

<p style="text-align: center;">Council Meeting 15 April 2008</p>
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SUPPLEMENTAL REPORT OF THE DEMOCRATIC SERVICES MANAGER
AGENDA ITEM 14.1

3. REPORT OF THE SPECIAL COMMITTEE (CONSTITUTION REVIEW) DATED 31 MARCH 2008 (Agenda Item 13.1)

Recommendation (9) of the Committee's report recommends changes to the Public Participation Rules to enable public questions at Cabinet and Cabinet Committees to take place. The Committee in making that recommendation also instructed me to include wording to clarify the position regarding the differences in procedures for public speaking and questions to Cabinet and Cabinet Committees.

If the Council agree to approve and adopt the Special Committee (Constitution Review)'s recommendations, Council are also asked to approve and adopt the wording of the explanatory note be inserted as Note 3 of the Explanatory Note at the Contents Page of the Constitution as set out in Appendix A for inclusion in the Constitution.

RECOMMEND – That, subject to the Council's approval and adoption of recommendation (9) of the Report of the Special Committee (Constitution Review) dated 31 March 2008, the wording set out in Appendix A to this report to clarify the position regarding the differences in procedures for public speaking and questions to Cabinet and Cabinet Committees be approved for insertion as Note 3 of the Explanatory Note to the Constitution.

4. REPORT OF CABINET DATED 3 APRIL 2008 – ITEM 1, LOCAL AREA AGREEMENT 2008/09 – 2010/11 AND SUSTAINABLE COMMUNITY STRATEGY (Agenda Item 11.1).

Council is being asked to consider a recommendation from Cabinet that the functions relating to the preparation, submission and modification of a Local Area Agreement be the responsibility of the Executive. However, if (and only if) Council does not agree this recommendation and takes the view that these functions should be the responsibility of the Council, then it is necessary for Council to further consider whether the functions should be delegated to the General Functions Committee. Council would still be required to approve the draft Sustainable Community Strategy 2008 - 2018.

RECOMMEND – That the Council bear this information in mind when considering Cabinet's recommendations on this item.

5. AMENDMENTS TO ITEMS ON THE AGENDA

- (i) Page 12 minute 162, Chief Officer Appointments Panel – Director of Children’s: Councillor Hart’s name is incorrectly spelt and should read Helena Hart and not Helen.
- (ii) An amendment to the Administration Policy Item 10.1. The last two lines were missed off the final paragraph. Therefore the full final paragraph reads:
“Accordingly, Cabinet is requested to engage and correspond with the London NHS further to ensure that the new plans for the London NHS provide sufficient and sustainable support to healthcare services in Barnet, particularly in view of the Borough’s growing population, and the pressures put on services caused by the reconfiguration at Barnet and Chase Farm.”

(iii) **Motion 9.4: in the name of Councillor Fiona Bulmer**

- (a) Amendment in the name of Councillor Monroe Palmer

After first para delete rest and replace by:

Council notes the public attacks on certain Barnet schools.

Council understands that many of the breaches relate to minor matters but there is concern at inadvertent breaches of the Admissions Code.

Council notes that there is nothing wrong in some of Barnet’s faith schools asking parents of existing pupils for voluntary contributions to fund religious studies and, sadly, security needs.

Council notes that schools cannot be allowed to breach the Admissions code by asking for, or insisting on, voluntary donations when application is made for admission. Such requests or demands could be perceived as having an influence on whether the student obtains a place at that school.

Council condemns the ‘trial by the press’ by statements made by the Government Minister.

Council notes LBB is working with the schools concerned to ensure compliance with the Admissions Code and rectifying any breaches by any school in Barnet.

Accordingly, Council requests that Cabinet:

1. works to ensure the Borough’s schools comply with the Admissions Code
2. explains to the press both local and national what it is doing
3. requests that the Chief Executive writes to the Minister urging him to work with and through the Local Authority and not through headline catching public statements.
4. to ensure that any Borough school that has taken money prior to a child being admitted or not admitted to the school be required to offer to refund that payment to the parents/guardians of the child., noting that this does not preclude such money being donated to the school in respect of pupils who gained admission.

(iv) **Item 10.2: Opposition Policy Item – Encouraging affordable housing in Barnet**

- (b) Amendment in the name of Councillor Lynne Hillan

Delete all after First Paragraph and Insert:

However, Council also believes a healthy housing market is also essential to encourage and support low-cost home ownership in the Borough.

Council therefore believes that affordable housing thresholds help support this market, and any removal or decrease in the threshold would act as a disincentive for developers, and cut the overall supply of new homes.

In addition, Council is proud of LBB's moves to encourage home ownership by helping tenants onto the property ladder and other moves in the Housing Strategy to tackle need.

Council further welcomes the regeneration schemes across the Borough that are creating attractive, affordable homes within pleasant, mixed communities.

Accordingly, Council calls on Cabinet to continue its work in facilitating home ownership across the Borough, and developing new, attractive mixed communities in our regeneration areas.

Substantive Policy Item to read:

Encouraging Affordable Housing in Barnet

Council agrees that Cabinet must do all it can to encourage developers who submit planning applications for smaller developments in Barnet to include an appropriate contribution to the supply of affordable housing - whether on-site or by payment in lieu.

However, Council also believes a healthy housing market is also essential to encourage and support low-cost home ownership in the Borough.

Council therefore believes that affordable housing thresholds help support this market, and any removal or decrease in the threshold would act as a disincentive for developers, and cut the overall supply of new homes.

In addition, Council is proud of LBB's moves to encourage home ownership by helping tenants onto the property ladder and other moves in the Housing Strategy to tackle need.

Council further welcomes the regeneration schemes across the Borough that are creating attractive, affordable homes within pleasant, mixed communities.

Accordingly, Council calls on Cabinet to continue its work in facilitating home ownership across the Borough, and developing new, attractive mixed communities in our regeneration areas.

6. CHANGES TO OUTSIDE BODIES

The Conservative Group has indicated that they wish to make the following change:
Standing Advisory Committee for Religious Education

- **Councillor Brian Gordon to replace Councillor Christopher Harris.**

RECOMMENDED – That the following changes to the Committee be approved.

7. COMMENTS ON THE WORK OF CABINET – AGENDA ITEM 15

Further comments in the name of:

- (i) Councillor Andrew McNeil

“To comment on the state of Church Lane, N2”

Janet Rawlings

Democratic Services Manager

APPENDIX A

EXPLANATORY NOTE:

3. Part 4 of the Constitution sets out Rules relating to Public Participation at Cabinet, Cabinet Committees. Committees and Sub – Committees.
4. The rules relate to two methods of Public Participation at Cabinet, Cabinet Committees. Committees and Sub – Committees.
 - (i) Public Questions
This is where a member of the public may send in a written question to the Democratic Services Manager addressed to the Chairman or Leader, or relevant Cabinet Member, relating to any matter that falls within the remit of the Committee or Cabinet or Cabinet Committee. The matter to which the Question refers does not necessarily have to relate to an item already on the Agenda for the meeting.

Therefore questions on the work of Cabinet could relate to the work being carried out on any of the matters within the remit of any of the Cabinet Members. The specific responsibilities are set out in the section entitled "Responsibility for Functions", and could relate, for example, to the environment, community safety, children's services, adult social services.

As far as Cabinet Committees are concerned, currently the Leader of the Council has appointed the Cabinet Resources Committee. The detailed remit of the Committee is also set out in Responsibility for Functions, and could relate to ICT strategies or grants and loans to voluntary organisations, for example.

For other Committees, which includes ~~the~~ (but not exclusively) Area Planning and Area Environment Committees and Overview and Scrutiny Committees, the questions must relate to any of the matters within the relevant Committee's terms of reference.

Questions must be received by the Democratic Services Manager by no later than 10am on the 7th working day before the meeting.

- (ii) Request to speak and address Committees and Sub – Committees.

This is where members of the public may ask to speak and address the Committee or Sub – Committee when they consider a specific matter which is on the Agenda for the meeting. Requests to speak must be submitted to and by the Democratic Services Manager by no later than 10am on the 2nd working day before the meeting.

Anyone wishing to speak at Cabinet or Cabinet Committees on items placed on the Agenda for these meetings can only do so upon invitation from the Leader of the Council or the Cabinet Member who will be taking the Chair at the meeting. To enable this to happen, Members of the public should make application to the Leader or relevant Cabinet Member, also by 10am on the 2nd working day before the meeting.