocated to childrens centres.	
313	C06928S/06	26/07/06	93-95 Golders Green Rd	4,000			£4,000 towards improvement & enhancement of recreational public amenity open space located within the Borough.	
313	C06928S/06	26/07/06	93-95 Golders Green Rd	1,000			£1,000 towards traffic order preventing occupiers applying for resident's parking permits	
326	C16231B/06	18/12/06	86-88 Hendon Way	2,800			£2800 for the provision of Education facilities within the borough to meet increased demand due to this development.	
326	C16231B/06	18/12/06	86-88 Hendon Way	250			£250 Towards the Council's costs of monitoring the agreement.	
343	C00782J/06	02/03/07	214-218 Cricklewood Broadway NW2	40,000			£40000 Towards the improvement of the pedestrian environment.	
343	C00782J/06	02/03/07	214-218 Cricklewood Broadway NW2	5,000			£5000 Travel plan monitoring.	
343	C00782J/06	02/03/07	214-218 Cricklewood Broadway NW2	10,000			£10000 Towards town Centre master planning.	
343	C00782J/06	02/03/07	214-218 Cricklewood Broadway NW2	2,500			£2500 Towards the Council's costs of monitoring the agreement.	
360	C11968C/07	05/09/07	63 West Heath Road	11,100			£11100 index linked for the provision of Education Facilities within the borough in order to meet increased demand for such facilities as a result of occupation of the development.	
360	C11968C/07	05/09/07	63 West Heath Road	250			£250 Towards the Council's costs of monitoring the agreement.	

Scheme ref no	Planning Ref	Date of agreement	Site	Amount due	Amount received	Amount applied (used)	Purpose - agreement	Projects to which S106 has been applied
367	C03097G/04	04/05/05	66-70 Granville Rd NW2	7,421	7,421		£7421.10 index linked towards the education provision	
367	C03097G/04	04/05/05	66-70 Granville Rd NW2	15,000	15,000		£15000 index linked towards improving open spaces	
4	C09210B	19/08/87	Claremont Rd / Land north of Donohues	20,000	20,000	20,000	Landscaping plus land transfer from British Rail. To be used as match funding for Millennium Green together with Countryside Commission (R.E.C. 1.9.99).	Landscaping plus land transfer from British Rail. Used as match funding for Millennium Green together with Countryside Commission. (R.E.C. 1.9.99)
42	C02550AF	12/07/99	Production Village, Cricklewood Lane NW2	55,000	55,000	55,000	Environmental improvements in Cricklewood NW2 and pedestrian safety measures in the locality of the development and in Cricklewood Lane (index-linked). To be used at Millennium Green (R.E.C. 1.9.99)	Environmental improvements in Cricklewood NW2 and pedestrian safety measures in the locality of the development and in Cricklewood Lane (index-linked). Used at Millennium Green (R.E.C. 1.9.99)
101	C08835B & D	08/04/01	Former Red Lion, 253 Cricklewood Lane NW2	6,769	6,769	6,769	Education facilities incl feasibility studies. NB Not libraries	Frith Manor, Mill Hill County, Ashmole
150	C02856K/99	21/10/02	779/783 Finchley Road NW11	25,586	25,586	25,586	£25,586 for Education facilities in the borough incl feasibility studies. NB Not libraries	Frith Manor, Mill Hill County, Ashmole
218	C00750AM/04	05/05/04	58 West Heath Road NW3	7,436	7,436	7,436	Education incl libraries, incl feasibility studies NB Not incl. Primary schools	Hendon Library

TOTALS	986,385	323,871	116,791
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Supplementary Question 14**Councillor Jack Cohen**

Thank you Councillor Melvin Cohen for your detailed response. Looking at the schedule you have provided, it appears that in Childs Hill Ward there was just under £1m worth of Section 106 monies but less than 10%, or just over 10% to be correct, has actually been allocated and of that 10% very little it seems to me has been allocated to anything within Childs Hill Ward. Can I ask you in particular then for scheme reference 276, which relates to the site at 779-783 Finchley Road, where by the way building works have now commenced and that residential development is well on its way, one of the components of the Section 106 Agreement is £85,000 towards open spaces in Childs Hill Ward. Will the Cabinet Member, therefore, ensure that the Ward Councillors are consulted about how that money is going to be spent on open spaces in Childs Hill Ward?

Answer by Councillor Melvin Cohen

The collection of the monies is the responsibility of my portfolio, the actual expenditure is a matter for the actual service committees. So if Councillor Cohen wants assurances he should make application to the appropriate service's Cabinet Member.

Question 15**Councillor Kath McGuirk**

How many vacant parking attendant posts are there currently, and how long have these posts been vacant? What is the current establishment, and how many have been appointed in the past 12 months?

Answer by Councillor Matthew Offord

On 30 November there were 9 vacancies:

- 6 vacant since October 2007;
- 1 vacant since September 2007;
- 1 vacant since August 2007; and
- 1 vacant since July 2007.

The current establishment is 48 Parking Attendants. We have recruited 12 in the last 12 months, with a further 2 starting in January. The 2 starting in January will reduce the vacancies to 7.

Question 16**Councillor Brian Gordon**

How is the Council doing in the anti-cigarette litter drive?

Answer by Councillor Matthew Offord

The number of cigarette butts dropped on the street in Barnet has reduced by nearly a third following a joint campaign run by the Council and the Keep Britain Tidy organisation.

A week-long event at Brent Cross Shopping Centre provided an opportunity to distribute free portable ashtrays to shoppers and they were also given to members of the public in some of Barnet's busiest town centres. Streets were monitored for the two weeks following the campaign and results showed an overall 32 per cent reduction in cigarette litter. We gave out hundreds of free portable ashtrays during the campaign, and they are also available at a small cost from supermarkets and other outlets. They provide a discreet and easy way to get rid of cigarettes and help create a cleaner, greener Barnet.

Supplementary Question 16**Councillor Brian Gordon**

Councillor Offord, I'm not a smoker, never have been, but would you not agree with me that the government vendetta against smokers has really gone completely over the top and this whole idea of outlawing smokers from public buildings has not only made a lot of smokers feel like social outcasts, which they shouldn't be made to feel, but by driving them out into the street, has made the task of cleaning our streets much more difficult?

Answer by Councillor Matthew Offord

No I don't agree. I only wish the Labour Government had had the guts to immediately introduce the legislation here in England instead of waiting to see how it worked out in Scotland. I'm very pleased with the smoking ban. It means I can go to cafes, restaurants and pubs in the Borough and across London without coming out stinking of smoke. But where I do agree with the Councillor is that it has caused significant problems with street cleansing. I have spoken with Officers about schemes, and how we can work with publicans, in particular, to enable them to play their part within our Clean Borough Strategy and ensure that the residue of smokers, cigarette butts, are being placed into receptacles outside of pubs, clubs and restaurants and that's work we continue with.

Question 17**Councillor Monroe Palmer**

Does the Cabinet Member agree that whether to erect a single vehicle activated street sign, covered by funding, is a decision that should have been left to the Area Environment Committee and is not a decision which should concern the Cabinet?

Answer by Councillor Matthew Offord

The Chairman of the Committee made his decision in accordance with the constitution and therefore it was correct.

Supplementary Question 17**Councillor Monroe Palmer**

Thank you to Councillor Offord for his short answer. I agree with him that's in accordance with the Constitution but it's not therefore correct. You can have something that agrees with the Constitution which can be stupid, but it doesn't mean that it's correct in terms of road safety, in terms of morality, in terms of whatever else it is. Madam Mayor, can I ask Councillor Offord does he not consider that to decide whether to put one vehicle activated sign, for which money was available in the local budget, to move it up for a decision by the 10 Members of Cabinet is an example of micro management, which Gordon Brown would be proud of, and does not Councillor Offord feel in danger of going from Mr Bean to Joseph Stalin?

Answer by Councillor Matthew Offord

Madam Mayor, it certainly wasn't wit, it was plagiarism wasn't it – and we've all heard that one before Councillor Palmer. No, the issue is whether the road safety sign was warranted upon road safety reasons – and the answer is that it was not. This Administration is very respectful and careful of the way in which we spend money on behalf of our residents. This side of the Chamber recognises that the money we spend is not ours, it is not our personal money – it is the money of the residents. Councillor Palmer and the Administration he was part of, forgot that.

Question 18**Councillor Barry Rawlings**

What was the original timetable for completing each of the schools in Wave 1 of PSCIP and what is the current timetable?

Answer by Councillor John Marshall

I should like to say that I am surprised that Councillor Rawlings dares discuss the rebuilding of Primary Schools. During the 8 locust years 1994-2002 this problem was ignored. The Council said in 1999 that it was minded to undertake a programme. When we took office in 2002 there was no programme worth mentioning. Further time was wasted because we were misled over the scope to use PFI.

The original plan was that the following schools would start in 2008/09 Broadfields, Chalgrove, St Margaret's Nursery and Whittings Hill.

In 2009/10 work was due to start on Bell Lane, Coppetts Wood, Fairway / Fairway early Years and Northway and Summerside.

In 2010/11 work was due to start on Brunswick Park and Cromer Road.

The present schedule is for work to start next year on St Margaret's and Whittings Hill.

In January 2009 Work will start on Broadfields.

In September 2009 work will start on Northway and Fairway.

In September 2010 work will start on Summerside and Chalgrove.

Supplementary Question 18**Councillor Barry Rawlings**

I do have a supplementary for the Member living in Woodhouse. I want some definition of what he describes as the 8 locust years, because during those years we saw major capital works for Queenswell Junior Infants, Holly Park, Northside, Frith Manor, Deansbrook, Mill Hill, Compton, Ashmole, Bishop Douglass and London Academy. Looking at his answers, there's actually been less capital improvement, less schools under what would be the 8 years of the Tories. Can I ask him which particular insect or parasite he would use to describe the Administration?

Answer by Councillor John Marshall

I would describe this Administration as dynamic Madam Mayor. Insofar as Councillor Rawlings is concerned he knows full well that in the 1999 OFSTED drew attention to the very poor quality of many of our schools. The then Administration said it was minded to do something about it. It was so minded to do something about it that when we took control in 2002 there were no such plans to do so. Those are the locust years when the problems of our primary schools were ignored by his present Group Leader.

Question 19**Councillor Lisa Rutter**

Can the Cabinet Member for Children please give me an update on Councillor Offord's policy development item to assist children in care gain an 'apprenticeship' with the LBB please?

Answer by Councillor Fiona Bulmer

Six apprenticeship placements have been identified across the Council in the following service areas:

- Pest control
- Parks and grounds
- Customer services
- Wingfield Children's Centre

- Strategic planning
- Communications (CS)

The closing date for applications from looked after children was Friday 7 December and we plan for successful applicants to start their apprenticeships in the new year. The first 3 months will focus on key skills training and the NVQ will be completed over the following 9 months. The contract will be for 1 year and during this time it is hoped that, as appropriate, young people will be supported in making an application for a permanent position.

Supplementary Question 19

Councillor Lisa Rutter

I thank the Cabinet Member for her answer. Does she agree that this shows the Council's very real commitment to its role as the corporate parent for children in care?

Answer by Councillor Fiona Bulmer

Yes I do. We have very few chances really in this Chamber to truly transform people's lives and this initiative really will, and I would like to pay particular tribute to Councillor Offord, who colleagues will recall, put forward this motion to Council some time ago. We have managed to develop it, and make it into a truly pioneering scheme. I am not aware of any other Local Authority in the country that has managed to put this scheme in place, where we're offering real apprenticeships which will give looked after children a wonderful opportunity to gain skills and to get on the job ladder. Many of them have had truly appalling starts in their lives, and with this initiative we're making a real difference. I think we can all be really proud of this initiative, and I am so glad we have managed to put it in place and that the apprentices will start shortly after Christmas.

Question 20

Councillor Jack Cohen

When was the last time you walked along Nant Road NW2?

Answer by Councillor Melvin Cohen

I would not have thought that the perambulations of the Cabinet Member are of any interest to Council or indeed the member.

Supplementary Question 20

Councillor Jack Cohen

Yes Councillor Melvin Cohen, it's a pity you haven't perambulated along Nant Road, NW2 because as Cabinet Member for Planning I am sure you are aware from press reports of the development taking place at 6 Nant Road and as a Cabinet Member I would assume that you are as concerned as I am about a planning application that has been totally disregarded by the developer to the extent that 9 of the 10 conditions that have been imposed have been ignored. I am now being told that we cannot enforce those conditions because the developer is not building in accordance with the plans therefore those conditions do not apply. This is a ridiculous catch 22 situation and I would ask Councillor Melvin Cohen whether he would consult with the planners and use every power at this Council's disposal to take action against this developer because once this catches on, developers all over Barnet will be taking us for a ride?

Answer by Councillor Melvin Cohen

Councillor Cohen knows, as well as I do, that I do not discuss, and we do not discuss potential enforcement matters in public session. He should be aware that it is being looked at, and I will certainly ask the Officer to write to him with the latest developments.

Question 21**Councillor Anne Hutton**

Does the law, or the Council's Constitution prevent Cabinet Members from exercising their Executive functions when non-executive members are present?

Answer by Councillor Mike Freer, Leader of the Council

No.

Supplementary Question 21**Councillor Anne Hutton**

The reason behind the question was that we were told that non-Cabinet Members were excluded from the recent Hindu community reception because community engagement was an executive function. If there is no reason in law preventing non-executive members from being present when Cabinet Members exercise their executive functions can the Leader explain why, for example, all the Hindu Councillors were excluded from the recent Hindu community reception?

Answer by Councillor Mike Freer, Leader of the Council

Yes, quite simply that the non-Cabinet Members were unable to talk on behalf of the Administration and the purpose of the reception was for members of the community to meet members of the executive. It's nothing to do about discharge of executive functions, it's about the executive being able to talk with the community on executive matters. As those Members of the Council she refers to are not executive members they were not invited, it's as simple as that.

Question 22**Councillor Brian Gordon**

Please could you up-date the Council on progress being made to remove the unsightly and illegal cage structures outside shops in Watling Avenue, Burnt Oak, about which a number of my Ward Residents have complained.

Answer by Councillor Melvin Cohen

Fifteen planning enforcement notices were served on the following numbered properties in Watling Avenue: 7, 13, 17, 25, 27, 29, 31, 37, 39, 41, 49, 51 (most offensive blue structure), 52/54, 79 and 92/94.

Planning Appeals have been made against ten of the notices.

The following numbered properties have not appealed against their particular planning enforcement notice and the deadline to appeal has expired: No's 29, 31, 37, 39 and 49.

The time period to comply with the effective enforcement notices on the above properties expired 30 November 2007. Failure to comply with the enforcement notices after this time is a criminal offence and the Council has the power to prosecute and / or take direct action to remove the illegal structures after this date if there is non compliance.

A site visit to ascertain whether the structures required to be removed by 30 November have been removed is scheduled for 7 December 2007.

Four appeals at No's 41, 51, 79 and 92/94 are following the written representation procedure. This is the simplest of appeal procedures and these appeals are following this procedure because no appeal has been made on the grounds that extensions have been in place for more than four years (time period an unauthorised structure becomes legal if built without planning permission). Grounds of appeal relate to a request that planning permission should be granted for the unauthorised structures. Appeal decisions relating to these appeals will take approximately five to seven months.

The enforcement appeals at No's 17, and 52/54 are following the public inquiry procedure. This is the most formal procedure and these cases are following this procedure because there are claims that extensions have been in place for more than four years before the date the enforcement notices were served. No public inquiry dates have yet been set. Appeal decisions relating to these appeals are likely to take approximately six months.

The Council have been presented with formal statements of evidence that the structures at Nos. 7, 13, 25 and 27 have been in place for at least four years before the date the enforcement notices were served. This would mean that the structures are lawful by virtue of the four year planning rule. The Council has no evidence to counter these claims and video evidence from the police taken in August 2003 shows that these structures were in place at the time the video was taken. Therefore, on the balance of probability the structures are lawful by virtue of the four year rule and as such the Council have withdrawn these enforcement notices. If the Council failed to withdraw these notices with the present evidence, then a cost claim against the Council could be made for unreasonable behaviour.

Supplementary Question 22

Councillor Brian Gordon

Councillor Cohen, as a Hale Councillor who frequently gets consulted by people in Burnt Oak, may I congratulate you and all the relevant Officers on the excellent work that you are doing in trying to get rid of the very unsightly cages in Watling Avenue. As you will know, it's only within the last year or so that members of the public have started to complain about this. Now, do you not consider it rather disingenuous of Andrew Dismore MP, who has been talking about how he has been pressing the Council for years to do something about this, when as far as we can see, and maybe you'll verify this, he made no formal representation to the Council whatsoever about these cages and he's only just now jumping on the bandwagon. Maybe, I should say the cage wagon. Possibly it's only through the Area Forums, which as you've probably read recently he attends and makes his presence sometimes unwelcomely felt, it's only through the Area Forums that Mr Dismore has heard about this particular problem. So can you please throw some light on whether or not there are any formal representations that Mr Dismore is known to have made to the Council years ago as he is apparently claiming?

Answer by Councillor Melvin Cohen

I've made investigations as to complaints made by the Member of Parliament for Hendon and I see no record of any complaints being made by him as he put it more than four years ago. I also called the files to be investigated to see whether there'd been complaints by Ward Members four years ago and the answer is none of the Burnt Oak Ward Councillors complained about that at that time either. It's interesting Madam Mayor, that what the Member for Hendon has done is taken my answer lock, stock and barrel, put it under the headed notepaper of the House of Commons and sent it to constituents, that's what he does.

Question 23

Councillor Ross Houston

How many homes of those eligible for demolition and rebuild under regeneration plans will not reach Decent Homes standard by 2010, and how many homes of those eligible for Decent Homes status have had scheduled works delayed?

Answer by Councillor Anthony Finn

It was part of the basis for the decision to proceed with the regeneration schemes that Decent Homes funding would not be sufficient to meet the standard on the four regeneration estates, let alone deliver the wider benefits tenants wanted and the regeneration schemes were designed to address this issue from the outset.

The homes on these estates which are scheduled for demolition are therefore not included in the decent homes programme, and this has always been the case. Stock condition surveys indicate that 91% of these will not meet the standard in 2010. However all the new homes will far exceed the decent homes standard. The CLG has supported Councils in aiming for better standards and wider ambitions than those represented by the DH standard and have clearly understood that this may mean longer time scales than 2010. We are currently reviewing the outcome of a stock condition survey of these homes to develop an investment plan to ensure they are maintained to the highest possible standard within available resources pending demolition.

Retained homes on the estates are in the programme and have in fact been brought forward. The houses on Grahame Park were programmed for 2009 but have been brought forward to this year and our partners are currently on site. The retained houses on Dollis Valley have been brought forward in the programme from 2009 to 2008.

In the rest of the stock the Decent Homes programme is on track and will be completed by 2010.

Supplementary Question 23

Councillor Ross Houston

I welcome the bringing forward of the retained homes on the regeneration estates, but will the Cabinet Member accept that 91% of homes failing to meet the Decent Homes standard in the rest of the regeneration stock, is unacceptable given the extended timescales for delivering the regeneration programme. And will the Cabinet Member work with the Council's partners to ensure that this issue is addressed as a priority?

Answer by Councillor Anthony Finn

What we will undertake to do is to make sure that all homes are safe and secure. It's pointless putting in large amounts of money into homes which are going to be demolished and are going to be changed. The new homes which are going to be built will be of a far higher standard than the Decent Homes standard maintains. There will be brought forward lots of homes on Grahame Park and Dollis Valley which will be brought forward from 2010 right through to 2009/2008, all in all the Decent Homes standards will be maintained, the Decent Homes standards will be something that this Council will aim for, but the new homes will be better than the Decent Homes standards.

Question 24

Councillor Hugh Rayner

What steps, please, have been taken by Barnet Council to ensure that its fleet of diesel vehicles, and those of any sub-contractors, comply with the Low Emission Zone regulations due to come in to effect in February 2008 – with further more stringent conditions due in 2010 and 2012?

Answer by Councillor Matthew Offord

The Council fleet, including vehicles operated by Barnet Homes, has been input into the TfL London Emission Zone (LEZ) vehicle compliance database and has been registered as being compliant. There are likely to be 4 vehicles that will not be compliant and arrangements have been made to replace these prior to 1 February 2008 with suitable hired vehicles that are compliant.

The Council has further reduced emissions through the purchase of Low Sulphur / Bio mix diesel fuel of 5% and this is supplemented with an additive that reduces exhaust emissions.

All our contractors have been advised of the implications of the Low Emission Zone which of course is not only a Barnet issue but much more widespread and has implications for all contracts our contractors are operating.

Supplementary Question 24**Councillor Hugh Rayner**

Councillor Offord, thank you very much indeed for your assurances. The requirements of the low emissions zone which we all know about are very onerous and all the more so in 2010, greatly increasing the bureaucracy of driving in London. Would Councillor Offord like to comment on the efficacy of these measures and also like to comment on the efficiency or the methodology of implementing them?

Answer by Councillor Matthew Offord

Well Councillor Rayner you may realise the LEZ isn't something that this Council's introducing, so I can't comment upon the methodology of the scheme because that's not something that we're responsible for. But I think you will agree from the answer that I provided for you that this Council is certainly playing its part, and I refer back to Councillor Moore's question on climate change. Not only do we have success within the Council and the way we work in regard to our fleet of vehicles but we also show significant success in our other services – both refuse, recycling and also street cleansing.

Question 25**Councillor Andrew McNeil**

What steps has the Cabinet Member taken to deal with the anomaly of Brompton Grove N2, where commuters park for free because it is an un-adopted road, while residents in the surrounding streets have to pay for their parking permits?

Answer by Councillor Matthew Offord

As Brompton Grove is not Public Highway there is little the Council can do regarding what parking activities take place.

Supplementary Question 25**Councillor Andrew McNeil**

The answer from the Cabinet Member is really not good enough. This question is about much more than parking activities. Only last week a PCSO came to see me to tell me about the vandalism to cars parked in Brompton Grove. I appreciate that the unadopted road throws up thorny problems with the Administration, but will the Cabinet Member make an effort to solve them not least because they could impact upon the imminent sale of Park House?

Answer by Councillor Matthew Offord

This is certainly an issue that a local Ward Member could address and I'd expect the Councillor to do so.

Question 26**Councillor Hugh Rayner**

Can Barnet Council please confirm that they would have no objection, were it so decided, to the relocation of the Inglis Barracks War Memorial from its present site to a new site on The Ridgeway?

Answer by Councillor Matthew Offord

In principle this is a reasonable proposition as it was suggested as the location would be near the existing war memorial on the Ridgeway. There will no doubt be design issues around how the relocated memorial is set and placed. There is an impact on the listed buildings / conservation area of any work which would also include this proposal and require special approval.

However, the ongoing maintenance of the Inglis memorial cannot simply be added to a further pressure on the war memorial maintenance budget which is already over subscribed. A contribution for future maintenance would be sought from the developer if we are to proceed with this.

Supplementary Question 26**Councillor Hugh Rayner**

Thank you very much indeed for your answer Councillor Freer, the final resting place for the war memorial is of great concern to many, including myself, to my esteemed colleague, Councillor John Hart, and also to Paddy O'Brien, the Chairman of the Barnet War Memorials Committee. Can I ask you please Councillor Freer to give all your support possible to give a good outcome of the final resting place of the memorial?

Answer by Councillor Mike Freer, Leader of the Council

It's actually Councillor Offord but he gives you that commitment.

Question 27**Councillor Claire Farrier**

What coverage by the mobile library service will there be in the Burnt Oak area during the closure of Burnt Oak Library, and in the South Friern area during the remaining time that South Friern Library will be closed?

Answer by Councillor John Marshall

The mobile library has been calling at the South Friern library every Friday morning and will continue to do so until the new Library is opened in January 2009. As the Burnt Oak Library will not be closed until April detailed plans have not yet been drawn up. However I am certain that these will also involve the mobile library and also the use of alternative facilities.

Supplementary Question 27**Councillor Claire Farrier**

The mobile library service to West Hendon has already been cut by 50% and this is where there's no permanent library. An additional mobile library service to Burnt Oak will inevitably put more pressure on these scarce resources. Can the Cabinet Member, please advise me of the details of the extra provision for Burnt Oak, once this has been finalised, and in particular could the Cabinet Member assure me that the mobile service to other areas of the borough, in particular West Hendon and South Friern, will not be cut as a result?

Answer by Councillor John Marshall

I can assure the Councillor that the service to South Friern will certainly not be cut as a result of the work at Burnt Oak, and of course she will be told of the availability of the service while the library is being closed to be improved. I do wish however, that Labour Councillors instead of nit picking, actually welcomed the very substantial improvement in the borough's libraries under this Administration.

Question 28**Councillor Jim Tierney**

At the last Council meeting, the Administration refused to confirm their support for the policy that 50% of all new housing should be affordable, as laid out in the Council's Unitary Development Plan. Has the Administration now abandoned this policy, and if so, will the Cabinet Member say what steps he is taking to revise the UDP to reflect the change in policy?

Answer by Councillor Melvin Cohen

The Council's adopted UDP contains the following policy regarding affordable housing – Policy H5 – with regard to the Council's target that half the housing provision over the UDP period should be affordable, the Council will seek to negotiate the maximum reasonable amount of affordable housing on sites of ten or more units gross, or 0.4 hectares or more, and to ensure that these units will continue to be affordable for successive occupiers.

The adopted UDP is the statutory development plan for the borough and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the Council, in making planning decisions, should have regard to the development plan, and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The Council has not and cannot abandon a policy that has been adopted through the due process of preparing the development plan.

The Council is at an early stage in preparing the Local Development Framework that will replace the UDP by mid 2010.

Question 29

Councillor Barry Rawlings

At the last Council meeting the Cabinet Member pledged that all the schools in Wave 1 of PSCIP will be completed. Does he give the same pledge for the schools in Waves 2 and 3 and when will the rebuilding take place?

Answer by Councillor John Marshall

Yes. The timing of the rebuilding depends on the availability of government support. Perhaps Councillor Rawlings would like to use his influence with government to accelerate this support.

Supplementary Question 29

Councillor Barry Rawlings

Quite an interesting answer because when the original PSCIP plans came forward they were based on borrowing and selling of land and presumed no government support. You're now saying they can't go ahead without Government support so this is the tearing up of the original plan. How would he explain such a farce and fiasco that you've got to tear up the plans before the first brick is laid in Wave 1?

Answer by Councillor John Marshall

Always assumed, as you well know Councillor Rawlings, that there would be supported borrowing as well. What you ought to be spending your time doing, is actually lobbying your Labour Ministers in their last few dying days, to try and get this Council decent support.

Question 30

Councillor Alan Schneiderman

Have the problems caused by cutting too many Council Tax staff in the 2003/4 budget round, imposing a 25% Council Tax rise in April 2003 and the problematic implementation of a new IT system now been overcome and will this year's Council Tax collection target therefore be met by the end of the financial year?

Answer by Councillor Mike Freer, Leader of the Council

The question is erroneous and further underlines the Councillors ignorance of current performance and of the implementation of major projects.

The implementation of the new IT system impacted collection rates as expected but we still outperformed other Councils that implemented a new system.

The collection rate will meet target if not exceed it.

Supplementary Question 30**Councillor Alan Schneiderman**

I can't see how Councillor Freer can say the question's erroneous, those problems were detailed in his own Cabinet Resources report, increased council tax, problems with the system and problems caused by cutting staff, they were in his own report. If these problems have now been overcome why was the target at the end of quarter 2 still missed. Are there problems still going on?

Answer by Councillor Mike Freer, Leader of the Council

Councillor Schneiderman really should get himself up-to-date and read his own question. His own question actually says "Have the problems caused by cutting too many council staff ..." that bit is erroneous there has not been too much cutting of council staff, and if he reads the most current monitoring report he'll actually see that council tax collection will be at an all time high this year, exceeding our target, so he really ought to read the current papers. If he's going to be the Shadow Member for Resources he really needs to be on top of his game.

Question 31**Councillor Agnes Slocombe**

At the last Hendon Resident's Forum the issue of the Council funding a War Memorial for Burnt Oak and Edgware World War II fallen was raised by the local MP, Andrew Dismore. Will the Cabinet Member advise if a War Memorial in these areas is now being considered?

Answer by Councillor Matthew Offord

A number of requests by several people have been received for memorials, including provision of new and re-location of existing ones as well as additions of names by friends and family.

The Leader has agreed that Councillor Coleman will lead on this initiative. Any new construction will require capital funding as well as on-going revenue funds for maintenance and I look forward to the current MP in Hendon making representations to the Labour Government to provide such additional income, so that the financial costs do not fall directly upon the taxpayer.

Question 32**Councillor Colin Rogers**

In gentler times, Councillors received their LBB diaries early in the municipal year, in a convenient (pocket sized) format. Now we get them in November, in a format that Moses would have recognised. Why doesn't LBB want its Councillors to be able to plan ahead conveniently?

Answer by Councillor Andrew Harper

Due to changes in the methods by which the latest diary was produced, external designers were contracted which unfortunately exacerbated the delay. Additionally, a possible reduction in costs was investigated and a new format is now being trialled. I would underline that the finished product remains an expensive item for the Council, given the limited print run. If in future years Members were prepared to accept paper diaries rather than leather, or solid bound, this would considerably reduce costs and potential publication delays.

Both the Democratic Services Manager and the Director of Communications will be happy to receive comments from Members. I would suggest also that this be an issue for the Member Development Panel to discuss.

Supplementary Question 32**Councillor Colin Rogers**

I thank Councillor Harper for outlining his post Thatcherite travails, but I'd also like to get him to focus a little bit more on what prompted my question, by paraphrasing Adam Smith's, which is diary delayed is diary denied.

Answer by Councillor Andrew Harper

I really don't know quite where Councillor Rogers wants to go with this but if he, as I said in the written answer, if he and other Members would like to give their thoughts on what form the diary and the presentation of the Council calendar should take next time around, then I and the Officers will be happy to receive them.

Question 33

Councillor Kath McGuirk

How much graffiti has Barnet Homes removed since 1 April, 2006?

Answer by Councillor Lynne Hillan

Barnet Homes do not record data in this form. Graffiti removal is a routine part of the everyday duties of the caretakers and is not recorded separately any more than other cleaning duties are. There have also been a number of major graffiti clean-up exercises on particular estates but the quantum of graffiti removed was not measured. Barnet Homes are setting up a specialist graffiti removal team in the new year and the outputs from this team will be monitored.

Supplementary Question 33

Councillor Kath McGuirk

In highlighting what my colleague, Councillor Campbell, raised earlier around, performance indicators, the audit review says that the removal of graffiti by Barnet Homes despite requests for this information, and that also includes by utilities is not being recorded, to provide an overall picture of the level of graffiti across the borough as expected by the BVPI199. Bearing in mind that Councillor Finn denies that performance indicators are not his responsibility, which I think is absolutely incredulous, you're a Cabinet Member you have to take some sort of responsibility for your performance, will the Cabinet Member admit the data Barnet is reporting under this PI is therefore totally inaccurate?

Answer by Councillor Lynne Hillan

No, and I'm sure that Councillor McGuirk is experienced enough to know that Barnet Homes is an ALMO and that means arms length, and they do have their own PIs. However, we do keep an eye on everything and of course they do feed into the Council's PIs.

Question 34

Councillor Colin Rogers

I have separately given details to the Cabinet Member of two planning requests relating to trees that were 'registered' October 19, but weren't promulgated until October 30, by which time the applications had been exempted, and the trees had been felled. Despite complaints in previous months to Planning and Environmental Protection about LBB's dilatory registry service, planning applications are not always notified in a timely manner. When were these two tree applications received? More generally, why does LBB favour developers at the expense of rate paying residents, by delaying consultation with Councillors and Barnet residents?

Answer by Councillor Melvin Cohen

The first application relating to Cecelia Close, was received 25 October 2007 (not 19th), and was only registered as a tree application to protect the Council's interest because there was uncertainty over which tree was being proposed to be felled. The tree was inspected on 22 November 2007 and it was found that since the tree was in a poor condition, it would be exempt from requiring consent. Consequently the tree status was amended to an exemption notice on 23 November 2007.

The second application relating to Juliana Close, was received 19 October 2007. This application was registered as an exemption notice on receipt (tree having been inspected earlier in year in connection with previous application for lesser work) and a decision was made dated 25th October 2007, that the proposed felling was exempt from requiring consent.

The tree work specifications were submitted by tree surgeons wanting to fell the trees on health and safety grounds because of their poor condition and the risk they posed to persons and property.

As no formal consent was required from the Council, in accordance with the dead / dying /dangerous exemption provisions in the tree preservation legislation, consultation in these circumstances is not necessary.

As to the more general issue of delay in registering and consulting on tree work applications, problems have been experienced when the designated Administration assistant is absent. To address this problem for the future, additional staff have now been trained, and some Administration functions have been reallocated.

Question 35

Councillor Kath McGuirk

How many graffiti removal notices have been served on private companies, utilities and transport operators in Barnet since 1 April 2006, how much money for removal of graffiti on non-Council property is owed to the Council, and how much has been recovered?

Answer by Councillor Brian Coleman

None and nothing.

Question 36

Councillor Barry Rawlings

Will the Cabinet Member give an assurance that the planned children's centre at the Hyde primary school and its funding, which forms part of the West Hendon regeneration, will not be affected by any future variations to the outline planning agreement?

Answer by Councillor Anthony Finn

The contribution of the funding for The Hyde children's centre, which will be secured via a S.106 Agreement, will not be affected by any changes to the regeneration project. Our developer partners have always understood the necessity to make a financial provision for this new facility.

Question 37

Councillor Andrew McNeil

Will the Cabinet Member tell me how many truancy sweeps have been made in the Borough in the last year; what the result of these were and whether she considers truancy sweeps to be an effective way of combating truancy in the Borough?

Answer by Councillor Fiona Bulmer

During the academic year 2006/7 three borough wide truancy patrols took place in Barnet. The patrols stopped 39 pupils.

During this academic year, the focus is on targeted patrols that respond to complaints from residents or high unauthorised absence rates at a particular school. Both the Education Welfare team and the police feel that this targeted approach will be the most effective way of reducing truancy.

Question 38**Councillor Barry Rawlings**

In April 2008 North London Connexions will cease to exist and their assets transferred to the 4 boroughs – what amount of money will be coming to Barnet?

Answer by Councillor Fiona Bulmer

Connexions grant allocations, using a new formula for 2008/11 use a national funding formula which is based on the 13-19 population, education attainment, NEET figures and deprivation indicators. The grant is not ring-fenced and is paid through the Area Based Grant. Budget damping ensures that swings remain within +/-3% in 2008/9, 5% in 2009/10 and 10% in 2010/11 compared to previous year's allocations.

The allocation to Barnet for 2007/08 is £2,859,769.

Question 39**Councillor Julie Johnson**

Have Barratts Metropolitan applied for any Housing Corporation money for the regeneration of the West Hendon Estate, and if so, are there any conditions attached to that money?

Answer by Councillor Lynne Hillan / Anthony Finn

Grant conditions apply to any affordable housing unit which has received funding from the Housing Corporation. These include design standards, build standards, sustainable code, procurement, housing quality indicators, rents charged, type of tenancy, management expectations to name a few. Full details of grant conditions can be found on the Housing Corporation website and would not be appropriate to quote in full in a Council answer as they run to 5 books, each containing several chapters.

Question 40**Councillor Barry Rawlings**

How many children's centres does the Administration expect to be designated by both April 2008 and August 2008?

Answer by Councillor Fiona Bulmer

Currently, three centres have designation: Wingfield, Parkfield and Fairway. By March 2008, we anticipate that the following centres will be designated: Newstead; Barnfield; Bell Lane; Hampden Way. By August 2008, centres at Stonegrove, St Margaret's, The Hyde, and Underhill are expected to have been designated.

Question 41**Councillor Ansuya Sodha**

At the last Council meeting, the Leader said he would write to me with an update as to the Administration's latest position on whether they are supporting the Taxicard scheme. I have not received anything; will he give me that update now?

Answer by Councillor Mike Freer, Leader of the Council

The letter has been sent.

Question 42**Councillor Barry Rawlings**

How would the Cabinet Member for Resources explain the financial incompetence leading to the slippage and poor financial planning of both the PSCIP and the children's centres programme?

Answer by Councillor Mike Freer, Leader of the Council

I do not accept there has been incompetence or poor planning. The question is therefore irrelevant.

I appreciate the Councillor and his party have no experience of major capital projects having neglected the schools for their period of office but a question based on a falsehood remains irrelevant.

Question 43

Councillor Julie Johnson

What resources will be allocated to the resurrected Tree Warden Scheme in this coming budget round?

Answer by Councillor Matthew Offord

It is not considered that the Tree Warden Scheme will require any direct budget. Incidental costs for basic administrative components, promotion etc., will be funded from the overall Greenspaces budget.

Minutes

OF THE MEETING OF THE EXTRAORDINARY COUNCIL OF THE LONDON BOROUGH OF BARNET held at The Town Hall, Hendon, NW4, on Tuesday, 7 January 2008.

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

112. APOLOGIES FOR ABSENCE (Agenda Item 2):

Apologies for absence were received from Councillors Terry Burton, Danish Chopra, Jack Cohen, Jeremy Davies, Helena Hart, Christopher Harris, Julie Johnson, Caroline Margo, Duncan McDonald, Lynda McFadyen, Monroe Palmer, Susette Palmer, Wendy Prentice, Colin Rogers, Daniel Thomas, Daniel Webb.

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

There were none

114. REPORT OF THE LICENSING COMMITTEE – 12 DECEMBER 2007.

Councillor Andreas Tambourides proposed the item and moved that it be adopted. Upon being put to the vote the motion was declared carried

RESOLVED - That Council adopt the reviewed draft policy so that it can be published on or before the 7 January 2008 in accordance with the Licensing Act 2003.

The meeting finished at 6.09pm

Agenda Item 12.2

REPORT OF THE LICENSING COMMITTEE

12 December 2007

Committee:

*Councillor Andreas Tambourides (Chairman)

*Councillor Kate Salinger BEd (Hons) (Vice-Chairman)

Councillors:

*Terry Burton

*Claire Farrier

*John Hart BA MA

*Julie Johnson

Kath McGuirk

*Andrew McNeil

*Susette Palmer MA

*Wendy Prentice

*Hugh Rayner

*Lisa Rutter

*Joanna Tambourides

*Jim Tierney

Marina Yannakoudakis BSc(Hons),MA

1. REVIEW OF THE LICENSING POLICY

The Committee considered the attached report of the Director of Corporate Governance, including the revised draft of the Licensing Policy following consultation. It was noted that the majority of respondents to the consultation were satisfied with the reviewed draft policy.

The Committee

RECOMMEND that Council adopt the reviewed draft policy so that it can be published on or before the 7th January 2008 in accordance with the Licensing Act 2003.

AGENDA ITEM: 5 Page nos. 1 - 40

Meeting	Licensing Committee
Date	12 December 2007
Subject	Review of the Licensing Policy
Report of	Director of Corporate Governance
Summary	The Licensing Act 2003 places a responsibility on all licensing authorities to publish a licensing policy every 3 years. The last policy was published in January 2005. This is a report on the outcome of formal consultation on the Council's new draft policy.

Officer Contributors	Paul Lamb, Community Protection Group Manager Debra Allday, Senior Solicitor Advocacy Emma Phasey, Acting Licensing Team Leader
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix 1, summary of replies to questionnaire Appendix 2, questionnaire table summarising responses to consultation Appendix 3, proposed Licensing Policy
For decision by	Licensing Committee
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information: Emma Phasey, 0208 359 2119, Emma.Phasey@Barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That the proposed Licensing Policy be approved by the Licensing Committee and that they will recommend it for adoption by full Council on 18th December 2007 so it can be published on or before 7th January 2008 in accordance with the Licensing Act 2003.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Decision of the Licensing Committee on 30th August 2007 to approve for consultation the draft licensing policy.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The licensing policy supports the corporate priority of a Clean, Green and Safe Borough by ensuring that the sale of alcohol and provision of entertainment is properly regulated. The objectives of the policy as determined by the Licensing Act 2003 are the prevention of crime and disorder, public nuisance, protecting children from harm and public safety, which further contribute to the corporate priorities of a bright future for children and young people, a successful suburb and strong and healthy.
- 3.2 The policy will support objectives and targets contained within the Sustainable Community Strategy 2006 – 2016, Local Area Agreement 2007/08 – 2009/10, Corporate Plan 2007/08 – 2010/11 and the Crime and Disorder and Drugs Strategy for Barnet 2005 – 2008.

4. RISK MANAGEMENT

- 4.1 Failure to review and adopt a licensing policy would be in breach of a legislative requirement of the Licensing Act 2003 and would mean that decisions of the Licensing Committee would not be valid.
- 4.2 The adoption of an unsound policy may result in poor licensing decisions being taken and could cause difficulty to businesses, residents and responsible authorities. This would leave the policy open to challenge by way of Judicial Review in relation to the Statement of Licensing Policy and/or appeal of a Licensing Committee decision to the Magistrates' Court. This would adversely affect the Councils reputation

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The Council has a legal obligation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. An equalities assessment will therefore be performed on the policy.

- 5.2 When considering licensing applications and representations only issues provided for in the Licensing Act 2003 and associated guidance in addition to the authorities Statement of Licensing Policy will be taken into account. This will ensure a consistent approach is adopted. Every application under the terms of the policy will be considered on its own merits regardless of the race, colour, nationality, ethnic origin, sex, marital status, disability or age of the individuals involved.
- 5.3 The community in Barnet is diverse and rich with a broad range of cultural activities and entertainments. Applications will be dealt with in accordance with the Act. Guidance issued and licensing conditions will only be imposed that are reasonable, proportionate and strictly necessary for the promotion of the four licensing objectives. The impact of licensing on regulated entertainment will be monitored and reviewed to ensure that licensing requirements do not deter cultural activities.

6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 6.1 There is a need to develop the IT system to support the efficient and effective administration of the licensing regime. A project to replace the current system is underway, led by Planning and Environmental Protection, which is planned to be operational by May 2008. The project is in the capital programme approved at Council in March 2007 and changes required will be contained within that budget.

7. LEGAL ISSUES

- 7.1 As set out in paragraphs 4.1 and 4.2 of this report.

8. CONSTITUTIONAL POWERS

- 8.1 The Council's constitution delegates to the Licensing Committee:
"All functions under the Licensing Act 2003 and associated Regulations, not otherwise delegated to the Licensing Sub-Committee." (Part 3 "Responsibility for Functions" Section 2 "Responsibility for Council Functions").
- 8.2 The statutory and regulatory provisions reserve to full Council the decision to approve the draft licensing policy, and it will therefore be necessary for the Committee to make a recommendation to the Council meeting on 18th December 2008 in order to meet the statutory deadline for publication of the draft policy.

9 BACKGROUND INFORMATION

- 9.1 The Council took over responsibility for licensing the sale of alcohol, the provision of regulated entertainment and late night refreshment in pubs, off-licences, clubs and restaurants on 7 February 2005 as required by the Licensing Act 2003. The Act required the Council to develop a licensing policy to state how it would exercise its licensing functions. The policy was adopted by Council on 14 December 2004 and subsequently published on 7 January 2005.
- 9.2 The Act further requires the Council to review and renew the policy every three years. A reviewed policy will therefore need to be published by 7th January 2008.
- 9.3 At its meeting on 30 August 2007 the Licensing Committee instructed the Director of Corporate Governance to consult with the relevant persons and bodies on the reviewed statement of licensing policy.
- 9.4 Section 5 of the Act sets out the persons, that before determining its policy, the Licensing Authority must consult with. They are;
- The chief officer of the Police for the area
 - The Fire Authority for the area
 - Persons / bodies representative of local holders of premises licences
 - Persons / bodies representative of local holders of club premises certificates
 - Persons / bodies representative of local holders of personal licences
- 9.5 For 13 weeks ending on 21 November 2007, the Policy was subject to consultation. It was placed on the Council's web site, sent by post to statutory consultees, all Members and various other individuals and organisations. A questionnaire was included, and people were invited to comment on any aspect of the Statement. The full list of consultees is in Appendix 2 of the policy.
- 9.6 From the responses received it is clear that a cross section of people responded from local businesses, residents associations and individuals. See Appendix 1. The majority of respondents were satisfied with the revised policy and found it fairly easy or easy to understand.
- 9.7 A revised Licensing Policy, taking into account the outcome of the consultation, is attached at Appendix 3. The main changes in the policy are:
- A new section has been inserted numbered Section 6 in the Policy. The new section relates to risk Assessment and recommends that

all applicants carry out sufficient risk assessments for the activities on their premises.

- The issues that could be addressed in the operating schedules for public safety, protecting children from harm, prevention of crime and disorder and prevention of nuisance have all been expanded to include all other relevant issues
- The Councils Gambling Policy is now referenced at the appropriate place
- The policy now clearly states that non compliance with conditions and unlicensed activities will not be tolerated

9.8 If the Statement is approved, the Committee will recommend it for adoption by full Council on 18th December 2007 before it is published on or before 7th January 2008 in accordance with the Licensing Act 2003.

9.10 The Statement may be changed at any time after adoption (after further consultation), and must be renewed at intervals of not less than three years.

10. LIST OF BACKGROUND PAPERS

- 10.1 Licensing Act 2003
- 10.2 DCMS Guidance
- 10.3 List Of Consultees

Legal: DA
CFO:CM

APPENDIX 1

LICENSING POLICY QUESTIONNAIRE

Q1. Are you replying as:

A private individual	23%
On behalf of a business	7%
On behalf of other organisations	23%
As representative of local residents,	23%
A Local Resident	23%
A representative of local businesses	0%
A representative of local licensees	0%

Q2. Did you find the revised draft policy easy to understand

It was very easy to understand	22%
It was fairly easy to understand	67%
Not Sure	0%
It was fairly difficult to understand	11%
It was very difficult to understand	0%

Q3 If we establish a licensing forum, where issues relating to the Licensing Act 2003 could be discussed, would you wish to attend?

Yes	44%
No	33%
Notsure/don't know	22%

Overall are you satisfied with the reviewed draft policy?

Very satisfied	0%
Satisfied	56%
Neither satisfied or dissatisfied	22%
Dissatisfied	11%
Very dissatisfied	11%

APPENDIX 2

No	Summary of response	LBB Comment	Policy Changed?
1	Wants more emphasis on the need for child protection, public safety, crime prevention and noise abatement.	Already covered in policy at 6,7,8,9 and in 12.	No
2.	Wants residents who have been involved in licensing committee representation to be informed when the involved premises wishes to change a condition etc	Residents are informed in the usual way via publication of applications	No
3.	<p>1. Wants the newspaper entry for licenses be written in a larger font size</p> <p>2. Wants to know whether councillors on the licensing committee are familiar with the licensing policies</p>	<p>1. The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 Section 25 Sets out how applications should be advertised, It states how large notices should be when displayed outside premises but does not state any size as relates to newspaper adverts.</p> <p>2. Training given to all Councillors and also all members have the benefit of a lawyer at all licensing sub-committees should difficult points of law arise.</p>	No
4.	<p>1. Wants more emphasis on the prevention of public nuisance</p> <p>2. Wants clubs serving late night drinks to be properly policed</p>	<p>1 covered in 9 and 12.3</p> <p>2 This will be covered by the enforcement protocol with the police and the Licensing Team's risk management of licensed premises.</p>	No
5.	Don't think extended drinking hours will help binge drinking.	Not related to policy	No
6.	Must have more education in schools and colleges about binge drinking	Not covered by the policy. (Education of alcohol/binge drinking is covered in the National Curriculum)	No

7.	1. Wants a summary of the changes made to this Reviewed Statement from the last one with reasonings.	<p>1. There are very few substantive changes. The proposed Policy is taken from the best practice document issued by LACORS, and mostly differs from our previous Policy in its layout. A few paragraphs have been removed to make the Policy more streamline:</p> <p>1) The paragraphs relating to Club Premises. This does not require a separate Policy.</p> <p>2) The reference to informal complaints about premises. Licensing Officers will continue to deal with complaints on their merits, and resolve complaints if possible.</p> <p>3) The paragraphs relating to reviews and personal licenses as these concern practice rather than policy.</p> <p>4) The paragraphs relating to the disabled and equality issues. Questions concerning disabled access are better dealt with by Planning, and equality issues are governed by general Council Policy.</p> <p>Any other differences relate to emphasis rather than substance. Each application should be dealt with on its merits, and conditions should not duplicate what other bodies</p>	No
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	<p>2. Would have liked some quantitative data presented for the period.</p> <p>3 Would like clarification of protection of children in 7.1</p>	<p>can sufficiently deal with, such as the Fire Authority, the Police and Planning.</p> <p>Whereas before any suggestion of regular conditions was discouraged, the Licensing Act as amended contains a pool of model conditions should they be required.</p> <p>Applicants should address the Licensing Objectives properly in the application form.</p> <p>The paragraph dealing with Cumulative impact is much shorter, referring to the guidelines issued by the DCMS. This states that the Council may have a Policy concerning Cumulative Impact, but that each case must still be treated on its merits, as some applications would not add to cumulative impact such as cinemas.</p> <p>2. Not relevant to policy</p> <p>3. The new licensing regime has been designed, in part, to close the loopholes and inadequacies of previous law in relation to children, while allowing under 18s to experience the atmosphere of licensed premises in a family friendly, safe environment.</p>	<p>No</p> <p>No</p>
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	<p>4. why is 'a conviction of a member of the current staff for an offence against a child or the Police believe that person could be a risk' no longer included?</p> <p>6. Section 8 - Why is 'applying conditions to minimize the risk of weapons being taken onto or used in premises' no longer explicitly stated?</p>	<p>4. Any objections regarding staff would be made by the police. As regards offences against children – such individuals considered a risk would be on the Sex Offenders Register and therefore have restrictions on employment bringing them into contact with children and are regularly monitored by the police.</p> <p>6. There is a wealth of conditions that are considered good practice and these are detailed in the s.182 guidance. There is no need to specifically mention it as it would automatically come under the licensing objectives of crime.</p>	<p>No</p> <p>No</p>
8.	<p>1. Changes should not be made unless there is a benefit from doing so.</p> <p>2. That the proposed draft does not incorporate the changes in that earlier draft.</p> <p>3. At para 1.4 the statement is not wide enough.</p> <p>4. At point 3 in para 1.6, referring to the purpose of the policy, it might be better to describe this in the terms used in the statute and guidance.</p> <p>5. The proposed policy, unlike the current one, makes no reference to</p>	<p>1. Agree</p> <p>2. This is irrelevant as there was a complete review following the restructure.</p> <p>3. Agree that premises licence cover more than the sale of alcohol</p> <p>4. Noted however 1.6 is clear</p> <p>5. Interested parties are entitled to make representations to licensing</p>	<p>No</p> <p>No</p> <p>Yes –see para 1.4</p> <p>No</p> <p>No</p>

	<p>the licensing authority notifying interested parties of applications.</p> <p>6. Suggests licensing officers should assess premises as part of their routine visits.</p> <p>7. Change from listing Planning and Environmental Protection as a responsible authority to listing all the departments separately, as each is required to be served with a copy</p> <p>8. The policy should say that the council expects that premises licence applicants, licence holders and organisers of temporary events will carry out suitable and sufficient risk assessments</p> <p>9. The council should encourage the applicant to send appropriate supporting documentation with the application</p>	<p>authorities on applications for the grant, variation or review of premises licences. In addition, interested parties may themselves seek a review of a premises licence. All applications are advertised clearly in the local newspapers, and by notice outside the premises as per Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.</p> <p>6 this is already done by officer as part of risk assessment of premises and risk based enforcement (see 10.3 and 10.4)</p> <p>7 Agree</p> <p>8 Agree</p> <p>9 Agree</p>	<p>No</p> <p>Yes – see appendix 3</p> <p>Yes see 6</p> <p>Yes see 6</p>
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	<p>10. The definition of public safety given in paragraph 12.2.1 is too restrictive.</p> <p>11. At 3.3 the council should also focus on the direct impact of activities on people at the premises if they may be exposed there to unacceptable safety risks.</p> <p>12. the council should interpret 'nuisance' in the context of licensing as widely as possible.</p> <p>13 At 12.3.1 the definition of nuisance should include more</p> <p>14 At 4.1, the Environmental Protection Act 1990 as should be removed from the list as is reactive in nature.</p> <p>15 The policy should say that the council encourages applicants to carry out an assessment of the likely impact of the activities to be carried on at the premises</p> <p>16 At 7.1, the discretion to admit children should be provided that, where there may be risks, adequate steps are taken to protect them from harm.</p> <p>17 Gaming machines in licensed premises if addressed in the Gambling Policy, but is</p>	<p>10 Agree</p> <p>11. 3.3 covers this</p> <p>12. Current definition is adequate</p> <p>13 Agree</p> <p>14 this section relates to enforcement (reactive) as well.</p> <p>15 Agree</p> <p>16 Agree</p> <p>17 Agree that Gambling policy needs to be referenced</p>	<p>Yes – see 13.2.1</p> <p>No</p> <p>No</p> <p>Yes see 13.3.1</p> <p>No</p> <p>Yes – see 6</p> <p>Yes see 8.1</p> <p>Yes see 8.2</p>
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	<p>not reflected in the proposed policy, which excludes controls over 'the provision of a small number of cash prize machines'</p> <p>18 At 11.2, the statement says that the council 'strongly recommends that applicants familiarise themselves.....' This may give the impression that compliance is not obligatory.</p> <p>19 Paragraph 10.2 the policy should say that unlicensed activities will not be tolerated at any premises.</p> <p>20 The proposed policy at 10.4 states that the licensing authority has enforcement protocols with the responsible authorities. We are not aware of such protocols relevant to public safety and nuisance.</p> <p>21 10.3 deals with risk-based prioritisation of enforcement activity. No indication is given as to what risk factors will be taken into account when prioritising premises or activities for enforcement action. The statement should say that public safety risk, risk of nuisance and the likelihood that unauthorised licensable activities may occur at the</p>	<p>18 Agree</p> <p>19 Agree</p> <p>20 Agree</p> <p>21 risk assessment protocol being agreed separately, (agree re wording change)</p>	<p>Yes – see 12.2</p> <p>Yes – see 11.2</p> <p>Yes- see 11.4 says will develop these</p> <p>Yes see 11.3</p>
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	<p>premises will be taken into account when planning enforcement action. The wording of 10.3 is not clear where it says 'inspections will be subject to review, presumably this should read 'inspection frequency will....'</p> <p>22 In the interests of the objectives, the policy should say that the council expects that all licence conditions will be fully complied with, and that failure to do so will not be tolerated.</p>	22 Agree	Yes see 11.2
9.	<p>1. It doesn't contain details on how complaint against licensed premises will be dealt with</p> <p>2. Para 3.4 should reflect the statutory guidance</p>	<p>1. Not part of scope of this policy</p> <p>2. Agree</p>	<p>No</p> <p>Yes see 3.4</p>
10.	<p>1. Para 4.3 needs amending</p> <p>2. Para 5.2, Cumulative impact should be expanded</p> <p>3. Para 6 should have more information on capacity limits and fire safety</p> <p>4. Para 2.1 should have more information about challenge 21 and refusals books,</p> <p>5. At 8.3 last bullet point - It may assist applicants to</p>	<p>1 Agree</p> <p>2. Covered adequately in 5.2</p> <p>3 Adequately covered in 6.2</p> <p>4 Wording is adequate</p> <p>5. Not appropriate to name the areas in the</p>	<p>Yes see 4.3</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>

	<p>know where these zones are.</p> <p>6 After Para 8 – more information should be given on CCTV</p> <p>7. Para 11 – more info on TENs needs to be given</p> <p>8 At 12.4.1 (bulletpoint 4) The Metropolitan Police Forces promote the use of “Polycarbonate” instead of glass or plastic</p> <p>9 More information on risk assessment needed</p> <p>10. At 13.3 Many of these points are included in the Home Office (Metropolitan Police document) “Safer Clubbing”</p> <p>11 More information on risk assessment and risk assessment forms</p>	<p>policy as these may change. Existing zones clearly signposted</p> <p>6. The guidance states that the police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.</p> <p>7. Agree should be included</p> <p>8. Can change plastic to polycarbonate</p> <p>9. Agree</p> <p>10. Agree</p> <p>11 Yes</p>	<p>No</p> <p>Yes see 12.5</p> <p>Yes 13.4.1</p> <p>Yes see 6</p> <p>Yes added link at 14.3</p> <p>See 6 and 12.5</p>
11.	<p>1. Para 7.6 - As worded there is an expectation that ‘Proof of Age’ schemes would be required and we would ask this to be changed to reflect the status of ‘good practice’ rather than a requirement on a licence.</p>	<p>1 Policy is not saying this is a condition just strongly recommending this. This is reiterated in 7.7 where it states the trader take all reasonable steps. The trader will need to</p>	<p>No</p>

	<p>2 Para 8.5 - . The licensing authority should not mislead applicants into believing they should meet certain requirements. Ultimately, it is for the DPS to decide how to manage this issue. .</p> <p>3 Para 8.6 - Pubwatches are voluntary organisations and membership must remain voluntary if they are to be effective. We trust that the policy merely seeks to encourage Pubwatch membership rather than make it a condition of licences.</p> <p>4 Further recognition of the Hampton principles of inspection and enforcement needed</p> <p>5 In operating schedules we suggest that the last sentence in the introductory paragraph to each licensing objective is slightly amended to read “The issues addressed may include, where relevant ..”</p> <p>6. Protection of Children of Harm</p> <ul style="list-style-type: none"> • Child seating, unbreakable glasses, child friendly lavatories and inspection of play areas, welfare of children in the care of “intoxicated parents” - <i>all of these measures are unnecessary or unsuitable to be</i> 	<p>consider this anyway as part of their due diligence systems.</p> <p>2 Policy not saying this is a requirement but recommending it as good practice, again the trader should be considering this as part of their due diligence systems. The policy does not state that there is a requirement for the DPS or a personal licence holder to be present.</p> <p>3 Policy not saying this is a requirement but recommending it as good practice</p> <p>4 Believe the current wording in 10 is adequate</p> <p>5 Agree wording changed to “could”</p> <p>6 Wording amended to state applicants could address these issues. It is their choice if they include it.</p>	<p>No</p> <p>No</p> <p>No</p> <p>Yes</p> <p>No</p>
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	<p><i>offered as conditions on a licence. Regarding the latter it is already an offence under the Licensing Act to serve anyone who is drunk and adults must be responsible for their children whilst on licensed premises.</i></p> <p>7. policy could make it clear that the licensing authority <u>cannot</u> attach conditions unless relevant representations have been made and are upheld by a hearing.</p>	<p>7 13.2 is clear on this</p>	<p>No</p>
12	Same responses as above		

REVIEWED STATEMENT OF
LICENSING POLICY

LONDON BOROUGH
OF BARNET

August 2007

CONTENTS		Page
1.	INTRODUCTION	3
2.	OBJECTIVES	5
3.	POLICY CONSIDERATIONS	5
4.	INTEGRATING STRATEGIES AND AVOIDING DUPLICATION	6
5.	APPROACH TO LICENSING APPLICATIONS	7
6.	RISK ASSESSMENT	7
7.	PUBLIC SAFETY	7
8.	PROTECTION OF CHILDREN FROM HARM	8
9.	CRIME AND DISORDER/ANTI SOCIAL BEHAVIOUR	10
10.	NUISANCE	12
11.	ENFORCEMENT	13
12.	TEMPORARY EVENT NOTICE	13
13.	OPERATING SCHEDULES	
	12.1 PROTECTION OF CHILDREN FROM HARM	14
	12.2 PUBLIC SAFETY	15
	12.3 PREVENTION OF NUISANCE	16
	12.4 PREVENTION OF CRIME AND DISORDER	17
14.	CONDITIONS	17
15.	ADMINISTRATION, DELEGATION AND EXERCISE OF FUNCTIONS	18
APPENDIX 1	TABLE OF DELEGATED FUNCTIONS	19
APPENDIX 2	PARTIES CONSULTED ON POLICY	21
APPENDIX 3	RESPONSIBLE AUTHORITIES	22

1. INTRODUCTION

- 1.1 The London Borough of Barnet has produced this Licensing Policy Statement in accordance with the provisions of the Licensing Act 2003 and the guidance issued under Section 182 by the Department of Culture.
- 1.2 The aims of this licensing policy are to set out how the Council will seek to meet the four licensing objectives and has been devised based on best practice.
- 1.3 This policy succeeds the Council's Licensing Policy statement dated January 2005 and whilst subject to on-going review will be in force for a period of 3 years from January 2008.

Scope

- 1.4 The sale and supply of alcohol, the provision of regulated entertainment, and of late night refreshment play a key role in our economy and society and are activities which takes place throughout the Borough. How the Council deals with this issue will impact on many residents and businesses.
- 1.5 The licensing policy will form an important part of the development strategy for the Borough and will work in concert with:

- The Council's Enforcement Policy
- The Human Rights Act 1998
www.hmso.gov.uk/acts/acts1998/19980042.htm
- Crime and Disorder Act 1998
www.hmso.gov.uk/acts/acts1998/19980037.htm
- Disability Discrimination Act 1995
www.opsi.gov.uk/acts/acts1995/Ukpga_19950050_en_1.htm

and other anti-discrimination legislation,

- Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 Licensing Act 2003
www.culture.gov.uk
- Home Office Safer Clubbing Guide
www.drugs.gov.uk
- Metropolitan Police Service publication Controlled Drugs and Weapons in Licensed premises
- The Mayor's London Ambient Noise Strategy
www.london.gov.uk/mayor/strategies/noise/index.jsp

The above is not an exhaustive list.

1.6 The licensing policy has 3 main purposes:

- To inform licence applicants of the parameters under which the Council will make licence decisions, and therefore how a licensed premises is likely to be able to operate within an area. However each case must be examined on an individual basis.
- To inform residents and business of the parameters under which the Council will make licence decisions and therefore how their needs will be addressed.
- To reinforce the elected Members on the licensing Committee, the powers of the council and the limits of those powers, and to provide them with parameters under which to make decisions.

1.7 As the Licensing Authority the Council is empowered under the Act to grant, review, vary or refuse premises licences, club premises certificates, personal licences and deal with temporary event notices in the Borough in respect of the supply and/or sale of alcohol and the provision of regulated entertainment and late night refreshment namely:

- Retail sale of alcohol
- Supply of alcohol to club members
- Provision of “regulated entertainment” – to the public, to club members or with a view to profit. This includes the;
 - Performance of a play
 - Exhibition of a film
 - Indoor sporting events
 - Boxing or wrestling entertainment
 - Performance of live music
 - Playing recorded music
 - Performance of dance
 - Provision of facilities for making music
 - Provision of facilities for dancing
- Supply of hot food and/or drink from any premises between 11pm and 5am.

1.8 The Act divides licences into premises licences for the building and personal licences for each licensee.

2. OBJECTIVES

2.1 The Council will carry out its various licensing functions so as to promote the four licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

2.2 To achieve these objectives the Council will use a full range of measures including its planning, transport, crime and disorder policies and powers together with its duties to protect children. The Council will work closely with the Police, the Fire Authority, local businesses, community representatives and local people to meet these objectives.

2.3 Nothing in this policy will prevent every licence application being considered on its own merits. However the Council will not ordinarily treat the following considerations as justifiable reasons to divert from this policy:

- That the premises are well managed
- That the applicant is of good character
- That the premises, or the capacity, or the size of the increase applied for, is small.

3. POLICY CONSIDERATIONS

3.1 In determining a licence application the overriding principle will be that each application will be determined on its individual merits.

3.2 Nothing in the Licensing Policy will:

- Undermine the rights of any person to apply the 2003 Act for a variety of permissions and have the application considered on its individual merits.
- Override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act.

3.3 The decision taken by the Council will be focused on matters that are within the control of the individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. The Council will focus on the direct impact of activities taking place at the licensed premises on both adults and children living in, working in or visiting the area concerned.

- 3.4 In taking its decisions, the Council will take into account the fact that licensing law is not the primary mechanism for the control of nuisance and anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Nonetheless, licensing law will be part of a holistic approach to the management of the evening and night-time economy in town and city centres
- 3.5 Licence conditions imposed will be relevant to the individual application and those necessary to meet the licensing objectives. Licence conditions will not be imposed where other regulatory regimes, such as fire safety legislation, provide sufficient protection for patrons and other members of the public.
- 3.6 Individual applicants are expected to address the licensing objectives in their Operating Schedule within the context of the nature of the location, type of premises, regulated activities to be provided, operational procedures and the needs of the local community (see section 12 – Operating Schedules - later).
- 3.7 Appropriate weight is given to all relevant representations made to the Council. This does not include those representations which are considered to be frivolous, vexatious or repetitious, which will be disregarded.
- 3.8 In forming this policy the Council has consulted the parties stipulated in Appendix 2. Before determination of this policy adequate weight has been given to the responses received.

4. INTEGRATING STRATEGIES & AVOIDING DUPLICATION

- 4.1 The Council recognises the need to avoid, so far as possible, duplication of the existing legislation and other mechanisms to deal with any environmental or otherwise impacts on the leisure economy such as;
 - Planning controls
 - Positive measures to create a safe and clean town centre environment
 - Powers of the Council to designate public places where the consumption of alcohol is not permitted
 - Police enforcement of disorder and anti-social behaviour
 - Prosecuting of personal licence holders and staff selling alcohol to those underage.
 - Police and the Council's powers to close down instantly any licence premises on the ground of disorder or likely to cause disorder or excessive noise emanating from the premises
 - Environmental Protection Act 1990
 - Children Act 1989
 - Health and Safety at Work Act 1974 etc.
 - Powers of the police/local residents/businesses ability to seek a review of a licence.

- 4.2 The Council recognises that there should be a clear separation of the planning and licensing regimes in respect of applications to avoid duplication or a re-run of the planning application process but also recognises that some factors affecting the planning decision may also affect the decision of the Licensing Committee.
- 4.3 The Licensing Authority will arrange for protocols with the Barnet Borough Police to enable them to liaise with the Council's Traffic Manager on the need for the swift and safe dispersal of people from licensed premises to avoid concentrations which can produce disorder and disturbance.
- 4.4 We will monitor the impact of the licensing policy.

5. APPROACH TO LICENSING APPLICATIONS

- 5.1 When exercising its licensing functions the Council will not be influenced by the question of need. The question of whether or not there is a need for any particular premises is a commercial matter which is not relevant to the Council's considerations. The issue of need may be a matter for planning consideration or for the market to decide and does not form part of this licensing policy statement.
- 5.2 The statutory guidance will be taken into account in relation to the issue of cumulative impact and the hours of operation:
www.culture.gov.uk

6. Risk Assessment

- 6.1 The council recommends that all applicants carry out sufficient risk assessments for the activities on their premises, and that the findings are put into practice. The council encourages applicants to carry out an assessment of the likely impact of the activities to be carried on at the premises, with a view to identifying any control measures that may be appropriate.
- 6.2 The council encourages applicants to send risk assessments as well as any other supporting documentation with the application.
- 6.3 The council reminds the applicant that it is not the function of the responsible authority to endorse any such assessments and encourages applicants and event organisers to seek advice about control measures.

7. PUBLIC SAFETY

- 7.1 The Act covers a wide range of premises that require licensing including: cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants, members clubs, fast food outlets and other entertainment venues. Each type of these premises present mixtures of risks with are common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted so as to safeguard occupants by minimising these risks.

- 7.2 The Council will expect operating schedules to satisfactorily address public safety issues and applicants are advised to seek appropriate Health and Safety advice and consult the London Fire and Emergency Planning Authority before preparing their plans and schedules.
- 7.3 Applicants are reminded that any performers are also members of the public and as such their safety should be specifically addressed in operating schedules.
- 7.4 Where door supervision is in operation, supervisors must be registered with the Security Industry Authority. The Council strongly recommends that a record of SIA registered staff on duty in this capacity is maintained on the premises and that an incident report book is maintained. Both of these records should be available for inspection by authorised officers of the Council or a Police Officer at all reasonable times.
- 7.5 Where necessary, the Council will attach conditions to the licences and permissions that promote public safety. Such conditions will, as far as possible, be drawn from the Model Pool of Conditions relating to Public Safety (see Annex A to D of the Guidance issued under sections 182 of the Licensing Act 2003).

8. PROTECTION OF CHILDREN FROM HARM

- 8.1 The wide range of premises that require licensing means that children can be expected to visit them. Children will wish to visit premises which are licensed and may or may not be accompanied by an adult. In general it is the view of the Council that the question of whether children will be admitted to any premises should be left to the discretion of the licence holder who, where there may be risks, will take adequate steps to protect them from harm. However, applicants should consider the following points when drawing up their Operating Schedule.
- 8.2 The Council will take strong measures to protect children from physical, moral or psychological harm where for example:
- Any licence holder or employee has been convicted of serving alcohol to minors or the premises have a reputation for underage drinking.
 - Premises where there is evidence of an association with drug taking or drug dealing.
 - Gambling takes place on the premises, except for the provision of a small number of cash prize machines. (The council expects all premises which have gambling on the premises to have read its policy on Gambling licensing and in relation to this exemption for small cash prize machines draws their attention to 9.3.1) .
 - Whenever entertainment or services of an adult nature or sexual nature are provided.
 - Where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises.

- 8.3 The Council will rarely impose licence conditions that simply exclude children. Where it is considered that the protection of children from harm requires conditions to limit their access to any premises, the Council will consider options such as:
- Limitations on the hours when children may be present.
 - Limitations on ages below 18.
 - Limitations or exclusion when certain activities are taking place.
 - Requirements for the accompanying adult.
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 8.4 It is strongly recommended that applicants, where appropriate, address the access of children to the premises in their Operating Schedule and that they state the time after which children will not be admitted to premises serving alcohol for consumption on or off the premises. Such cut-off times may be split into age groups.
- 8.5 The 2003 Act details a number of offences designed to protect children in licensed premises and the Council will work closely with the Police to ensure the appropriate enforcement of the law.
- 8.6 The Council supports the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks and strongly recommends that traders immediately remove any products or display material that is the subject of a Retailer Alert Bulletin.
- 8.7 The Council strongly recommends that to prevent illegal sales to underaged persons, licence holders work with a “proof of age scheme”.
- 8.8 The Council will expect traders to take all reasonable steps to prevent the unlawful sale or supply of alcohol to children. Where persons are found to be in breach of this requirement, strong enforcement action will be taken.

Showing of Films, Videos etc

- 8.9 In accordance with section 20 of the Act where the exhibition of films is permitted, the specified classification body will normally be the British Board of Film Classifications and the Council will require age restrictions to be strictly complied with in accordance with their recommendations. A mandatory condition will be imposed to this effect. Only in exceptional circumstances will variations of this general rule be considered.
- 8.10 Applicants should make it clear in their Operating Schedule what steps will be taken to ensure that only children of the appropriate age are admitted to exhibitions.

Children and Public Entertainment

- 8.11 Many children go to see and/or take part in an entertainment arranged especially for them (e.g. children’s film shows, dance productions) and

- additional arrangements are required to safeguard them while they are at the premises.
- 8.12 Where a regulated entertainment is specially presented for children, the Council will require their safety to be specifically addressed in the Operating Schedule.
- 8.13 Applicants are strongly recommended to pay particular attention to all safety issues and in particular to keep gangways and exits free from children and other obstructions during performances.
- 8.14 Where necessary and proportionate the Council may attach conditions to premises licences and club premises certificates to prevent harm to children. Such conditions will, as far as possible be drawn from the Model Pool of Conditions. The Council strongly recommends that applicants familiarise themselves with the model conditions in Annex D to the Guidance issued under section 182 of the Licensing Act 2003. The Council will expect applicants to address relevant considerations in their Operating Schedule as these issues will be carefully considered by the Licensing Authority and other responsible authorities.

9. CRIME & DISORDER/ANTI-SOCIAL BEHAVIOUR

- 9.1 In addition to the requirements for the Council to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the Borough. The Council also has responsibilities under the Anti-Social Behaviour Act 2003.
- 9.2 Where necessary, the Council will attach conditions on premise licences and club premise certificates to deter and prevent crime and disorder, both inside and immediately outside premises. Such conditions will, as far as possible, reflect local crime prevention strategies and be drawn from the Model Pool of Conditions relating to Crime and Disorder (Annex D Guidance issued under section 182 of the Licensing Act 2003).
- 9.3 The Council recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises including (but not limited to):
- Planning controls
 - On-going measures to create a safe and clean environment in partnership with local businesses, transport operators and other Council departments.
 - Regular liaison with the Borough Police on enforcement issues, including (but not limited to):fixed penalty notices, prosecution of selling alcohol to those underage, confiscation of alcohol from adults and children

- The power of the Police to close down instantly for up to 24 hours any licensed premises or temporary event on the grounds of disorder, the likelihood of disorder or excessive noise from the premises.
 - The power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate.
 - Designation of parts of the Borough as alcohol control zones where alcohol may not be consumed publicly.
- 9.4 In considering all licence applications, the Council will consider the adequacy of measures proposed to deal with the potential for crime and public disorder having regard to all the circumstances of the case and will particularly consider the following (which is not an exhaustive list):
- The general management of the premises and the proposed extent and manner of day to day management of the premises.
 - Measures to prevent crime and disorder and anti-social behaviour have been taken, such as the use of CCTV or the employment of registered door supervisors
 - The likelihood of violence, public disorder or policing problem arising if a licence were granted.
 - Measures proposed to prevent the consumption or supply of illegal drugs, including any search procedures,
- If the applicant has previously held a licence within the borough/district and the history of any enforcement action arising from those premises.
 - Reports of crime analysis produced by the Barnet Safer Community Partnership/Police Licensing Officer
 - Irresponsible alcohol promotion
- 9.5 In addition to the statutory requirements for plans, applicants should indicate on the plan provided to the Licensing Authority the proposed locations for the display and storage of any alcohol and the locations where sales and/or consumption will take place.
- 9.6 In order to avoid disruption to businesses during the absence of the Designated Premises Supervisor, the Council strongly recommends that a minimum of one additional member of staff should hold a personal licence. It is considered good practice for personal licence holders who authorise others to sell alcohol to formalise the authorisation process and the Council encourages such authorities to be written in clear and unambiguous terms.
- 9.7 The Licensing Authority strongly encourages Designated Premises Supervisors and others connected with the retail sale of alcohol to attend meetings supported by the Council and/or the Borough Police aimed at the reduction of crime and disorder. An example of this would be the Pubwatch Scheme(s).

10. NUISANCE

- 10.1 In addition to the requirements of the Council to promote the licensing objectives, it also has a duty under the Environmental Protection Act 1990 to do all it reasonably can to prevent nuisance, including noise.
- 10.2 Applicants for a licence for the provision of late night refreshments for consumption off the premises are reminded under section 93-95 of the Act the Council may issue a Street Litter Control Notice where there is a recurrent defacement by litter or refuse of the street in the vicinity.
- 10.3 Where necessary, the Council will attach conditions to licences and permissions to deter and prevent nuisance. Such conditions will so far as possible, reflect local strategies and be drawn from the Model Pool of Conditions reflecting public nuisance (see Annex D of the guidance issued under section 182 of the Licensing Act 2003).
- 10.4 For all licence applications, the Council will consider the adequacy of measures proposed to deal with the potential for nuisance having regard to all circumstances of the case, and will particularly consider the following:
- The steps the applicant has taken or proposes to take to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment and human voices. Such measures may include sound proofing, air conditioning, acoustic lobbies and sound limitation.
 - The steps the applicant has taken or proposes to take to prevent disturbance created by patrons arriving or leaving the premises.

Live Music, Dancing & Theatre

- 10.5 The Licensing Authority wishes to encourage and promote live music, dance and theatre for the wider cultural benefit of the community particularly for children.
- 10.6 When considering applications for such events and the imposition of conditions on licences, the Council will carefully balance the cultural needs with the necessity of promoting the licensing objectives. The Council would wish to avoid, so far as possible, measures which deter live music, dancing and theatre.
- 10.7 Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where limited disturbance may be caused.
- 10.8 Where appropriate the Council may seek premises licences in its own name for community public spaces and local authority buildings. In this instance, performers and entertainers will not need apply for a licence themselves to give a performance but would require the Council's permission and supervision as premises licence holders.
- 10.9 The Council will monitor the impact of the licensing on the provision of regulated entertainment, and particularly live music and dancing.

11. ENFORCEMENT.

- 11.1 The Licensing Authority supports partnership with other regulatory bodies in respect of enforcing the provisions of the Act. This will be reflected in the nature and the extent of the working arrangements agreed between those bodies and the Licensing Authority, and on the need for efficient deployment of staff and avoidance of duplication of role. In particular, special arrangements will be maintained with the Police and other responsible authorities to achieve those ends.
- 11.2 The Licensing Authority will adopt enforcement regimes that will take account of the entire range of business activities and of individuals that require licensing under the new Act, with emphasis on the continued promotion of the licensing objectives. This will include both permanent business premises and premises used for temporary events. The Licensing Authority will make appropriate arrangements to monitor premises with a view to implementing targeted and proportionate enforcement action to achieve these objectives. Unlicensed activities and non compliance with conditions will not be tolerated at ANY premises.
- 11.3 Routine enforcement activity undertaken by the Licensing Authority will be targeted to ensure that high risk, poorly run premises, receive a high level of intervention, and that lower risk, well-run premises, receive a lower level of intervention. Complaint led enforcement will be subject to normal service response standards by the licensing team. The frequency of inspections will be based on a risk-rating system for the relevant licensed premises, dependent on business type and characteristics, the activities taking place and on historic data held by the Licensing Authority. Inspection frequency will be subject to review and possible amendments following the outcome of routine inspection by the Licensing Authority and/or following investigation of a complaint received.
- 11.4 Enforcement action will be taken in accordance with the principles of the Cabinet Office's Enforcement Concordat in addition to the Local Better Regulation Office Guidance, Guidance to Crown Prosecutors, Attorney Generals Guidelines. The Licensing Authority has enforcement protocols with the police and will develop them with the other responsible authorities to provide for the most effective methods of monitoring and enforcing compliance with licensing requirements.

12. TEMPORARY EVENT NOTICES

- 12.1 Whilst the Act requires 10 working days notice (exclusive of the day which the event is to start) to be given of the temporary event(s), the Council would wish applicants to make contact with the Licensing Authority at an early stage before a formal application is made. This is particularly important for large events and will enable responsible authorities to

consider proposals. Early consideration will allow issues and the licensing objectives to be addressed and may avoid objections from the police.

12.2 Applicants should be aware that the serving on the Council of a Temporary Event Notice does not remove their obligations under other legislation. Where necessary, permissions should be sought from the appropriate body. The Council expects that applicants understand their obligations in respect of:

- Planning permissions
- Health and safety
- Noise pollution
- The erection of temporary structures
- Road closures
- The use of pyrotechnics
- Anti-social behaviour

12.3 Applicants intending to sell alcohol should be aware that it is an offence to supply alcohol to minors or persons who are drunk. Also that the Police have powers to close down events without notice on the grounds of disorder, the likelihood of disorder or because of public nuisance caused by noise.

12.4 Applicants should be aware that a limit of less than 500 persons at any one time applies to temporary events and failure to comply with this limit may lead to prosecution. Where appropriate, organisers are strongly recommended to employ means of recording the number of persons entering and leaving the premises.

12.5 The attention of applicant is drawn to the fact police will expect to see a completed Music Promotion / Event Risk Assessment Scheme (Form 696 & 696A) If the event involves live or DJ music and is open to the public or section of the public.

13. OPERATING SCHEDULES

13.1 Protection of Children from Harm

13.1.1 This is defined by the Council as the means by which children will be protected from harm by the effective management and operation of the licensed activities. Barnet will consider harm to include all damaging, detrimental or injurious effects on children and will be concerned to protect children from physical, moral or psychological harm. The issues addressed could include, where relevant:

- Restrictions on access by children, whether accompanied or not, to the whole or any part of the premises, including times when children may not be present and/or whether such restriction relates to specific age groups.

- Provision of any adult supervision
- Methods employed for the prevention of unlawful supply, consumption, and use of alcohol, drugs and other products
- Whether the premises and licensee will adopt a Challenge 21 scheme, whereby anyone thought to be under 21, who wish to purchase alcohol, staff will ask for identification, or the “No ID No Sale” scheme for retailers.
- Whether a notice giving details of any restrictions relating to access by children is displayed.
- The provision of unbreakable drinking “glasses” for children (especially relevant for premises with play areas and/or including outdoor areas).
- The provision of suitable safe child seating (stable high chairs with straps in dining areas etc.)
- Provision for child friendly lavatories (low urinals, smaller w.c; low wash basins and provision of nappy changing facilities etc.)
- Arrangements for the inspection of play areas and/or equipment on licensed premises.
- Any instructions to be issued to staff about action to be taken in the event of concerns for the welfare of children in the care of intoxicated parents on licensed premises.
- Any other relevant issues relating to protecting children from harm.

13.1.2 Where regulated entertainment is specifically presented for children, Barnet require their safety to be specifically addressed in the Operating Schedule to include:

- Numbers and locations of supervising adults. Supervising adults should remain in the area(s) occupied by children, in the vicinity of each exit. The minimum number of attendants on duty should be a minimum of one member of staff per 50 children;
- Supervision of other areas of the premises during performances;
- Arrangements for entry and departure from the premises;
- Whether supervising adults employed or deployed by the organiser will be required to provide a current (less than 3 years old) disclosure from the Criminal Records Bureau and to renew this every 3 years or whether other staff selection procedures will prevent the employment and deployment of adults who are not fit and proper persons to supervise children.

13.2 Public Safety

13.2.1 This is defined by the Council as the means by which public safety will be promoted by the effective management and operation of the licensed activities. The issues addressed could include, where relevant:

- Arrangements to ensure the safety of users in the event of fire or other emergency.

- The safety of audiences and spectators.
- The safety of performers.
- The adequacy of transportation arrangements to ensure that customers may safely travel to and from the premises avoiding concentrations of people unable to access transport in a timely manner.
- Confirmation of arrangements of advertising of taxis and mini-cabs solely relate to those licensed by recognised licensed authority.
- Whether free water is provided for example at dance venues where persons may suffer dehydration.
- Where door supervision staff are employed, whether a record of staff on duty and an incident report will be maintained.
- Any other relevant public safety issue

13.3 Prevention of Nuisance

13.3.1 This means by which nuisance will be prevented by the effective management and operation of the licensed activities. The issues addressed could include, where relevant:

- Noise emanating from the premises included extended areas such as beer garden, including whether noise suppression and/or cut-off devices will be used.
- Noise, anti-social behaviour and other disturbances caused by persons leaving the premises.
- Urination in public places in the vicinity of the premises (including the adequacy of lavatories provided at the premises).
- Congregation of persons from the premises whether consuming alcohol or not
- Noise from vehicles driven by, delivering or collecting customers.
- Where more than one licensable activity is permitted whether different times of finishing will apply (e.g. serving alcohol ceases at a specific period before musical entertainment finishes).
- Whether there will be a drinking up time before the premises close.
- Whether there will be a terminal hour or specific period before closure after which there will be no further admissions or readmissions to the premises.
- Litter.
- Light pollution.
- Any proposed fireworks.
- Whether the arrangements to dispose of refuse from the premises is conducted at a reasonable hour.
- Any other relevant issues relating to nuisance.

13.4 Prevention of Crime and Disorder

13.4.1 This means by which crime and disorder will be prevented by the effective management and operation of the licensed activities. The issues addressed could include, where relevant:

- Crime prevention design, including appropriate lighting of exterior areas (applicants are reminded that planning and or building control permission may be needed for some alterations to premises).
- The amount of seating that is provided and seat/table ratio to drinking area.
- Door supervision, including screening for weapons and drugs.
- Other measures to control violent, drunken or abusive behaviour, including exclusion of trouble makers and refusal to sell to those who are or appear to be drunk or under age and add in appropriate circumstances, the use of toughened and/or polycarbonate glasses and the refusal to supply drinks over the counter in glass bottles.
- Combating drug dealing and abuse
- Methods to discourage drinking in public places in the vicinity of the premises.
- In premises seeking to sell alcohol for consumption off the premises, whether displayed stock will be in the view of staff at all times and/or covered by CCTV and whether spirits will be kept behind the counter.
- Methods to discourage and prevent, in so far as possible, the handling and distribution of stolen, counterfeit or other illegal goods by customers and staff.
- Whether Pubwatch radio or other means of communication will be used.
- How the management of the premises will avoid irresponsible drinks promotions.
- Any other relevant issues relating to the prevention of crime and disorder

14. CONDITIONS

- 14.1 The Act sets out mandatory conditions which must be attached in respect of the supply of alcohol, exhibition of films and door supervision. The Guidance issued under Section 182 of the Act provides pools of Model conditions as annexes.
- 14.2 Where necessary for the promotion of the licensing objectives, the Council will attach conditions which are consistent with the operating schedule for the premises in clubs and types of premises or, following a hearing, any other conditions attached to licences or certificates will be tailored to the individual style and characteristics of the particular premises and events concerned.
- 14.3 The Council recognises that the drug use of patrons is a problem which may exist. The Council expects licensees to take all reasonable steps to prevent controlled drugs coming into, or being consumed on their

premises. Whilst the possession of controlled drugs is a criminal offence, it is also recognised that special conditions will need to be imposed for certain types of venues to help prevent the sale and consumption of drugs and to create a safer environment for those who may have taken them. For more information please see the home office safer clubbing guide.

- <http://drugs.homeoffice.gov.uk/publication-search/young-people/safer-clubbing-guide.pdf?view=Standard&pubID=156775>

15. ADMINISTRATION, DELEGATION & EXERCISE OF FUNCTIONS

- 15.1 The Council is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 15.2 Appreciating the need to provide a speedy, efficient and cost effective service to all parties involved in the licensing process, the Council has delegated certain decisions and functions to its Licensing Committee, Sub-Committees and officers.
- 15.3 The grant of non-contentious applications, including for an example, those licenses and certificates where no representations have been made, has been delegated to Council officers.
- 15.4 The table in Appendix 1 sets out agreed delegation of decisions and functions to the Licensing Committee, Sub Committee and officers. This form of delegation is without prejudice to officers referring an application to a Sub-Committee, or a Sub-Committee to the Licensing Committee, if considered appropriate in the circumstances of any particular case.
- 15.5 The Council will maintain a Licensing Register containing the information required by statute and keep it available for inspection.

Appendix 1

TABLE OF DELEGATED FUNCTIONS

Matter to be dealt with	Licensing Committee	Licensing Sub-Committee	Officers
Application for a personal licence		If a Police objection	
Application for a personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a representation made	If no representations made
Application for a provisional statement		If a representation made	If no representations made
Application to vary premises licence/club premises certificate		If a representation made	If no representations made
Application to vary designated premises supervisor		If a Police objection	All other cases
Request to be removed designated premises supervisor		All cases	
Application for transfer of premises licence		If a Police Objection	All other cases
Application for Interim Authorities		If a Police Objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a			All cases

complaint is irrelevant, frivolous, vexatious etc			
Decision to object when a local authority is a consultee and not a relevant authority considering an application		All cases	
Determination of a police representation to a temporary event notice		All cases	

Appendix 2

PARTIES CONSULTED ON POLICY

The following parties were consulted on this policy:

Section 5 of the Licensing Act sets out the persons, that before determining its policy, the Licensing Authority must consult with. They are;

- The chief officer of police for the area
- The fire authority for the area
- Persons / bodies representative of local holders of premises licences
- Persons / bodies representative of local holders of club premises certificates
- Persons / bodies representative of local holders of personal licences

These parties have all been consulted regarding the policy. Furthermore

- Copies of the draft policy were emailed to all counsellors.
- Copies of the policy were made available for viewing and responses on the councils website,
- Copies were made available at libraries throughout the Borough.

Appendix 3 Contact Details for Responsible Authorities

The table below contains the contact details for responsible authorities that must be notified when applications are made for certain licences under the Licensing Act 2003.

<p><u>Application to Vary a Premises Licence / Club premises Certificate</u></p> <ul style="list-style-type: none"> • Licensing Authority (<i>original application documentation and appropriate fee</i>) • Police • Health and Safety Team • Nuisance Team • Planning • Safeguarding Children Board • Fire Authority • Trading standards 	<p><u>New Premises Licence / Club Premises Certificate</u></p> <ul style="list-style-type: none"> • Licensing Authority (<i>original application documentation and appropriate fee</i>) • Police • Health and Safety Team • Nuisance Team • Planning • Safeguarding Children Board • Fire Authority • Trading standards
<p><u>Provisional Statement</u></p> <ul style="list-style-type: none"> • Licensing Authority (<i>original application documentation and appropriate fee</i>) • Police • Health and Safety Team • Nuisance Team • Planning • Safeguarding Children Board • Fire Authority • Trading standards 	<p><u>New Personal Licence</u></p> <ul style="list-style-type: none"> • Licensing Authority only <p><u>Interim Authority Notice</u></p> <ul style="list-style-type: none"> • Licensing Authority (<i>original application documentation and appropriate fee</i>) • Police • Designated premises supervisor
<p><u>Application for a review of a Premises licence (s51) / Club Premises Certificate (s87)</u></p> <ul style="list-style-type: none"> • Licensing Authority (<i>original application documentation</i>) • Police • Health and Safety Team • Nuisance Team • Planning • Safeguarding Children Board • Fire Authority • Trading standards • Premises licence holder/club in whos name the application was made. 	<p><u>Transfer of Premises Licence</u></p> <ul style="list-style-type: none"> • Licensing Authority (<i>original application documentation and appropriate fee</i>) • Police <p><u>Application to Vary a Premises Licence to Specify a Designated Premises Supervisor</u></p> <ul style="list-style-type: none"> • Licensing Authority (<i>original application documentation and appropriate fee</i>) • Police • Existing Designated Premises Supervisor (if any)

<p>LICENSING AUTHORITY</p> <p>London Borough of Barnet Licensing Team Licensing Team, Building 4 North London Business Park Oakleigh Road South London, N11 1NP T 020 8359 7995 E licensingteam@barnet.gov.uk F 0870 889 6739</p>	<p>FIRE AUTHORITY</p> <p>London Fire and Emergency Planning Authority (LFEPA) Barnet Group 1st Floor, Finchley Fire Station 227 Long Lane London, N3 2RP E barnetgroup@london-fire.gov.uk T 020 7587 2276 F 020 7587 2271</p>
<p>PLANNING</p> <p>London Borough of Barnet Planning Building 4, North London Business Park Oakleigh Road South New Southgate, N11 1NP Stewart Murray T 020 8359 4838 E stewart.murray@barnet.gov.uk</p>	<p>POLICE</p> <p>Metropolitan Police Service Licensing Officer Colindale Police Station Grahame Park Way Colindale, NW9 5TW T 020 8200 1212 W www.met.police.uk/barnet</p>
<p>HEALTH AND SAFETY TEAM</p> <p>Building 4, North London Business Park Oakleigh Road South New Southgate, N11 1NP Chris Carabine, Group Manager, Food. E chris.carabine@barnet.gov.uk T 020 8359 7995 F 0870 889 6793</p>	<p>SAFEGUARDING CHILDREN BOARD</p> <p>London Borough of Barnet Bridget Griffin Divisional Manager Children & Families Barnet House, 1255 High Road Whetstone, N20 0EJ E bridget.griffin@barnet.gov.uk W www.barnet.gov.uk T 020 8359 4532</p>
<p>NUISANCE</p> <p>London Borough of Barnet Environmental Services Noise and Statutory Nuisance Manager Building 4, North London Business Park Oakleigh Road South New Southgate, N11 1NP Ralph Haynes E ralph.haynes@barnet.gov.uk T 020 8359 7448</p>	<p>TRADING STANDARDS</p> <p>London Borough of Barnet Trading Standards Building 4, North London Business Park Oakleigh Road South New Southgate, N11 1NP Heena Kanani Trading Standards Officer E heena.kanani@barnet.gov.uk T 020 8359 2118</p>

Amendment to Motion 8.1

Members are asked to note the following amendments, tabled on the night have been proposed.

Council: 18 December 2007

1) Motion (8.1): Cllr. Julie Johnson

Amendment: Cllr. Anthony Finn

Delete all after "Council" (paragraph 1) and Insert:

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

West Hendon Estate

...is proud that the Conservative administration achieved an agreement for the rebuilding of the estate, following years of inaction by the previous Labour/Liberal administration.

Council notes that, as this regeneration schemes has received little support from Government, it has to be self-financing, with the money for rebuilds coming from the sale of private units.

Council therefore regrets that the economic downturn, which has been presided over by Chancellor, then Prime Minister, Gordon Brown, has caused a slump in the credit markets and house prices, which has adversely affected the financial agreements for the regeneration of West Hendon.

However, Council is pleased that the administration and its partners remain committed to the realisation of a revitalised West Hendon, and in securing the best possible outcome for residents.

Accordingly, Council calls on Cabinet to work with all partners to ensure the improved housing and infrastructure can be delivered as soon as possible and with the minimum disruption.

2) Council Tuesday, 18 December 2007

Amendment in the name of Cllr Ansuya Sodha to motion in the name of Cllr Julie Johnson:

Delete all and replace with:

"Council calls on Cabinet to work with all partners to ensure the affordable housing and infrastructure elements of the West Hendon estate regeneration can be delivered as soon as possible and with the minimum disruption."

Amendments to Motion 8.2

Extracted from the Supplemental Report of the Democratic Services Manager - Members are asked to note the following amendments have been proposed.

5. Amendments to items on the Agenda

1. (i) *Motion 8.2: in the name of Councillor Charlie O-Macauley*

(a) Amendment in the name of Councillor Claire Farrier

“Pavilion Way Football Fields

Delete 3rd paragraph and insert:

“Council also thanks Terry Revill of Flash Musicals, and all other involved partners for all the work they have contributed to the project so far.”

Substantive motion to read:

“Council regrets that the council-owned Pavilion Way Football Fields in Burnt Oak ward have been closed to public use for several years.

Council welcomes the efforts of the local MP, Andrew Dismore, to bring sporting and voluntary sector partners together, to find a way of re-developing the facilities at Pavilion Way to meet the needs of the local community.

Council also thanks Terry Revill of Flash Musicals, and all other involved partners for all the work they have contributed to the project so far.

Council supports the re-provision of youth and community recreational facilities on this land, as required by the site’s covenant, and welcomes the interest of the Football Association in supporting the development of the site for youth and community recreation.

Council believes Cabinet should grasp this opportunity to revive a sporting facility that would support the growing local community

Council therefore asks Cabinet to investigate all avenues to help re-develop the facilities at Pavilion Way, including:

- Working with the Football Association and relevant voluntary sector partners, to identify possible funding partners
- Granting a lease to an approved organisation to develop and deliver the facilities on site on behalf of the Council””

Councillor Claire Farrier has requested under Standing Order Part 4, Section 1, 31.5: that if the item is not dealt with by the end of the meeting, it be voted upon at the council meeting

2. (b) Amendment in the name of Councillor Susette Palmer

“Change 2nd and 3rd paras to read ‘ Council welcomes all local efforts to find ways of meeting the needs of the local community
Add new bullet point end of motion ‘- doing everything in its power to obtain part of the GLA funds available from GLA to use in Barnet for diversional activities for the youth of the borough’.”

The following amendment, tabled on the night has been proposed.

Council: 18 December 2007

3. **Motion (8.2):** Cllr. Charlie O-Macauley

Amendment: Cllr. Andrew Harper

Delete all after “Council” (paragraph 1) and Insert:

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

Pavilion Way Football Fields

...regrets that the council-owned Pavilion Way Football Fields in Burnt Oak ward have been closed to public use for several years, owing to the lack of use and viability of the facility.

Council further regrets that, attempts by both LBB and a private organisation to find a viable ways forward for Pavilion Way have proved unsuccessful.

Council notes that one reason people no longer use Pavilion Way stems from the establishment of the attractive Burnt Oak Sports Centre nearby.

Council is pleased that the new sports centre offers improved recreation opportunities to people in the area – and that it has proved so popular across all sections of the community. However, Council also believes that replacement (particularly outdoor and football) facilities for the dilapidated Pavilion Way are desperately required.

Accordingly, Council welcomes the decision of Cabinet Resources Committee to seek the provision of better sports provision, subject to negotiation and planning, at Woodcroft Park if Pavilion Way is developed.

Council believes this will provide much improved, and viable, sports facilities for the people of Burnt Oak, including the possibility of an all-weather pitch and pavilion.

Council requests that Cabinet continue these negotiations so that the people of Burnt Oak, Colindale and the surrounding area can benefit from enhanced recreation opportunities.

Amendments to Motion 8.4

Extracted from the Supplemental Report of the Democratic Services Manager - Members are asked to note the following amendment has been proposed.

5. **Amendments to items on the Agenda.**
1. **(iii) Motion 8.4: In the name of Councillor Fiona Bulmer**
- (a) Amendment in the name of Councillor Duncan Macdonald
“Delete 5th para ‘Council Excellence’”

The following amendment, tabled on the night has been proposed.

2. **Council, Tuesday 18 December 2007**

Amendment from Cllr Barry Rawlings to motion from Cllr Fiona Bulmer

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

Delete all after “Council....” and insert:

“...is proud of its Children’s Service, which is delivering effective, and high quality education and care for children and young people across the London Borough of Barnet.

Council welcomes the recent Annual Performance Assessment (APA), which has given Barnet Council an overall good (Grade 3) rating and an outstanding (Grade 4) rating for the “Enjoying and Achieving” category.

Council is proud of the excellent test and exam results achieved by pupils in Barnet and welcomes OFSTED’s recognition that the improvement in performance 'reflects the success of the local authority in tackling underachievement'.

Council is also very proud of the effective work that has been carried out to improve school attendance; the positive contribution made by young people to the community; and the reduction in the numbers of young people not in education, employment or training.

Council congratulates staff, schools, pupils and parents on their hard work and dedication, which has played a vital role in helping the council to provide the highest quality children's services in Barnet.

Council notes that the education service has provided children in Barnet with excellent prospects since the founding of the Borough, and welcomes the contribution made by all administrations over the years.

Council agrees that progress made over the last 10 years would not have been possible without the extra funding delivered by the government, with per-pupil funding in Barnet increasing to £4,344 in 2007/8, compared with £2,340 nationally in 1997.

Council is delighted that this will increase further in Barnet to £4,917 per pupil by 2010-11, an increase of 13.2% over the period of the 3 year settlement.

Council welcomes the extra £82m in capital funding for schools that Barnet will receive under the local government settlement for 2008/11, which means capital funding to Barnet schools will have increased by 608% between 1996/7-20010/11.

Council also welcomes the £1.8m extra funding for youth facilities in Barnet jointly announced by the Mayor of London and the government this month, as well as the £695,234 from the Big Lottery for implementation of the Play Strategy.

Council asks Cabinet to ensure that this extra £2.5m for youth and play reaches those young people in the communities that need it most.

Substantive motion to read:

“Council is proud of its Children’s Service, which is delivering effective, and high quality education and care for children and young people across the London Borough of Barnet.

Council welcomes the recent Annual Performance Assessment (APA), which has given Barnet Council an overall good (Grade 3) rating and an outstanding (Grade 4) rating for the “Enjoying and Achieving” category.

Council is proud of the excellent test and exam results achieved by pupils in Barnet, and welcomes OFSTED’s recognition that the improvement in performance 'reflects the success of the local authority in tackling underachievement'.

Council is also very proud of the effective work that has been carried out to improve school attendance; the positive contribution made by young people to the community; and the reduction in the numbers of young people not in education, employment or training.

Council congratulates staff, schools, pupils and parents on their hard work and dedication, which has played a vital role in helping the council to provide the highest quality children's services in Barnet.

Council notes that the education service has provided children in Barnet with excellent prospects since the founding of the Borough, and welcomes the contribution made by all administrations over the years.

Council agrees that progress made over the last 10 years would not have been possible without the extra funding delivered by the government, with per-pupil

funding in Barnet increasing to £4,344 in 2007/8, compared with £2,340 nationally in 1997.

Council is delighted that this will increase further in Barnet to £4,917 per pupil by 2010-11, an increase of 13.2% over the period of the 3 year settlement.

Council welcomes the extra £82m in capital funding for schools that Barnet will receive under the local government settlement for 2008/11, which means capital funding to Barnet schools will have increased by 608% between 1996/7-20010/11.

Council also welcomes the £1.8m extra funding for youth facilities in Barnet jointly announced by the Mayor of London and the government this month, as well as the £695,234 from the Big Lottery for implementation of the Play Strategy.

Council asks Cabinet to ensure that this extra £2.5m for youth and play reaches those young people in the communities that need it most.”

Amendments to Motion 8.3

Extracted from the Supplemental Report of the Democratic Services Manager - Members are asked to note the following amendments have been proposed.

5. Amendments to Items on the Agenda

1. (ii) **Motion 8.3: In the name of Councillor Ansuya Sodha**
 - (a) Amendment in the name of Councillor Susette Palmer

“Add at end of motion:

Council requests Cabinet to mount exhibitions in all Barnet libraries lauding the role of women in Barnet, including women of all colours, races and creeds’.”

2. (b) Amendment in the name of Councillor Lynne Hillan
“International Women’s Day

Delete all after “Council” and Insert:

...is proud of the fact that Barnet produced the first woman Prime Minister, the Rt Hon. The Baroness Thatcher, who led Britain for 11 years.

Council is also proud that Her Majesty, Queen Elizabeth II, has reigned as Queen over Britain and 15 other independent states and dependencies since 1952, and celebrated her Golden Jubilee in 2002.

Council notes that neither of these two eminently successful women owed their achievements to gimmicks such as International Women’s Day, so Cabinet is advised to ignore such days, and instead note the contribution that women including Lady Thatcher, HM Queen Elizabeth II, Queen Elizabeth I and Dame Henrietta Barnett have made to life in our Borough.”

Councillor Lynne Hillan has requested under Standing Order Part 4, Section 1, 31.5: that if the item is not dealt with by the end of the meeting, it be voted upon at the council meeting.

Amendments to Motion 8.5

Extracted from the Supplemental Report of the Democratic Services Manager - Members are asked to note the following amendments have been proposed.

(iv) ***Motion 8.5: In the name of Councillor Barry Rawlings***

Amendment in the name of Councillor Fiona Bulmer

‘More money for Barnet’s young people

Council is proud of its youth service that provides a diverse range of activities for young people, that performs highly in inspections, and gives value for money to Barnet residents.

Further, Council is pleased that our services has been successful in attracting external funding, with more than £1 million secured this year alone.

Council notes that the Mayor of London and the Government has promised to give Barnet more money for our youth facilities, through their “Youth Offer”.

However, Council regrets that much of this cash is not “new”, and the extra money amounts to roughly £400,000 over 2 years, not £1.8 million as Labour claims.

Council is also dismayed that the Government has given the Borough such poor support overall, particularly through the Formula Grant. Council believes this severe under-funding more than cancels out its short-term gestures such as its “Youth Offer”.

Nonetheless, Council requests that Cabinet continues to invest money from external sources, including the “Youth Offer”, in the Youth Service so that it continues to offer first-rate activities for the young people of Barnet.”

Councillor Fiona Bulmer has requested under Standing Order Part 4, Section 1, 31.5: that if the item is not dealt with by the end of the meeting, it be voted upon at the council meeting.

Amendments to Motion 8.6

Extracted from the Supplemental Report of the Democratic Services Manager - Members are asked to note the following amendments have been proposed.

5. Amendments to Items on the Agenda
- 1) (iv) **Motion 8.6: in the name of Councillor Marina Yannakoudakis**
- (a) Amendment in the name of Councillor Alison Moore

Delete all after “Council notes the EU Reform Treaty....” and insert:

“...amends existing Treaties in order to make an EU of 27 countries work more effectively.

Council believes that membership of the EU benefits our country and Barnet residents, and that the UK should remain in the EU.

Council therefore calls on the Chief Executive to write to the Prime Minister to convey Council’s clear position on this matter.”

Substantive motion to read:

“Council notes the EU Reform Treaty amends existing Treaties in order to make an EU of 27 countries work more effectively.

Council believes that membership of the EU benefits our country and Barnet residents, and that the UK should remain in the EU.

Council therefore calls on the Chief Executive to write to the Prime Minister to convey Council’s clear position on this matter.”

Councillor Alison Moore has requested under Standing Order Part 4, Section 1, 31.5: that if the item is not dealt with by the end of the meeting, it be voted upon at the council meeting

2. (b) Amendment in the name of Councillor Monroe Palmer

“Delete all after 1st para (except leave final para ‘Accordingly ... possible) and replace all intervening paras with ‘ Council believes that the EU affects Barnet residents and that there needs to be a Referendum on the TOTAL concept of Britain’s membership of the European Union.”

Council: 18 December 2007

Administration Policy Item: Cllr. Mike Freer

Budget 2008/09

Council notes the components of the budget 2008/09.

Council further notes the Budget will be set after careful consideration.

Council is proud that despite consistent under-funding from Government, the Administration has kept the Budget and the level of Council Tax under control in the last 5 years.

Council calls on Cabinet to work to produce the Budget for 2008/09 within the constraints imposed by Government.

2008/2009 Draft Budget

£m

2007/08 Council Tax Requirement	141.603
Pay Awards, Inflation & Full Year Effects	6.822
Budget Efficiencies	(9.467)
Budget Reductions	(2.393)
Budget Increases	8.769
Specific Grants transferred to Formula Grant	5.671
Capital Programme Financing Costs	3.038
	<hr/>
	154.043
Government Formula Grant	(7.478)
	<hr/>
2008/09 Council Tax Requirement	146.565
	<hr/>
2008/09 Council Tax Increase	3.50%

London Borough of Barnet

The draft budget currently assumes no contribution to balances. This will need to be reviewed once the Chief Finance Officer has finalised guidance to Council on this matter which he is required to do under the Local Government Act 2003.

All figures shown in the headlines represent year on year movements of revenue costs and income.

Adult Social Services	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Efficiencies</u>					
Contracting Efficiencies					
Delivering value for money and quality through effective contracting	(1,090)	(300)	(1,155)		
Equipment contract - improved contractual model	(100)				
Transforming How We Work - The Role Of In House Services					
Making in-house services competitive in the market place. Modernising services to deliver self directed care		(176)			
New Choices Project which reduces the reliance on traditional residential care by the creation of modern service options that are non buildings based (reduction of 4 posts)	(120)				
Transforming How We Work - Rolling Out Individualised Budgets	(725)	(919)			
Changing the way social care packages are set up to give greater choice to the individual and reduce care package costs					
Modernising The Way We Work					
Changing the way we work to give more efficient back office support (reduction of 5 posts)	(142)				
Improved social work reviewing function (reduction of 3 posts)	(41)				

Adult Social Services	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
Improved income collection	(100)				
	(2,318)	(1,395)	(1,155)	0	0
<u>Budget Increases</u>					
Learning Disability High Cost Placements There is an increasing and planned demand in respect of high cost quality placements for service users with profound and complex needs in the process of transition and a requirement to ensure local capacity is developed accordingly. This will include both residential care and enhanced supported living options	695	330			
Transforming How We Work - Rolling Out Individualised Budgets Investing in advocacy support to enable change to the way social care packages are set up to give greater choice to the individual and reduce care package costs	100				
Transforming How We Work - The Role Of In House Services Investment in short term project management to support the modernisation of in house services	50	(50)			
Government Grant Anticipated reduction in specific grants	290				
Adult Social Services Grants now provided through the Revenue Support Grant rather than as separate grants.	4,215				
	5,350	280	0	0	0

87

Adult Social Services	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Reductions</u>					
Deletion Of Vacant Social Worker Post	(40)				
Transforming How We Work - The Role Of In House Services					
Making in-house services competitive in the market place. Modernising services to deliver self directed care. (reduction of 3 posts)	(245)	(500)			
New Choices Project which reduces the reliance on traditional residential care by the creation of modern service options that are non buildings based	(80)				
Transportation	(60)				
Reviewing the current arrangements for transport					
Ceasing Discretionary Activity					
Cease discretionary training activity (Reduction of 1 post)	(130)				
Reduce discretionary HIV/AIDS expenditure in line with Grant	(100)				
Cease funding of discretionary health post	(45)				
Reduce discretionary funding for PCT delivered services	(80)				
More targeted laundry service	(15)				
	(208)				
Transforming How We Work - Rolling Out Individualised Budgets					
Changing the way social care packages are set up to give greater choice to the individual and reduce care package costs					
	88 (1,003)	(500)	0	0	0

Central Expenses	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Efficiencies</u>					
Improvement in Interest Earnings	(1,609)				
	(1,609)	0	0	0	0
<u>Budget Increases</u>					
PFI Electricity	75	75			
Potential additional costs arising from street lighting PFI contract					
Capital Programme					
Cost of borrowing	1,598	805	680	683	
Primary School Capital Investment Programme	1,440	2,720	(770)	(770)	
Treasury Management	263	277			
Potential changes in interest charged on market loans					
Pensions	1,000	1,040	1,080		
Additional employer's contributions based on actuarial revaluations					
Levies	1,177	620	600		
Increase in North London Waste levy					
Staffing Pressures	1,600				
Provision for Redundancies	89				

Central Expenses	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
Office Accommodation Strategy Office accommodation strategy (incorporating Barnet house rent review)	950				
Neighbourhood Renewal Fund Expenditure dropping out	(1,000)				
Grant dropping out	1,000				
Transport Increased Contract Costs from start of new Contract for all Council Vehicles in October 2008	300	300			
Recycling Increased contract costs from October 2008 due to collection of additional materials	200	200			
	8,603	6,037	1,590	(87)	0
<u>Budget Reductions</u>					
Concessionary Fares Revision relating to new national scheme and government grant	(1,120)				
	(1,120)	0	0	0	0

Chief Executive, Communications & Consultation and Policy & Partnerships	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Efficiencies</u>					
Staffing Efficiencies					
Deletion of post over two years	(27)				
Corporate Restructure	(90)				
	(117)	0	0	0	0
<u>Budget Reductions</u>					
None					
	0	0	0	0	0

Children's Service	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Efficiencies</u>					
Proposals For Generating Income From Selling Services	(50)				
Estimated income (full year effect). Charging other local authorities and agencies for matching with approved adopters, selling contact supervision to other authorities and means testing parents for contributions to services for looked after children.					
Libraries Reorganisation 2007/08. Full Year Effect .	(13)				
Efficiencies From Service Integration (Reduce By 10.5 FTE Posts Including 5.5 Vacancies. Charge 2.35 FTE To Grant).					
Reorganise children's information & advice function.	(186)				
Reorganise workforce development function and delete underspend.	(200)				
Reorganise support for libraries.	(99)				
Reorganise performance data function.	(70)				
Reorganise divisional management.	(18)				
Management efficiencies from integration of Youth & Connexions	(300)				
Connexions (Vacancy rate)	(110)				
Service Efficiencies (Reduce By 4.35FTE Staff Including 3.35 Vacant Posts. Charge 7 Posts To Grant)					
Further reduction in number of looked after children and consequent reduction in placement costs.	(300)	(350)	(350)		
Reconfigure support to schools to reflect school improvement and greater support from Dedicated Schools Grant	(295)				
	92				

Children's Service	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
Increase cost of services traded with schools to ensure income covers management costs.	(115)				
Offset cost of family support against grant.	(230)				
Reprofile provision of services in children's centres.	(300)				
	(2,286)	(350)	(350)	0	0
<u>Budget Increases</u>					
Further Reduction In Number Of Looked After Children (Invest To Save Mark 2).					
Investment will enhance targeted intervention with families in crisis (a reduction in the number of children coming into care) and family finding (an increase in the number of children leaving care).	250	250			
Grants.					
Children's Service Grant is now provided through the Revenue Support Grant rather than as a separate grant.	1,456				
	1,706	250	0	0	0
<u>Budget Reductions</u>					
None					
	0	0	0	0	0

The following Financial Forward Plan pressures included in March 2007 have been withdrawn:-

Children Centres

Growth money for Children Centres.		100
Reorganisation of Children & Family Day Centres as Children Centres.	93	100

Corporate Governance	2008-9	2009-10	2010-11	2011-12	2012-13
<u>Budget Efficiencies</u>	£000	£000	£000	£000	£000
Service Re-organisation					
Proposed efficiencies arising from the amalgamation of trading standards, licensing and other community safety services and re-organisation as one coherent community protection service	(377)				
Staffing Efficiencies					
Proposed reduction in staffing and general resources - These proposed reductions relate to a reduced staffing level in Divisional Manager level, Solicitor level and at Assistant level, and includes savings from the use of Counsel and general office savings	(108)				
Proposed reduction in staffing and contract costs relating to a reduced work programme - These proposed reductions relate to the deletion of an Office Manager post and a reduced spend on contracted audit services associated with a reduction in (lower risk) audits carried out in this period.	(31)				
Reduced Printing/Stationery Costs					
Proposed reduction resulting from reducing printing costs and better use of internet and intranet. General savings derived from the cancellation of non essential publications and stationery costs.	(27)				

Corporate Governance	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Increases</u>	(543)	0	0	0	0
CCTV Shift Allowance	100				
Grants	140				
Safer Communities Grant reduction - subject to confirmation					
	240	0	0	0	0
<u>Budget Reductions</u>					
None					
	0	0	0	0	0

Environment & Transport	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Efficiencies</u>					
Environmental Services - Efficiencies Across Front-Line Service Provision Staffing efficiencies within Transport, Domestic Refuse and Greenspaces to enable more efficient service delivery.	(115)				
Highways Strategy Restructure Strategy Team reallocating responsibilities and deleting vacant post.	(60)				
Environment And Transport Administration Review Consolidation of Administration functions currently spread across different sites	(50)	(50)			
Parking Special Parking Account - Efficiency Savings in Design Team and in Process Team IT Costs	(100)				
Trade Waste - Additional Income Additional Income via small increase in charges, efficient debt recovery and extra sales	(80)				
	(405)	(50)	0	0	0

Environment & Transport	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Increases</u>					
Drainage Contract Increased costs of new Drainage contract which began in 2007/08	150				
	150	0	0	0	0
<u>Budget Reductions</u>					
Greenspaces - Full Year Effect Of 2007/08 Reconfiguration. Full year effect of 2007-08 saving that led to a programme of planned changes to a range of parks and open space, fixed facility and arboricultural maintenance regimes.	(270)				
	(270)	0	0	0	0

Housing General Fund	2008-9	2009-10	2010-11	2011-2012	2012-2013
<u>Budget Efficiencies</u>	£000	£000	£000	£000	£000
Temporary Accommodation Reduction in Temporary Accommodation budget	(200)				
General Fund Costs As Numbers In Temporary Accommodation Fall The government has set a target to half the use of temporary accommodation by 2010, and the Housing Service has developed a temporary accommodation reduction plan setting out how this will be delivered	(100)	(20)			
Savings From Value For Money Reviews The Housing Service will carry out VFM Reviews of its Housing Benefits and Housing Needs and Resources functions during 2007-8. This will include carrying out full VFM reviews following National Audit Office Guidelines and will include examining scope for developing a shared service approach with other councils, opportunities for reducing office requirements by promotion of home working, and improved use of resources across the Housing Service	(50)				
Staffing Efficiencies We aim to achieve a reduction in the number of clients we have to deal with directly by providing on line application and assessment facilities for these services. This will enable us to reduce the number of staff required for both dealing face to face with customers and those processing applications			(75)		

Housing General Fund	2008-9	2009-10	2010-11	2011-2012	2012-2013
Restructure of Housing Needs and Resources Service - Proposal to reduce the staffing requirement for the Housing Needs and Resources Team supported by improvements in supporting information technology to ensure service standards are maintained	£000 (158)	£000 (107)	£000	£000	£000
Grants Housing Benefit Administration	(144)	80	167		
	(652)	(122)	167	0	0
<u>Budget Increases</u>					
Restructure Of Housing Needs And Resources Service	35	35			
	35	35	0	0	0
<u>Budget Reductions</u>					
None					
	0	0	0	0	0

Planning and Environmental Protection	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Efficiencies</u>					
Environmental Health - Efficiencies Across Service Efficiencies include reduction of one post within Food Safety team along with more efficient use of existing resources and new areas for increased income.	(58)				
Building Control - Increase In Income Increased income from Corporate commitments on Council's own development projects to use in house service, e.g. PSCIP	(30)				
Planning - Staffing Efficiencies Reductions in Planning support staff.	(45)				
Cemetery And Crematorium Increased income from fees and charges for burials, cremations and related services	(52)				
	(185)	0	0	0	0

Planning and Environmental Protection	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Increases</u>					
Local Development Framework Statutory requirement to produce Local Development Framework to replace UDP.	200		(210)		
Land Charges Expected loss of income from increased deregulation and HIPS introduction	500	200			
Planning Enforcement Team Additional Enforcement Post	40				
	740	200	(210)	0	0
<u>Budget Reductions</u>					
None					
	0	0	0	0	0

Resources	2008-9	2009-10	2010-11	2011-12	2012-13
<u>Budget Efficiencies</u>	£000	£000	£000	£000	£000
Staffing Efficiencies					
Merge Strategic and Shared Service IT teams - staffing reduction	(60)				
HR Shared Services E-Recruitment - delete one post and savings on associated postage and printing costs		(30)			
Merge Closing & Compliance and Closing & Monitoring Teams. - reduction of one Finance Manager post	(55)				
Deletion of Head of Corporate Services post	(60)				
Merge Business Intelligence with Business Improvement - deletion of one of the Heads of Service posts.	(60)				
Property services/FM restructure - admin efficiencies from merger of the two teams	(30)				
IT Initiative Efficiencies					
Shared Service Centre - Swift managed services – potential savings from review	(30)				
Business Improvement Team Corporate events - move to electronic corporate documents	(30)				
Mobile phones/XDA charges - improved savings over those in this year's budget on the re-tender of contract	(30)				
Reduction of IT contingency provisions	(50)				
	102				

Resources	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
Review Of Allowances					
Strategic HR corporate review of allowances - reduce & rationalise	(200)				
Registrars Review of allowances & overtime as part of restructure	(20)	(20)			
Property Efficiencies					
Property Services - review of advertising hoardings	(90)				
Contract Efficiencies					
New Temp Desk contract	(30)				
Graham Park School all weather pitch	(35)				
Revenue Single Persons Discount	(200)				
Revenues Single Person Discount - working to increase tax base					
OD & Change Training Budget Reduction	(32)				
OD & Change - training budget reduction of base requirement from £92,000 to £60,000					
Collection Fund	(340)				
Improvements on Collection Fund - early collection					
	(1,352)	(50)	0	0	0

Resources	2008-9	2009-10	2010-11	2011-12	2012-13
	£000	£000	£000	£000	£000
<u>Budget Increases</u>					
Bailiff's - Fees For Liability Orders Bailiff's - fees for Liability Orders		360	(360)		
Office Accommodation Strategy Office accommodation strategy (incorporating Barnet house rent review)	50				
Corporate Telephone Contract Base budget correction	104				
Vacancy Factor Base correction addressing service needs across the council	500				
	654	360	(360)	0	0
<u>Budget Reductions</u>					
None					
	0	0	0	0	0

Amendment to Item 9.1

Extracted from the Supplemental Report of the Democratic Services Manager - Members are asked to note the following amendment has been proposed.

5. Amendments to Items on the Agenda

(v) *Item 9.1: Administration Policy Item*

(a) Amendment in the name of Councillor Jeremy Davies

“Add to line 2”.....in consultation with the all three parties.”

Replace line 3 to read” Council is disappointed that Barnet’s council tax has increased so much over the last 5 years put

Opposition Policy Item – Cllr Kath McGuirk

The state of our street scene

Council recognises that maintaining a clean environment is one of the most significant priorities identified by Barnet residents across the borough, and it is therefore rightly one of the key priorities in the Corporate Plan.

Council also recognises that ensuring Barnet is a clean, green and safe borough is key to improving local residents' quality of life, with research showing that the quality of people's surroundings substantially impacts upon levels of crime and disorder, and how safe they feel.

Council further recognises that while the overall level of satisfaction with environmental cleanliness in Barnet is high compared to other local authorities, the standard of cleanliness across the Borough is not uniform, with residents in more deprived wards, and on Council estates, experiencing a radically different street scene to residents living in more affluent and suburban areas.

Council notes that the street cleaning service has this year been re-configured to focus even more on town centres, but that as a result many Councillors have received an increase in complaints, and requests for extra street sweeps from residents living in roads just off town centres or in more urban residential areas.

Council also notes that the street enforcement service, which deals with enviro-crime on our streets, has also been the subject of re-organisation over the last two years, resulting in a cut to the service of £850,000 and the axing of 18 posts in 2006 - all regardless of a clear need for extra resources to deliver the administration's own Clean Borough Strategy.

Council further notes that the graffiti prevention, education and enforcement service has recently been given a "no assurance" rating by internal auditors, who found that there was no clear service objective, no formal service delivery plan, no clear strategy to meet targets to remove graffiti, that the service was failing to issue graffiti removal notices and had therefore not re-covered up to £30,000 in removal charges.

Council believes that street cleanliness looks like it is getting worse - only 9% of streets in Barnet were judged to be unacceptably dirty in 2005/6, whereas 16.3% of streets were judged to be unacceptably dirty in 2006/7.

Council therefore asks Cabinet to request that the Cleaner Greener Scrutiny review of the street cleaning service is widened to include details of progress against the Clean Borough Strategy Action Plan, a comparison of street cleanliness and street scene issues in different areas of the Borough, a review of Barnet Homes estate cleaning service level agreement, a review of performance targets and data (BVPI 199), and a review of customer enviro-crime reporting arrangements.

Amendment to Item 9.2

Members are asked to note the following amendment, tabled on the night has been proposed.

Council: 18 December 2007

Opposition Policy Item (9.2): Cllr. Kath McGuirk

Amendment: Cllr. Matthew Offord

Delete all after Paragraph 2 and insert:

Council is therefore pleased that street sweeping and block cleansing has been reconfigured to focus on individual streets, with the result that each residential road is swept 13 times a year (the equivalent of every 4 weeks) as opposed to 4 times a year (every 3 months) previously.

Further, Council is proud that the townkeeper service has been extended into a further seven locations this year: Brent Street, Hendon Central, New Barnet, Burnt Oak, Brent Cross, Temple Fortune and Childs Hill, in order to improve cleanliness in those areas.

Council is also proud of its Clean Borough Strategy that provides a blueprint for partnership working with local businesses and the community to raise standards of cleanliness.

Council notes that the latest Best Value Indicators show a high level of quality in the local streetscene, and an improvement over this time last year.

Accordingly, Council calls on Cabinet to continue its drive to improving the streetscene in residential streets Barnet and the rollout of townkeepers to new locations across the Borough.

So that the Policy Item Reads:

The state of our street scene

Council recognises that maintaining a clean environment is one of the most significant priorities identified by Barnet residents across the borough, and it is therefore rightly one of the key priorities in the Corporate Plan.

Council also recognises that ensuring Barnet is a clean, green and safe borough is key to improving local residents' quality of life, with research showing that the quality of people's surroundings substantially impacts upon levels of crime and disorder, and how safe they feel.

Council is therefore pleased that street sweeping and block cleansing has been reconfigured to focus on individual streets, with the result that each residential road is swept 13 times a year (the equivalent of every 4 weeks) as opposed to 4 times a year (every 3 months) previously.

Further, Council is proud that the townkeeper service has been extended into a further seven locations this year: Brent Street, Hendon Central, New

Barnet, Burnt Oak, Brent Cross, Temple Fortune and Childs Hill, in order to improve cleanliness in those areas.

Council is also proud of its Clean Borough Strategy that provides a blueprint for partnership working with local businesses and the community to raise standards of cleanliness.

Council notes that the latest Best Value Indicators show a high level of quality in the local streetscene, and an improvement over this time last year.

Accordingly, Council calls on Cabinet to continue its drive to improving the streetscene in residential streets Barnet and the rollout of townkeepers to new locations across the Borough.

Report of the Special Committee (Constitution Review) 26 November 2007

Members:

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

Councillors:

- | | | |
|--|---------------------|--|
| * Jack Cohen | * Richard Cornelius | * Robert Rams (substituting
for Mike Freer) |
| * Jim Tierney (substituting
for Linda McFadyen) | * Alison Moore | |
| * Alan Schneiderman | * Matthew Offord | * Joan Scannell |
| * Daniel Webb | | |

* denotes Member present

\$denotes Member absent on Council business

TERM OF OFFICE FOR AND RECRUITMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE (Report of the Director of Corporate Governance and Monitoring Officer - Agenda item 5A)

The Committee, considered the attached report and noted the views of the Standards Committee.

The Committee were also advised of a proposal to increase the size of the Standards Committee in order to facilitate the ability to form Sub-Committees. This was as a consequence of local filtering of complaints to be introduced from April 2008 (projected). The Director of Corporate Governance reported that regulations and guidance would be issued but it was clear that there would be different stages of the process requiring determination by the Sub-Committees with different compositions of membership that could not be achieved with the current number.

The stages were likely to include:

1. Filtering the complaints and determining whether or not a complaint should be investigated.
2. A review, if requested by the complainant should there be a decision that the complaint should not be investigated.
3. The hearing of the complaint following investigation.

Each of the above stages would be likely to require a completely new Sub-Committee to ensure independence of proceedings and members.

The Director referred to this Council's practice of appointing more independent members than Councillors to the Standards Committee and reported that in order to maintain that balance and a similar ratio and to facilitate the stages outlined above, the Standards Committee membership would need to be increased either to 11, probably comprising 6 independent and 5 elected members or 13, comprising 7 independent and 6 elected members. The Director noted that a 13 member committee was in the main larger than other Council committees but would probably be required for the practice of maintaining parity of numbers between the groups in forming the composition of elected members.

RESOLVED TO RECOMMEND

- (1) That Article 9 of the Constitution be amended so that it provides for**
 - (a) a 4 year fixed term of office for Independent Members of the Standards Committee**
 - (b) public advertisement seeking interest to be placed prior to the expiry of a fixed term of office or earlier if a vacancy should arise**
 - (c) the Chief Executive and Director of Corporate Governance and Monitoring Officer to carry out a selection process from those responding to public advertisement and to make recommendations for appointment to the Council.**
 - (d) re-appointment by Council on an annual basis during the 4 year term so that Council is able to take appropriate action in any circumstances where an Independent Member is not properly performing his or her duties.**
- (2) That a limit of two full terms be placed on the number of consecutive fixed terms of office an Independent Member of the Standards Committee may serve but membership of the committee prior to the introduction of these arrangements would not be included in any calculation for this purpose.**
- (3) That 4 year fixed term appointments should be organised on a staggered basis so that every two years the terms of office of 2 Independent Members of the Standards Committee would expire.**
- (4) That, if an Independent Member of the Standards Committee should resign or otherwise leave office before the end of their term, any replacement independent member should serve the remainder of the 4 year term of office to maintain the staggered pattern.**

- (5) That Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Members positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008.**
- (6) That should vacancies not arise earlier, that Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions where the incumbents have been in post since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010.**
- (7) That Council be asked to confirm that the incumbent Independent Members of the Standards Committee would be eligible to re-apply for appointment in response to public advertisement referred to in 1.5 and 1.6 above.**
- (8) That the Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to prepare a Barnet specific recruitment pack to be sent to prospective Independent Members of the Standards Committee with reference to the model pack issued by the Association of Council Secretaries and Solicitors (ACSeS) and other guidance.**
- (9) That, in order to facilitate the ability to form Sub-Committees as a consequence of local filtering of complaints to be introduced from April 2008 (projected) the Standards Committee membership be increased to 11 members, comprising 6 independent members and 5 elected members and that the political balance considerations should not apply.**

AGENDA ITEM: 5A Page nos. 1 - 17

Meeting	Special Committee (Constitution Review)
Date	26 November 2007
Subject	Term of Office for and Recruitment of Independent Members of the Standards Committee
Report of	Director of Corporate Governance & Monitoring Officer
Summary	This report refers to Item 23 on the matrix and sets out proposals for a fixed term of office for Independent Members of the Standards Committee and future recruitment arrangements for Independent Members.

Officer Contributors	Jeff Lustig, Director of Corporate Governance Donna Knight-Olds – Governance Manager
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Report to Standards Committee – 17 September 2007
For decision by	Council (following recommendations of the Special Committee (Constitution Review)).
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: Donna Knight-Olds, Governance Manager –Tel: 020 8359 7156

1. RECOMMENDATIONS

- 1.1 That Council be asked to agree to amend Article 9 of the Constitution so that it provides for**
 - (a) a 4 year fixed term of office for Independent Members of the Standards Committee**
 - (b) public advertisement seeking interest to be placed prior to the expiry of a fixed term of office or earlier if a vacancy should arise**
 - (c) the Chief Executive and Director of Corporate Governance and Monitoring Officer to carry out a selection process from those responding to public advertisement and to make recommendations for appointment to the Council**
 - (d) re-appointment by Council on an annual basis during the 4 year term so that Council is able to take appropriate action in any circumstances where an Independent Member is not properly performing his or her duties.**
- 1.2 That the Committee considers whether it wishes to recommend to Council that a limit be placed on the number of consecutive fixed terms of office an Independent Member of the Standards Committee may serve.**
- 1.3 That the Committee considers whether it wishes to recommend to Council that 4 year fixed term appointments should be organised on a staggered basis so that every two years the terms of office of 2 Independent Members of the Standards Committee would expire.**
- 1.4 If the principle of staggered terms of office is accepted, that the Committee considers whether, if an Independent Member of the Standards Committee should resign or otherwise leave office before the end of their term, any replacement Independent Member should serve the remainder of the 4 year term of office to maintain the staggered pattern, or, whether a new 4 year term for that Member should begin from appointment.**
- 1.5 That Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Members positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008.**
- 1.6 If the principle of staggered terms of office is accepted and should vacancies not arise earlier, that Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions where the incumbents have been in post since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010.**
- 1.7 That Council be asked to confirm that the incumbent Independent Members of the Standards Committee would be eligible to re-apply for**

appointment in response to public advertisement referred to in 1.5 and 1.6 above.

- 1.8 That the Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to prepare a Barnet specific recruitment pack to be sent to prospective Independent Members of the Standards Committee with reference to the model pack issued by the Association of Council Secretaries and Solicitors (ACSeS) and other guidance.**
- 1.9 That the views of the Standards Committee be noted.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 2 May 2001 – Council approved the Constitution.
- 2.2 Various other decisions as referred to in the Standards Committee report which is appended to this report.
- 2.3 17 September 2007 – Standards Committee – Terms of Office for and Recruitment of Independent Members.

The Committee discussed the report and agreed with the general thrust of the proposals that the Director of Corporate Governance was proposing to present in his report to the Special Committee (Constitution Review). The Committee however suggested that there should be some clarification on the proposals being put forward as some of the recommendations could be clearer. As requested, the Committee also made its views known and requested the Director to convey those views to the Special Committee (Constitution Review).

RESOLVED –

- (1) The Committee noted:-
- (a) That it was the intention of the Director of Corporate Governance and Monitoring Officer to present a report to the Special Committee (Constitution Review) dealing with the terms of office of Independent Members of the Standards Committee; and
 - (b) That the purpose of this report was to give the Standards Committee an opportunity to make its views on terms of office of Independent Members known and these views would be passed on to the Special Committee (Constitution Review);
 - (c) That the Director of Corporate Governance and Monitoring Officer and the Governance Manager intend to prepare a Barnet specific recruitment pack with reference to the model pack, issued by the Association of Council Solicitors and Secretaries (ACSeS) and other guidance.
- (2) The Committee agreed:-

(a) That the Director of Corporate Governance and Monitoring Officer convey to the Special Committee (Constitution Review) their view:

(i) that Council should fix a term of office of four years to apply to future appointments for Independent Members of the Standards Committee

(ii) that Council should limit the number of terms of office that an Independent Member serve to two full terms

(iii) that Council should continue to re-appoint Independent Members on an annual basis to allow for the provision of re-appointment within the 4 year term of office to be refused in certain circumstances

(iv) that Council should instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Member positions where the incumbents have been in post since the Standards Committee's inception in 2000, with the process being completed in time for the Council's Annual Meeting in May 2008

(v) That in respect of the two Independent Member positions where the incumbents have been in post since 2005, should the positions not otherwise become vacant earlier, Council should instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in these two Independent Member positions, with the process being completed in time for the Council's Annual Meeting in May 2010

(b) That the Director of Corporate Governance and Monitoring Officer should ask the Special Committee (Constitution Review) to consider whether if an Independent Member should resign before the end of their term, any replacement Independent Member would serve the remainder of the four year term of office to maintain the staggered pattern, or, whether a new four year term for that Member should begin from appointment

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

3.1 As set out in the appended Standards Committee report.

4. RISK MANAGEMENT ISSUES

4.1 As set out in the appended Standards Committee report.

5. EQUALITIES AND DIVERSITY ISSUES

5.1 As set out in the appended Standards Committee report.

6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

6.1 As set out in the appended Standards Committee report.

7. LEGAL ISSUES

7.1 As set out in the appended Standards Committee report.

8. CONSTITUTIONAL POWERS

8.1 Constitution Part 3 - 2 Responsibility for Council Functions. The Committee is empowered to consider and make recommendations to Council on proposed changes to the Constitution.

9. BACKGROUND INFORMATION

9.1 As referred to in the appended Standards Committee report and in the views of the Standards Committee as recorded in Paragraph 2.3 of this report.

10. LIST OF BACKGROUND PAPERS

10.1 None.

11. AUTHORS

11.1 Jeff Lustig, Director of Corporate Governance & Monitoring Officer –
Telephone: 020 8359 2008

Donna Knight-Olds, Governance Manager – Telephone: 020 8359 7156

Legal: MM

CFO: CM

AGENDA ITEM: 8

Page nos. 32 - 43

Meeting	Standards Committee
Date	17 September 2007
Subject	Terms of Office for and Recruitment of Independent Members
Report of	Director of Corporate Governance
Summary	This report invites the Standards Committee to comment upon recommendations that the Director of Corporate Governance and Monitoring Officer will be making to the Special Committee (Constitution Review)in respect of Council setting a fixed term of office for Independent members of the Standards Committee and to note intentions for future recruitment arrangements for Independent Members.

Officer Contributors	Jeff Lustig - Director of Corporate Governance (Monitoring Officer), Donna Knight-Olds - Governance Manager
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Results of Survey of Practices at other London Boroughs
For decision by	Standards Committee
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	N/A
Contact for further information:	Donna Knight-Olds, Governance Manager 020 8359 7156, donna.knight-olds@barnet.gov.uk

1. RECOMMENDATIONS

1.1 That the Standards Committee note:

- a) That it is the intention of the Director of Corporate Governance and Monitoring Officer to present a report to the Special Committee (Constitution Review) dealing with the terms of office of Independent Members of the Standards Committee; and**
- b) That the Director of Corporate Governance and Monitoring Officer intends to recommend to the Special Committee (Constitution Review) that:**
 - i) Council fix a term of office for Independent Members of the Standards Committee of 4 years to apply to future appointments;**
 - ii) Council instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Member positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008;**
 - iii) Should vacancies not arise earlier, the Council instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions, where the incumbents have been in post since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010;**
 - iv) Council continue to re-appoint Independent Members on an annual basis to allow for the provision of re-appointment within the 4 year term of office to be refused in certain circumstances**
- c) That the Director of Corporate Governance and Monitoring Officer intends to ask the Special Committee (Constitution Review) to consider whether it wishes to recommend a limit on the number of consecutive terms of office for Independent Members;**
- d) That the purpose of this report is to give the Standards Committee an opportunity to make its views on terms of office of Independent Members known and these views will be passed on to the Special Committee (Constitution Review);**
- e) That the Director of Corporate Governance and Monitoring Officer and the Governance Manager intend to prepare a Barnet specific recruitment pack with reference to the model pack, issued by the Association of Council Solicitors and Secretaries (ACSeS) and other guidance;**

1.2 That the Standards Committee comment upon the recommendations that the Director of Corporate Governance and Monitoring Officer will be making to the Special Committee (Constitution Review) in respect of Council setting a fixed term of office for Independent Members of the Standards Committee.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 10 November 1999 - Policy and Implementation Committee recommended to Council the establishment of a Standards Committee and proposed its initial terms of reference.
- 2.2 17 November 1999 – Council approved the establishment of the Standards Committee, agreed its terms of reference and instructed the Chief Executive to seek expressions of interest from independent persons.
- 2.3 16 May 2000 - Council following public advertisement appointed three independent people to serve on the Standards Committee and instructed that the fourth position be re-advertised.
- 2.4 14 September 2000 – Council following public advertisement appointed a fourth Independent Member and appointed one of the Independent Members as Chair.
- 2.4 1 March 2005 - Council appointed two replacement Independent Members with immediate effect for one and with effect from the Annual Meeting in May 2005 for the other.
- 2.5 Annual Meetings 2001-2007 – Council re-appointed existing Independent Members to the Standards Committee

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Under the Council's Corporate Plan for 2007/08 to 2010/11, one of the corporate priorities is 'More Choice, Better Value' and a key objective within this priority is 'enhancing and further developing corporate governance'. The proposals in this report will enhance the corporate governance arrangements related to the Standards Committee in line with identified best practice.
- 3.2 A key objective under the 'Strong and Healthy' priority is 'providing opportunities for people to participate in civic affairs'. Becoming an Independent Member is an important way of participating in civic affairs and so the arrangements around this are highly pertinent to this objective.

4. RISK MANAGEMENT ISSUES

- 4.1 There is a risk that if an Independent Member becomes associated with the Council for an extended period they may lose their independence, or be perceived to have done so. However, there can be significant benefit to the Council from experienced Independent Members, particularly in the role of Chairman. Proposing too brief a term of office and/or too restrictive conditions for re-appointment brings a risk that consistency will be lost and the Standards Committee would suffer through having a less experienced membership. This report proposes a balance between retaining experienced Members and facilitating opportunities for other residents to apply for a position.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The Council's standard equalities and diversity principles for recruitment will be applied to the recruitment of Independent Members.

6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 6.1 There are no direct financial (other than advertising and other incidental costs), staffing or property implications arising from this report.

7. LEGAL ISSUES

- 7.1 The Standards Committee is a statutory body required under the Local Government Act 2000 to fulfil the constitutional powers set out in paragraph 8 of this report. The Council is required by the Local Government Act 2000 to appoint Independent Members (at least 25% of the total number if the Committee has more than 3 Members) to the Standards Committee through a process of advertising vacancies. Legislation does not specify a term of office for Independent Members, this being left to local discretion.

8. CONSTITUTIONAL POWERS

- 8.1 This Committee is empowered with promoting and maintaining the high standards of conduct by members and co-opted members, assisting members to observe the code of conduct, advising the Council on the code and monitoring its operation.

9. BACKGROUND INFORMATION

- 9.1 Barnet Council established its Standards Committee in November 1999 prior to the coming into force of the Local Government Act 2000. The Committee first met in March 2001 composed, as now, of 3 elected Members, 4 Independent Members and an Independent Chairman. As will be noted, Barnet had a majority of Independent Members on its Standards Committee, and an Independent Chairman, from the outset; the latter of these characteristics will soon become a statutory requirement.
- 9.2 The position thus far has been that Independent Members have been appointed when a vacancy has arisen. Recruitment has been by way of public advertisement and interviews conducted by Senior Officers. Council has made the appointments on the recommendation of the Officers. The term of office of those appointed has not previously been defined by a fixed tenure but appointments have been subject to confirmation every year at the Council's Annual Meeting. Thus, each May, Independent Members have been appointed for the Council year following. Councillor Members of the Standards Committee are also appointed annually at the same meeting and this will continue.
- 9.3 The Standards Board for England recommends a term of office for Independent Members similar to that of elected members. Accordingly, as reflected in the findings in Appendix A, most London authorities appoint Independent Members for a period of between 2 and 4 years. The intention is to recommend the same length of term as the election period for London Boroughs; that is 4 years. Adoption of the longer period from the recommended range places an emphasis on the benefits of experience and consistency.

- 9.4 Two of the four current Independent Members of the Standards Committee have served on the committee since its inception. The other two Independent Members were appointed in March 2005, with immediate effect for one, and with effect from the Annual Meeting in May 2005 for the other. It must be emphasised that the proposed changes are being brought forward for consideration at this time solely to accord with principles of good governance and transparency. The service of Barnet Standards Committee's Independent Members has been exemplary and this report is not intended to reflect in any sense upon their performance or calibre. The recommendations in respect of fixed terms of office should facilitate regular opportunities for interested members of the community to apply to become Independent Members without precluding experienced and engaged individuals from applying for re-appointment
- 9.5 The recommendation is that Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Member positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008. This would mean that one of the Independent Members concerned would have served for 8 years and the other for 7 years and 8 months. The positions would be advertised and both the Independent Members concerned would be advised that they would be eligible to re-apply [subject to any decision of Council in relation to paragraph 1.1 (c)].
- 9.6 Should vacancies not arise earlier, the Council will also be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions where the incumbents have been in since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010. This would mean that one of the Independent Members would have served for five years and the other for five years and two months. These positions would also be advertised and both the Independent Members concerned would be advised that they would be eligible to re-apply [subject to any decision of Council in relation to paragraph 1.1 (c)].
- 9.7 It is considered inadvisable for many memberships to be subject to renewal at the same time. If the proposals in paragraph 9.5 and 9.6 are pursued this means that there should usually be Independent Members with at least 2 years experience on the Committee, which is particularly beneficial for the position of Chairman. It will also ensure that the Council is not seeking a significant number of Independent Members at the same time.
- 9.8 It must be noted, however, that Independent Members can resign from the Committee at any time and the replacement Member's term of office would commence from their appointment so patterns are likely to change over the years.
- 9.9 The Director of Corporate Governance and Monitoring Officer will propose retaining the current practice of re-appointing the Independent Members each year when the Standards Committee is appointed at the Annual Meeting. This brings benefits both of consistency with other committees and of the Council retaining the ability to refuse to re-appoint an Independent Member if there were issues related to, say, poor levels of attendance at Standards Committee meetings or other matters persuading the Council that the Independent Member had not been properly carrying out his or her responsibilities. It will further be proposed that such powers should only be used exceptionally and in circumstances where the continued

appointment of the Independent Member would be likely to be detrimental to the work and/or reputation of the Standards Committee.

- 9.10 ACSeS issued a best practice model recruitment pack for the appointment of independent members of standards committees in October 2006. The content of the pack is the result of experience gained by Monitoring Officers in local authorities across England. General guidance is also available from the Standards Board and other sources. It is intended to develop a Barnet pack with reference to the model pack and other best practice guidance. It is particularly important that the calibre of membership is seen as robust and fully independent given the greater responsibilities being devolved to local Standards Committees by the Standards Board for England in respect of local determination of allegations in respect of breach of the Code of Conduct.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

	Barking & Dagenham	Barnet	Brent	Bromley	City	Ealing	Enfield	GLA	Greenwich	Hackney
How many Independent Members sit on your Standards Committee?	3	4 (3Cllrs)	2 (3cllrs)	4	4	3	2	4	3	7 (5cllrs)
Who interviews your candidates for Independent Member?			Democ Services Manager & Borough Solicitor (MO) with opportunity given to the 3 group leaders to comment on any application.	Selected group of cllrs	Chairman of the General Purposes Committee of Aldermen, Chairman of the Policy and Resources Committee and the Chief Commoner.	Director of Legal Services	Cllrs	An appointments panel, made up of members of the SC, (in future this will include at least one independent member), is appointed by the SC to carry out the selection exercise.	The 3 cllrs (one from each of the Political Parties on the Council) who sit on our SC (the Probity and Conduct Panel)	MO & Head of Services for Cllrs
Do you have fixed terms of office for your members?	No	No	2 years	Yes	Yes	Yes	Yes	Yes	Yes	Yes
If so, how long is the term?			Existing members free to apply again but seen as giving a chance to introduce new blood or, if necessary, removing someone who did not have the support to continue.	2 years & 4 years	Maximum 2 terms of 4 years.	4 years	4 years or the duration of the administration if appointed mid-term.	4 years	3 years	4 years and can apply for a second term
If so, has this always been the case?	Yes		No	No	Yes	Yes	Yes	No	Yes	No
If not, can you give any details about making the change?				In 2006, we changed the period of appointment in 2006 so that half the IMs changes every two years. i.e. 2 new in 2008; 2 new in 2010				To avoid all the independent members being subject to renewal of membership at the same time, two were appointed in January 2006 with terms of office to serve until January 2008 and two were appointed with terms of office to serve until January 2010.		Recent change following best practice guide from ACSes & agreed by Standards Cttee

	Barking & Dagenham	Barnet	Brent	Bromley	City	Ealing	Enfield	GLA	Greenwich	Hackney
Are your Standards Independent Members re-appointed every year at the Annual Meeting?	Ratified rather than re-appointed	Yes		No	Yes	Yes	Yes	Yes	No	Not now
If so, is there any provision for/experience of re-appointment being refused?		Provision but no experience				Not aware of any		Never happened		No
Do you have any other comments/experiences to share regarding the term of office of Independent members?	We may reconsider in light of best practice.		The term of office is designed to ensure the dangers of Members becoming permanent fixtures are avoided but the difficulty can be in attracting new people to the job.			No	It's a balance between continuity and bringing in new blood. This can be achieved by competitive interviews every 4 years which happens in Enfield.		We did try and stagger appointments so one of the independent members is appointed each year.	

	Hammersmith & Fulham	Harrow	Havering	Hillingdon	Hounslow	Islington	Kensington & Chelsea	Kingston	Lambeth	LEPA	Medway
How many Independent Members sit on your Standards Committee?	3	4	2 now was 4	2	3 (4cllrs)	3 now 4 soon	2 (3cllrs)	3	5	2	5
Who interviews your candidates for Independent Member?	SC Appointments Panel (includes Leader & Opp.Leader)	cross-party 3 Member Selection Panel est. by Standards Cttee & chaired by its Chair	Two stage process – initial interview by ACE and senior manager in Dem.Services, then shortlisted candidates interviewed by Members who make final decision	Cllrs on SC and MO.	MO + 3 Members of Cttee.	Personnel Sub-Cttee (Members)	A member panel	Head of Legal Services (MO) and Head of Democ Services & Partnership	Panel of officers, with member observers	Officers but in consultation with the three elected Members of the SC	MO & Chair
Do you have fixed terms of office for your members?	No	Yes	Yes	No	Yes	Yes	Yes	No (annually)	No	Yes	No but plan to
If so, how long is the term?		4 years	2 years		2 years	4 years	5 years		Yes	1 for 2 years & 1 for 4 years	
If so, has this always been the case?		Yes	No		Yes	Yes	Yes		No	No	
If not, can you give any details about making the change?			Decision at political level						We are currently considering whether new members should be sought, in consultation with the existing members. Our current members have served between 5 years and 2.5 years.	responded to Standards Board guidance	

	Hammersmith & Fulham	Harrow	Havering	Hillingdon	Hounslow	Islington	Kensington & Chelsea	Kingston	Lambeth	LFEPA	Medway
Are your Standards Independent Members re-appointed every year at the Annual Meeting?	Yes	No	No	Yes	No	No	Not as members of SC but appointed to positions of C & VC annually.	Yes		No	Yes
If so, is there any provision for/experience of re-appointment being refused?	implicitly not explicitly			No	no experience of		Not been an issue	No			No
Do you have any other comments/experiences to share regarding the term of office of Independent members?	We seek to preserve our independent members' knowledge & experience of the system and the authority's ethical governance processes, and value their continuity. That is not to say they have become permanent fixtures, as they are always at arm's length from the authority and can view matters objectively at a distance. The statutory advertisement process is cumbersome, protracted and costly. We prefer to use it only when we must (eg. when someone resigns).		We will not renew appointments.	They are permanent fixtures at Hillingdon. Regularly attend Whips meeting. Respected by all, and have seen an improvement in the Members behaviour over time.	One of our independent members who has served two terms, has recently decided to resign, partly because she feels it important for new people to become involved. I think it is wise for the Council to review membership periodically to ensure that there is an appropriate balance of skills and experience, including new blood every so often. Part of the Monitoring Officer role is no doubt to develop a positive working relationship as a result of which members of the Committee, independent or councillors, will be receptive to advice and guidance.	We have re-appointed chair for a further 4 year term given his experience	Previous Chair stepped down after 4 years (voluntarily)	As it doesn't meet that often and it takes time for members to build up some experience some continuity is useful, particularly if the Chair is an IM (ours is)			We have had problems in recruiting IMs and keeping them.

	Newham	Oxford	Richmond	Sutton	Wandsworth
How many Independent Members sit on your Standards Committee?	5	3	6	5	2
Who interviews your candidates for Independent Member?	Head of Member Service, Head of Legal Services and an elected member on Standards Cttee	Nominated councillor members of the Standards Cttee	MO & 3 SC Clr Mems	MO & Dep MO	MO shortlists in conjunction with Chair. Interviews by SC
Do you have fixed terms of office for your members?	Yes	Yes	Yes	Yes	Yes
If so, how long is the term?	4 years with review after 2 years	3 years	4 years mirroring the council's election cycle, so all independent members were up for appointment last year (it's usually done a couple of months after the election so not everything changes at the same time). The current appointments run to August 26 2010. If new independent members are appointed during the 4 year period (as we've done recently) they serve a reduced term, in the same way clrs would if they're elected at a by-election.	3 Years on a rolling basis i.e. some change every year. Members may only serve 2 terms.	3 years staggered to provide continuity
If so, has this always been the case?	Yes	Yes	No	Introduced soon after Standards Cttee established	Yes
If not, can you give any details about making the change?			Initially terms were 3 years, but the council agreed to follow the elections cycle in 2003.	Standards Cttee approved the change	

	Newham	Oxford	Richmond	Sutton	Wandsworth
Are your Standards Independent Members re-appointed every year at the Annual Meeting?	No	No	No (except as Chair & VC)	Yes	There is a 're-statement' for completeness as clirs are appointed. IMs terms of office do not end at the time of the Annual Meeting, so when new appointments (or re-appointments) are made these will be done at other Council meetings at the appropriate time.
If so, is there any provision for/experience of re-appointment being refused?				IMs put forward by the MO	No
Do you have any other comments/experiences to share regarding the term of office of Independent members?		No, other than to say that it is difficult to get independent members. We recently placed an advert for two and received only two applications. One was suitable, the other not. I would rather, in those circumstances, to retain those interested and able as long as they remain so.		No	The only changes of IMs have been because their term of office has come to an end and they did not wish to continue.

Amendment to Item 12.1

Extracted from the Supplemental Report of the Democratic Services Manager - Members are asked to note the following amendments have been proposed.

5. Amendments to Items on the Agenda

vi) *Item 12.1: Report of the Special Committee (Constitution Review)* *26 November 2007*

- (a) An amendment in the name of Councillor Alison Moore

“Delete all under paragraph 9 and replace with:

“That, in order to facilitate the ability to form sub-committees as a consequence of the local filtering of complaints to be introduced from April 2008 (projected) the Standards Committee membership be increased to 13 members, comprising 7 independent members and 6 elected members and that the political balance considerations should not apply.”

- (b) An amendment in the name of Councillor Jack Cohen

“Recommendation (9)

Delete 6 independent and 5 elected members

Substitute

8 independent members 3 elected members.”

Council Meeting
18 December 2007

REPORT OF THE DEMOCRATIC SERVICES MANAGER
AGENDA ITEM 13.1

1. Changes to Committee Membership

The Conservative Group has indicated that they wish to change the Chairmanship of the Chipping Barnet Residents' Forum.

RECOMMEND – That Councillor Sachin Rajput replace Councillor Andreas Tambourides as Chairman of the Residents' Forum.

2. Leader's Scheme of Delegation

The Leader of the Council has amended the Cabinet Member for Children's Services portfolio to include reference to the Education and Inspections Act 2007. The amendment is shown on the attached.

All Members of the Council have been notified of the change and in accordance with the Constitution the change is reported to enable the Council to agree to the consequential change to the Constitution

RECOMMEND – That the Democratic Services Manager be instructed to arrange for that part of the Council's Constitution setting out Cabinet Member responsibilities (Part 3- Responsibility for Functions) to be amended by the addition, made by the Leader of the Council, of the Education and Inspections Act 2007, to the portfolio of the Cabinet Member for Children's Services, Councillor Fiona Bulmer, as set out in Appendix A.

Janet Rawlings
Democratic Services Manager

Cllr. Fiona Bulmer
14 Sellwood Drive
Barnet
Herts EN5 2RL

Underhill Ward

CHILDREN'S SERVICES

To lead on budget and policy formulation and implementation in relation to the Children Act 2004 **and the Education and Inspections Act 2007.** To enhance the Council's corporate parenting role and to champion the causes of all children in the London Borough of Barnet, optimising opportunities to reduce and remove disadvantage.

Includes Children's Social Services and the Youth Offending Team and the advantages offered by working with other agencies to secure a seamless approach to all aspects of children's services. To drive forward the Youth Justice Plan and ensure its approval annually by full Council.

To lead on budget and policy formulation and implementation in relation to education and schools. In particular, raising and enhancing standards, ongoing education and services to schools, Early Years Provision and the Youth Service.

Positively to encourage integration of all schools within the London Borough of Barnet into the community to achieve the best possible opportunities for education and learning. To work with education service provider partners to improve lifelong learning outcomes.

All schools matters (Community, Voluntary and Foundation) associated with the teaching and development of children and young persons and the optimising of opportunities to further the same (including pre-school preparation).

Also to be involved in and promote discussions in relation to any matters within the portfolio.

Council Meeting
18 December 2007

SUPPLEMENTAL REPORT OF THE DEMOCRATIC SERVICES MANAGER
AGENDA ITEM 13.1

1. Amendment to the response given by the Leader to question 2.
Dealt with at 18 December meeting

Items 4, 5 and 6 all relate to items which have already been picked up elsewhere in the Agenda. They are as follows:

2. Item 4 full details of the Budget: Page 84 – 104

3. Item 5 Amendments to Items on the Agenda:

- i) **Motion 8.2 in the name of Councillor Charlie O-Macauley:**
Amendments in the names of Councillors Claire Farrier and Susette Palmer – Page 75 – 77
 - ii) **Motion 8.3 in the name of Councillor Ansuya Sodha**
Amendments in the names of Councillors Susette Palmer and Lynne Hillan – Page 81
 - iii) **Motion 8.4 in the name of Councillor Fiona Bulmer**
Amendment in the name of Councillor Duncan Macdonald – Page 78
 - iv) **Motion 8.5 in the name of Councillor Barry Rawlings**
Amendment in the name of Councillor Duncan Macdonald – Page 82
 - v) **Motion 8.6 in the name of Councillor Marina Yannakoudakis**
Amendment in the name of Councillors Alison Moore and Monroe Palmer – Page 83
 - vi) **Item 9.1: Administration Policy Item**
Amendment in the name of Councillor Jeremy Davies – Page 105
 - vii) **Item 12.1: Report of the Special Committee (Constitution Review) 26 November 2007**
Amendments in the names of Councillor Alison Moore and Jack Cohen – Page 126
- 6. *Comments on the Work of Cabinet – Agenda Item 4***
Comments were received from Councillors Duncan Macdonald, Richard Cornelius, Jeremy Davies and Councillor – Page vii - viii

Janet Rawlings
Democratic Services Manager

Council: 29 January 2008

Administration Policy Item: Cllr. Lynne Hillan

Housing Cuts

Housing benefit subsidies are given by the Government each year to assist authorities in providing Housing Benefit to those in private sector accommodation. The subsidies and caps (the maximum amount payable), are calculated according to perceived housing costs and pressures in the area.

Council understands that the Department of Work and Pensions (DWP) is set to make an additional 10% cut in the level of housing benefit caps and subsidies in London, according to information obtained by London Councils, while freezing them elsewhere.

Council estimates this will mean that Barnet will face an additional £800,000 to continue to house those in need, with taxpayers footing most of this bill.

This is in addition to Barnet's suffering from a "negative" housing Subsidy, where the Borough receives less money back from the Housing Revenue Account (HRA) than it receives in rent.

This means that surplus from our tenants' rent payments goes towards maintaining stock elsewhere in London, rather than on their own homes.

Since this matter was debated at Full Council in June, Barnet, and a number of Boroughs have agreed to seek Counsels Opinion on a Judicial Review of the system.

If such a legal challenge is successful, then the HRA system could be changed to stop the penalisation of Boroughs such as Barnet.

Council believes that similar pan-London action, in coordination with London Councils, should be harnessed to fight the cuts in the Housing Benefit caps.

Accordingly, Cabinet is requested to support London Councils' campaign against the reductions in the Housing Benefit subsidies, and to ensure that LBB continues to play a full part in seeking a change to the Housing Revenue Account (HRA) system.

Opposition Policy Item – Cllr Kath McGuirk

The state of our street scene

Council recognises that maintaining a clean environment is one of the most significant priorities identified by Barnet residents across the borough, and it is therefore rightly one of the key priorities in the Corporate Plan.

Council also recognises that ensuring Barnet is a clean, green and safe borough is key to improving local residents' quality of life, with research showing that the quality of people's surroundings substantially impacts upon levels of crime and disorder, and how safe they feel.

Council further recognises that while the overall level of satisfaction with environmental cleanliness in Barnet is high compared to other local authorities, the standard of cleanliness across the Borough is not uniform, with residents in more deprived wards, and on Council estates, experiencing a radically different street scene to residents living in more affluent and suburban areas.

Council notes that the street cleaning service has this year been re-configured to focus even more on town centres, but that as a result many Councillors have received an increase in complaints, and requests for extra street sweeps from residents living in roads just off town centres or in more urban residential areas.

Council also notes that the street enforcement service, which deals with enviro-crime on our streets, has also been the subject of re-organisation over the last two years, resulting in a cut to the service of £850,000 and the axing of 18 posts in 2006 - all regardless of a clear need for extra resources to deliver the administration's own Clean Borough Strategy.

Council further notes that the graffiti prevention, education and enforcement service has recently been given a "no assurance" rating by internal auditors, who found that there was no clear service objective, no formal service delivery plan, no clear strategy to meet targets to remove graffiti, that the service was failing to issue graffiti removal notices and had therefore not re-covered up to £30,000 in removal charges.

Council believes that street cleanliness looks like it is getting worse - only 9% of streets in Barnet were judged to be unacceptably dirty in 2005/6, whereas 16.3% of streets were judged to be unacceptably dirty in 2006/7.

Council therefore asks Cabinet to request that the Cleaner Greener Scrutiny review of the street cleaning service is widened to include details of progress against the Clean Borough Strategy Action Plan, a comparison of street cleanliness and street scene issues in different areas of the Borough, a review of Barnet Homes estate cleaning service level agreement, a review of performance targets and data (BVPI 199), and a review of customer enviro-crime reporting arrangements.

Council Meeting

29 January 2008

REPORT OF THE DEMOCRATIC SERVICES MANAGER

AGENDA ITEM 13.1

1. FUTURE OF SCRUTINY IN BARNET – PROPOSED WORKING GROUP OF MEMBERS

As Members are aware during the 2007 a Scrutiny Improvement Programme under the ambit of the Mycroft Group took place. The climax of the programme included a report prepared by the Mycroft Group based on observations, discussions with Members and comments made by Members completing a questionnaire.

A copy of the detailed report has been sent to all Members, but a summary is attached to this item at Appendix A.

Although it must be noted that the Overview and Scrutiny Committees are able now to implement a number of the issues raised without any changes to the Constitution or existing arrangements, it is considered that there are other issues which would warrant further consideration by members.

It is therefore proposed that a politically balanced working group of seven Members be appointed to consider and make recommendations to Council at their April 2008 meeting, on the future of the Overview and Scrutiny processes in Barnet and any issues arising from the Mycroft Group report.

The Group Secretaries have been advised of this proposal.

RECOMMEND –

- 1. That a politically balanced working group consisting of seven Members be appointed to consider and make recommendations to the Council at their April 2008 meeting on the future of the Overview and Scrutiny processes in Barnet and any issues arising from the Mycroft Group Report.**
- 2. That the Council appoint the Members and a Chairman.**
- 3. That the Democratic Services Manager be instructed to make the arrangements.**

2. PROPOSED CALENDAR OF MEETINGS 2008/09:

A draft Calendar of meetings for 2008/9 is attached at Appendix B.

In accordance with the Constitution, the dates of meetings of the Executive are matters for the Leader, but these dates are included in the Calendar for information and completeness.

The dates proposed for Ordinary Meetings of the Council will be recommended for approval by the Council at their Annual Meeting, in accordance with Constitutional requirements.

The Calendar is based on the existing arrangements which are in accordance with Council's previous instructions and include:

- A 6-weekly cycle (4-weekly for Planning and Environment and planning sub-committees) and follows on from the existing Calendar.
- Some of the existing dates between the Annual Meeting of 15 May 2007 and August;
- Meetings that require the attendance of all members are avoided during party conference weeks;
- No meetings are scheduled on those Jewish holydays specified by the Board of Deputies of British Jews. Diwali is also avoided as is the Muslim Festival of Eid-al-Fitr.

In accordance with a previous decision school half term holidays are not avoided.

Where possible meetings during the school summer holidays have been avoided. The main exceptions are the meetings of the Area Planning and Planning and Environment Committees. This is because of the need for targets to be maintained

The Group Secretaries have been consulted and where possible their comments have been borne in mind in the production of the attached Calendar.

RECOMMEND –

- 1. That the Calendar 2008/09 be approved and the Democratic Services Manager be authorised to agree variations in consultation with the Chairman of the body concerned.**
- 2 That the Council, at their Annual Meeting, be recommended to agree the dates of the ordinary Council meetings proposed in the attached, in order to meet Constitutional requirements and that the Democratic Services Manager be instructed to take the appropriate action.**

3. LONDON LOCAL AUTHORITIES BILL - CONFIRMING RESOLUTION OF LONDON BOROUGH COUNCIL - BARNET COUNCIL

The Council on 6 November 2007 passed a resolution stating their support for the promotion of the London Local Authorities Bill or Bills to be promoted by Westminster Council. The Council is now required to confirm their support by passing a further resolution approving the promotion of the Bills.

RECOMMEND – That the Council approves the inclusion in a bill or bills to be promoted by Westminster City Council or, as the case may be in a bill or bills to be promoted jointly by Westminster City Council and any other person as appropriate, of provisions effecting all or some of the following purposes -

- (a) to make provision about the decriminalisation of offences relating to public health, highways and road traffic and making contravention of the relevant legislation subject to a civil penalty charge regime; the introduction of a local levy, administered by London borough councils, on the provision of disposable shopping bags or to introduce a prohibition on the provision of disposable shopping bags; the introduction of a local levy administered by the London borough councils on the sale of chewing gum; an extension of the type of premises in respect of which a street litter control notice can be**

issued under the Environmental Protection Act 1990 to include a wider range of non-domestic premises; to enable councils to better control the feeding of wild birds; to enable borough councils to make charges for the use of urinals; to make further provision about the control of the placing of items on the highway; altering London borough councils' powers to fix signs and apparatus to buildings; amending London borough councils' powers to charge for the provision of amenities on highways under Part VIIA of the Highways Act 1980; controlling the placing of household waste in street litter bins; to enable London borough councils to recover costs incurred by them in rectifying damage caused by them when removing unlawful advertisements; to enable London borough councils, as local housing authorities, to take enforcement action and recover costs in cases where there has been a failure to comply with a duty imposed in relation to the management of houses in multiple occupation under regulations made under Section 234 of the Housing Act 2004; imposing a requirement in respect of food premises which are subject to inspection by London borough councils under the Food Safety Act 1990 to display copies of inspection notices or summaries thereof on the premises; to impose a new licensing regime for social clubs; to alter the requirements relating to the service of documents under the City of Westminster Act 1996, which deals with sex establishments; to enable London borough councils to exert better control over the licensing of premises which, but for the Licensing Act 2003 would be required to be licensed as sex encounter establishments; to enable London borough councils to delegate their functions under existing street trading legislation and enable other bodies to manage street markets; to alter the street trading legislation in the City of Westminster so as to enable Westminster City Council, without a court order, to dispose of articles seized under the Act; to make further alterations to street trading legislation in London; to control the distribution of free refreshments on the highway and in other public open places; to enable the highway authority to recover traffic management and street cleansing costs incurred as a result of public events and to have the power to close or manage traffic for certain special events; to enable the highway authority to provide charging points for electric vehicles in the highway; to enable local planning authorities to require that a deposit is provided prior to commencement of development, to be offset against costs arising from making good damage to the highway caused by the construction of the development; to enable action to be taken against persons who interfere with gates placed in pursuance of powers under road traffic legislation; to enable councils to better control pedicabs; to enable councils to serve penalty charge notices by post where there has been a parking contravention, and where service was prevented by the vehicle driving away; to allow decriminalised enforcement in respect of advanced stopping areas for cyclists at traffic lights; to allow decriminalised enforcement in respect of the use of mobile phones whilst driving; to enable London borough councils to vary fixed penalty levels for cycling on the footway; to enable the better control of the depositing of builders' skips on the highway; and to provide for a decriminalised regime of enforcement in relation to the driving of abnormal vehicles on the highway;

4. LEADER'S SCHEME OF DELEGATION

The Leader of the Council has amended the Cabinet Member for Community Engagement and Community Safety's portfolio to include reference to Environmental Health. The amendment is shown on the attached.

In accordance with the Constitution the change is reported to Council to agree the consequential change to the constitution.

RECOMMENDED – That the Democratic Services Manager be instructed to arrange for that part of the Council's Constitution setting out the Cabinet Members responsibilities (Part 3 – Responsibility for Functions) to be amended by the addition made by the Leader of the Council, to the portfolio of the Cabinet Member for Community Engagement and Community Safety, Councillor Brian Coleman, as set out in Appendix C

Summary of Graham Smith Report on Scrutiny Improvement

1. Foreword

Following the implementation of a training programme for Scrutiny Committee members, Graham Smith has conducted a review of the process based on views, opinions and recommendations gathered from those members. In submitting his report, Graham Smith has put forward changes which he believes will bring about improvement in the scrutiny process at Barnet.

The Report notes Barnet is a high performing council in a number of areas. However, the Scrutiny function was rated 'comparatively weaker in performance than in any other parts of the Council' and the scrutiny training programme was formulated to address the issue in part.

In general terms, the Report finds that members of all parties expressed concern over all aspects of the management of Overview and Scrutiny meetings, including their inability to be actively involved in policy development at the earliest opportunity. They believe that Cabinet and Senior Officers do not understand the significance of the overview and scrutiny process and regarded them and their work with disinterest and at worst, disdain. Furthermore, there was a feeling that Barnet was merely going through the motions of complying with the Local Government Act 2000, as far as the overview and scrutiny function was concerned.

Additionally, some Members appeared not to understand their role in Overview and Scrutiny processes nor the meaning of the "critical friend approach" and there were some expressions of reluctance to be seen to criticise his or her own party as this could, in some way, inhibit their ability to become a member of the Executive.

2. Approach Methodology and General Observations

The report states that the emphasis has been on self-evaluation and self-improvement, much as it is in the private sector, at both an individual and an organisational level and it has four main aims:

- To review the role of Overview and Scrutiny within the Council
- To review the structure of Overview and Scrutiny within the council
- To improve the performance of Members involved in the Overview and Scrutiny function.
- To improve the overall performance of the Overview and Scrutiny function within the council

It observes that "effective Scrutiny employs the Pareto Principle (80/20 rule) where Overview (or pre-event) is 80% of the workload, and Scrutiny (or post-event) is 20% of the workload. Clearly, while monitoring workload is important, the emphasis should be on successful outcomes and on Scrutiny's legitimate role in engaging the community.

There is a clear correlation between 'Good' and 'Excellent' CPA ratings and an effective Scrutiny function. Conversely, in 'Poor' or 'Fair' councils Scrutiny is seen to be working poorly..

An effective O&S function will actively engage elected members and the community in policy formation and development, to lead the community, be the voice of the community, drive improvements in council services and, lastly, to be a 'critical friend' of the Executive and to bring it to account when necessary.

Unfortunately, it is all too easy for O&S to become insular and inward looking. Sadly, in an overwhelming number of councils, the focus of the O&S process has been on 'second guessing and criticising the cabinet because they have been deprived of worthwhile endeavour in other areas. This has created an unnecessary fractious environment and alienated the vast majority of elected members.

The answer lies, therefore, in creating a structure that allows for clearly understood strategy, an effective means of delivery, and the healthy engagement of all elected members and the community in the process. Pending legislation will highlight and strengthen the role of Front Line Councillors (Democratic Champions) this report can be considered as being a prerequisite to its effective and seamless adoption

It cannot be stressed too highly that every member consulted, across all political groups, had major concerns over the conduct and effectiveness of the Scrutiny function“.

3. Recommendations made by Non-Executive Members

According to the Report “a number of very practical recommendations have been made to improve O&S process to bring some balance back into the Council. They are all designed to give non-Executive members a full and active role in the Council and to assist, not replace, the Cabinet in the discharge of its duties”.

“Importantly, the recommendations should be taken in the round and there should not be any 'cherry picking'. The only exception to this general rule is the recommendation to review Standing Committees versus Task and Finish (TAF) Groups, which clearly is worthy of further consideration”.

1.Management of meetings.

- (i) That the role of the Chairmen, with clearly defined skills, should be identified with training, support, and refresher sessions as appropriate given to them to effectively discharge their duties. There has already been some progress in this area as part of the scrutiny training initiative.
- (ii) Similar to (i) above, there should be a clearly defined role for the Vice – Chairman; this issue has also arisen during the scrutiny training initiative.
- (iii) On-going briefings and development for all members.

The scrutiny training initiative identified that members are keen to broaden their skills and improve their effectiveness in a wider role for O & S.

2.Promoting the independence of the O and S processes.

Consideration be given to appointing some Chairmen and/or Vice – Chairmen from the Opposition Groups.

3. Disband Cabinet OSC and Review Call-in Procedure

Replace with a robust, consistent, and independent method of call-ins that allows the Executive to fulfil policy and speed up decision making while allowing non-Executive members the wherewithal to legitimately challenge the Executive.

It would simplify proceedings if the ability to call-in decisions was made by the relevant standing committee but it would need to be combined with a strict set of criteria e.g. a minimum of 5 members signatures, call-in within x days of the decision, a change in the material facts since the decision was made, and/or a failure in the correct decision making process.

The adoption of similar criteria would ensure transparency and accountability. It would facilitate legitimate challenge and created a more constructive relationship between all political parties and the Executive and Scrutiny functions.

Crucially, this recommendation cannot be taken in isolation as there needs to be a shift in focus to provide a more substantive role for O&S to replace the current obsession with ‘call-ins’ as the sole means of political involvement in the decision making process.

4. Link with and balance of Power of Cabinet and influence of Scrutiny

Greater recognition required of Scrutiny’s legitimate role in influencing the policy making process either through the Scrutiny review process or it could be handled by the existing Constitutional review already under way.

5. Review witness procedure to allow questions

Given the desire to actively engage the community it seems sensible to review all of the witness and public participation procedures and to ensure that they are widely understood by, at the very least, all chairmen and vice chairmen and, preferably, by all Scrutiny members

6. Review procedure and criteria for co-option onto Scrutiny

A review should cover the current procedures and the criteria for co-option to ensure that they remain relevant to the work of the committee. However, Members need to be aware of their existing ability to engage expert advisers should they require

7. Formalise and strengthen the links between Scrutiny and Area Forums

A more formal link will facilitate more effective 2-way communication between LBB and the community. It will also facilitate the role of Democratic Champion/ Front Line Councillor to satisfy pending government legislation

8. Create a formal links with Citizens Panel, Focus Groups etc.

Scrutiny can only benefit from closer and more formal links with these bodies. For example, closer liaison could open up opportunities to identify potential expert witnesses, community spokesmen, and/or co-opted members for future investigative sub-committees.

9. Officer support.

There needs to be formal recognition that supporting Scrutiny is an intrinsic duty of the Directorates. Support for Scrutiny needs to be embedded in the culture of all officers if Scrutiny is to raise its game.

10. Shorter, crisper, and more relevant officer reports specific to Scrutiny.

Senior Officers need to acknowledge two important points:

- Reports that have been specifically designed for the Cabinet are frequently inappropriate for Scrutiny.
- Support for Scrutiny is equally as important as support for the Cabinet.

The proposed Project Team or a joint working party i.e. of Scrutiny Chairmen and senior officers will need to produce a specific template for Scrutiny reports.

11. Specific Scrutiny Appreciation for Members and Officers

Tailored Seminars for Cabinet and Senior Officers could assist their appreciation of how a different working relationship with O&S will be of benefit to them.

Specifically, it could spread the workload regarding community engagement and policy development without diluting the power or the ultimate responsibility of the Cabinet to deliver their manifesto to the electorate.

12. Scrutiny 'Toolkit' and Role Profiles for Elected Members.

Many current members are unsure of the role of Scrutiny and their part in the process. It follows that both need to be agreed and documented. Role Profiles should be considered for Democratic Champions/Front Line Councillors, Scrutiny Members, and Scrutiny Chairmen and Vice Chairmen

Additionally, a Scrutiny 'Toolkit' embracing the *why's* and *how's* of their role will be essential reading for all members, partners, and, members of the community engaged in Scrutiny.

13. Scrutiny representation on external partnerships.

If Scrutiny is to fulfil its' roles as the voice and leader of the community, in driving service improvements, and in much better partnership working, then it seems logical that it should be representing the Council on outside bodies in conjunction with the Executive.

14. Room Layout

A move to a more informal layout would benefit the whole process.

15. Scrutiny Meeting Venue.

There is a compelling case to hold meetings in other venues around the borough to facilitate and reinforce community engagement. Members should be reminded of this.

16. Replacement of Fixed Committees with Task & Finish Groups

While there was not a consensus view on this subject, it was clear that the majority of members felt that it required further investigation given the benefits that it could provide. Political neutrality could be achieved by having leaders or representatives of each political group on the over arching Commission but this is just one of the issues that needs further discussion.

4. Implementation

A cross-party consensus that early remedial action is required and the existing scrutiny culture should change to create the proper environment for LBB to deliver effective services to a diverse and growing community

Broad support for a cross-party project team, including officers, to consider all of the recommendations of this report, prioritise them, and then to set about implementing them.

If this approach is approved, Graham Smith recommends that the Project Team should comprises of 6 members:

- A Non-Executive Member from each political group (3)
- A member of the Cabinet
- A Senior Officer
- Mycroft Group or other external consultancy

{Alternatives would be a special O&S Committee, the Special committee (Constitution Review) or special meetings of the O&S Committee Chairmen}.

5. Resource Implications

The majority of the recommendations can be implemented within existing budgets although it may well involve a change in mindset from some Senior Officers. Supporting the Scrutiny function is not an adjunct to their existing workload but an integral part of their duties and has been since the Local Government Act 2000. This small but important change in emphasis will greatly improve relations between Scrutiny and the Directorates and enhance policy development and service delivery. At the same time, it will bring LBB closer to the community and make it more effective and relevant to its residents.

Calendar of Meetings 2008-09

Appendix B

		May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1	Corporate JNCC			17/7			7/10			13/1		23/3			15/6	15/7
2	Health and Safety JNCC			9/7				13/11		29/1		25/3			16/6	16/7
3	General Functions Committee		16/6			11/9			8/12	14/1	24/2	26/3			2/6	
4	Standards Committee	20/5				15/9			4/12			9/3				3/7
5	Audit Committee		24/6			25/9			9/12			10/3			25/6	
6	Resources, Performance and Partnerships Overview & Scrutiny			30/7				19/11			12/2			21/5		15/7
7	First Class Education and Children Overview & Scrutiny			22/7				11/11			8/2			7/5		16/7
8	Cleaner, Greener, Transport and Development Overview & Scrutiny				7/8			25/11			16/2		28/4		11/6	
9	Supporting the Vulnerable in our Community Overview & Scrutiny			23/7				20/11			9/2			5/5		22/7
10	Tackling Crime and Housing Overview & Scrutiny			21/7		24/9		24/11		28/1			23/4			23/7
11	Cabinet Resources		17/6	28/7		2/9			1/12	19/1	25/2	30/3	27/4		8/6	
12	Cabinet Briefing Meeting.	29/5		7/7	14/8		6/10	17/11		6/1	2/2	31/3		18/5		
13	Shadow Cabinet		12/6	24/7	28/8		16/10	27/11		15/1	20/2		20/4		4/6	
14	Cabinet - Formal Meeting		18/6	31/7		1/9	23/10		3/12	20/1	23/2		22/4		10/6	
15	Cabinet Overview and Scrutiny Committee		25/6		4/8	8/9		3/11	10/12	26/1		2/3	29/4		17/6	
16	Party Group Meetings for Council			10/7		4/9	30/10		11/12	22/1	26/2		2/4	14/5		9/7
17	Council			15/7		9/9		4/11	16/12	27/1		3/3*	7/4			14/7
18	Council - Annual Meeting	13/5												19/5		
19	Finchley & Golders Green Residents Forum		30/6		5/8	17/9		12/11		5/1	19/2	24/3		11/5	22/6	
20	Hendon Residents Forum		4/6		18/8	18/9		5/11		7/1	5/2	28/3		13/5	24/6	

21	Chipping Barnet Residents Forum		23/6		13/8	16/9		6/11		8/1	17/2	17/3		12/5		6/7
22	Area Environment. Subs		19/6			23/9			2/12			11/3			29/6	
23	Finchley & Golders Grn. Area Planning Sub		2/6	1/7 29/7	26/8	22/9	27/10	18/11	15/12	12/1	3/2	4/3	1/4 30/4	26/5	23/6	
24	Chipping Barnet Area Planning Sub		2/6	1/7 29/7	26/8	22/9	27/10	18/11	15/12	12/1	3/2	4/3	1/4 30/4	26/5	23/6	
25	Hendon Area Planning Sub		2/6	1/7 29/7	26/8	22/9	27/10	18/11	15/12	12/1	3/2	4/3	1/4 30/4	26/5	23/6	
26	Planning and Environment Committee	14/5	11/6	8/7	6/8	3/9	2/10 29/10	26/11	22/12	21/1	11/2	18/3	6/4	6/5	3/6	1/7
27	Licensing	21/5						17/11						20/5		
28	Pensions		26/6			10/9					4/2				1/6	
29	Special Committee (Constitution Review)						7/10				10/2	19/3				
	Reserved for Barnet Civic Network							10/11					21/4			

*Budget Council meeting, election of Mayor designate

Please note these changes for the 2007/08 calendar:-

1. Shadow Cabinet from 5/6/08 to 12/6/08.
2. Formal Cabinet from 12/6/08 to 18/6/08.
3. Party Group Meetings for Council from 19/6/08 to 10/7/08.
4. Council from 24/6/08 (date only appears in the Calendar for information, this was not approved by the Council) to 15/7/08.
5. Finchley & Golders Green Residents Forum from 16/6 to 30/6/08.
6. Hendon Residents Forum moved from 17/6/08 to 30/6/08.
7. Area Environment Subs from 2/6 to 19/6/08.
8. Hendon Area Planning Sub from 3/6/08 to 2/6/08.
9. Finchely and Golders Green Planning Sub from 4/6/08 to 2/6/08
10. Chipping Barnet Planning Sub – Committee from 3/2/08 to 2/6/08
11. Pensions Committee inserted for 26/6/08.

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APPENDIX C

<p>Cllr Brian Coleman 1 Essex Park Finchley London N3 1ND</p> <p>Totteridge Ward COMMUNITY ENGAGEMENT AND COMMUNITY SAFETY</p>	<p>To lead on budget and policy formulation and implementation in relation to community engagement and community safety.</p> <p>In particular, to build upon the Council's leadership role in improving community safety, embracing diversity and inclusiveness, removing inequality and ensuring that each person and group in the community has opportunities for involvement. To work with the many different ethnic and religious groups to maintain community cohesion.</p> <p>All matters relating to Community Safety, CCTV, liaison with Barnet Police and anti-social behaviour, including Domestic Violence and combating graffiti, fly-tipping and fighting crime including policy development on combating fly-tipping and graffiti.</p> <p>Additionally to deal with community safety in its widest sense by being responsible for Environmental Health and Trading Standards and licensing, as falls within the remit of the Executive.</p> <p>Also to be involved in and promote discussions in relation to any matters within the portfolio.</p>	<p>The general powers delegated to Cabinet Members are set out below.</p> <p>Certain functions are delegated to officers, in consultation with the Cabinet Member. These are set out in Paragraph 6 of Part 3 of the Constitution.</p>
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