

**Council Meeting**  
**4 November 2008**

SUPPLEMENTAL REPORT OF THE DEMOCRATIC SERVICES MANAGER  
AGENDA ITEM 13.2

**7. AMENDMENTS TO THE CONSTITUTION**

Agenda Item (1) also refers to various amendments to the Constitution.

**(a) Amendment of Article 7 of the Constitution**

The Council has a commitment to partnership working to improve outcomes for Barnet communities as set out in the Sustainable Communities Strategy and the Local Area Agreement. The main vehicle for achieving this is the Local Strategic Partnership (LSP), which is chaired by the Leader.

Issues of health and well being and crime and community safety are vital for residents and are reflected in the Council's corporate plan, as well as partnership plans.

In order to consolidate the work of the LSP, the Leader has advised me of his intention to offer observer/adviser status at Cabinet and Cabinet Committee meetings to representatives of the Barnet Primary Care Trust (PCT) and the Metropolitan Police Service (MPS)

It is the Leader's view that Cabinet will benefit from having the direct advice of PCT and MPS representatives on issues which are relevant to the scope of the public responsibilities of the bodies they represent and/or their own professional expertise. It would also ensure a more transparent approach in that such advice would, where appropriate, be given in public. It is also the Leader's view that the representatives of both bodies will benefit from being present to observe the Cabinet's decision making.

In order to ensure that appropriate advice can be offered at all stages of decision making it is also proposed by the Leader that PCT and MPS representatives would remain for Part II business. The representatives will sit with the Executive Directors and will not have any voting rights.

In respect of the PCT it is intended that the invitation will be to either the Chairman of the Board or the Chief Executive, or their representative, so that they can vary attendance depending on the issue. It is expected that this invitation will be reciprocated and that the Council will have observer status on the PCT Board, which will be extended to cover either the Leader or representative; or Chief Executive or representative.

In the case of the MPS the invitation will be offered to the Borough Police Commander alone or his representative. There is no local governance arrangement within the Metropolitan Police Authority equivalent to the PCT Board.

A proposed amendment by an addition to Article 7 of the Council's Constitution dealing with these arrangements is set out below:

### **"7.09 Observer/Adviser Status**

*The Leader may offer observer/adviser status at Cabinet and Cabinet Committee meetings to the Barnet Primary Care Trust and the Metropolitan Police Service. The granting and acceptance of such status would enable the duly accredited representatives of both bodies to attend meetings of the Executive and sit with the Executive Directors in order to observe the proceedings and speak on matters which fall within or are relevant to the scope of the public responsibilities of the bodies they represent and/or their own professional expertise. The right for both bodies' representatives to attend Executive meetings in this capacity would also extend to the part of such meetings from which the press and public are excluded under Section 100A (4) of the Local Government Act 1972, insofar as the matters under consideration fall within or are relevant to the scope of the public responsibilities of the bodies they represent and/or their own professional expertise. They will not be entitled to vote on any item of business or procedural issue being considered by the Cabinet or Cabinet Committee. The duly accredited representatives shall be the Chairman or the Chief Executive of the Barnet Primary Care Trust and the Borough Police Commander for the London Borough of Barnet or representatives appointed by them to attend in their absence. All duly accredited representatives will be asked to sign appropriate confidentiality agreements in relation to information and discussions disclosed in the part of any meeting from which the press and public are excluded."*

**RECOMMEND – That the Democratic Services Manger be instructed also to make the following amendment to Article 9 of the Constitution:**

#### **"7.09 Observer/Adviser Status**

**The Leader may offer observer/adviser status at Cabinet and Cabinet Committee meetings to the Barnet Primary Care Trust and the Metropolitan Police Service. The granting and acceptance of such status would enable the duly accredited representatives of both bodies to attend meetings of the Executive and sit with the Executive Directors attending in order to observe the proceedings and speak on matters which fall within or are relevant to the scope of the public responsibilities of the bodies they represent and/or their own professional expertise. The right for both bodies' representatives to attend Executive meetings in this capacity would also extend to the part of such meetings from which the press and public are excluded under Section 100A (4) of the Local Government Act 1972, insofar as the matters under consideration fall within or are relevant to the scope of the public responsibilities of the bodies they represent and/or their own professional expertise. They will not be entitled to vote on any item of business or procedural issue being considered by the Cabinet or Cabinet Committee. The duly accredited representatives shall be the Chairman or the Chief Executive of the Barnet Primary Care Trust and the Borough Police Commander for the London Borough of Barnet or representatives appointed by them to attend in their absence. All duly accredited representatives will be asked to sign appropriate confidentiality agreements in relation to information and discussions disclosed in the part of any meeting from which the press and public are excluded."**

#### **(b) Amendment to Part 3: Responsibility for Functions**

The contact details for Councillor Mathew Offord require alteration as a consequence of his change of address.

**RECOMMEND – That the Democratic Services Manager be instructed to make the necessary change to Part 3 of the Constitution as a consequence of Councillor Offord’s change of address.**

**8. AMENDMENTS TO ITEMS ON THE AGENDA**

**(i) *Item 8.2: Motion in the name of Councillor Barry Rawlings:***

Amendment in the name of Councillor Anita Campbell

**Dollis Valley**

“Delete all and replace with:

Council believes the residents of the Dollis Valley estate are being let down by this Conservative administration, with many people living in appalling conditions due to the state of the buildings.

Council is horrified that the fabric of some of the buildings is so bad that water pours through the ceilings in places, windows are still rotten – despite the promised replacement window programme - and security doors are missing.

Council notes that after six long years the administration have shown they are completely incapable of attracting a viable developer partner to regenerate Dollis Valley, leaving the estate to go to rack and ruin, and leaving residents in limbo and without hope.

Council further notes the administrations’ actions to deprive the local community of any semblance of public service by closing the local school, scrapping the Sure Start children’s centre on the estate and failing to respond to the needs of children and young people living there.

Council is concerned that with the potential loss to the council of £27.4m as a result of the Icelandic banks fiasco, council housing renovation and maintenance programmes will be slashed, and Dollis Valley residents will continue to suffer in perpetuity.

Council therefore asks Cabinet to come up with an urgent action plan to renovate the fabric of the buildings on the estate where it is needed, include the Dollis Valley estate in the next phase of children’s centres that are planned to be rolled out, and work with young people and other residents on the estate to try and secure funding for youth and play facilities from the government’s MyPlace scheme.”

**(ii) *Item 8.4: Motion in the name of Councillor Mike Freer:***

Amendment in the name of Councillor Brian Coleman

“Insert the following after 2<sup>nd</sup> paragraph:

Council further notes the Centenaries of both Finchley Memorial Hospital and St. Michael’s Catholic Grammar School this year.

*Insert the following at end:*

Council further congratulates Finchley Memorial Hospital and St. Michael’s Catholic Grammar School on their Centenaries, and wishes both these proud Finchley institutions at least another 100 years of success.”

*Substantive Motion to read:*

“75<sup>th</sup> Anniversary of Finchley Municipal Borough

Council notes the 75<sup>th</sup> anniversary this year of the inception of Finchley Municipal Borough, with the status bestowed on the former Urban District Council in October 1933.

Council further notes the Centenaries of both Finchley Memorial Hospital and St. Michael's Catholic Grammar School this year.

Council is proud of the Finchley area's contribution to the present London Borough of Barnet, from its election of the Rt. Hon. Margaret Thatcher MP, the longest-serving British Prime Minister of the 20<sup>th</sup> Century, to its twinning with Montclair in 1945, Siegen Wittgenstein in 1951 and Le Raincy in 1962, which continue through the London Borough of Barnet to this day.

Council resolves to congratulate the people of Finchley on the 75<sup>th</sup> Anniversary of the inception of Borough status on their area.

Council further congratulates Finchley memorial Hospital and St. Michael's Catholic Grammar School on their Centenaries, and wishes both these Finchley institutions at least another 100 years of success."

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

**(iii) *Item 9.2: in the name of Councillor Alison Moore***

Amendment in the name of Councillor Monroe Palmer

Delete: 'global economic situation 'in 1<sup>st</sup> para

Substitute it with 'uncertainty of the £27.4 million in Icelandic banks and falling interest rates'

The rest of motion stays the same.

**9. FURTHER COMMENTS ON THE WORK OF CABINET – AGENDA ITEM 14**

Comments in the name of:

**(i) Councillor Marina Yannakoudakis**

"Comment on the work of the Cabinet member for Environment and Transport, specifically on the recent road traffic injury statistics."

**10. MINUTES OF THE MEETING HELD ON 9 SEPTEMBER 2008 (AGENDA ITEM**

The Minutes of the meeting require amendment.

**RECOMMEND -**

**(1) That item 55, of the Minutes of the Council meeting held on 9 September 2008, be amended by the insertion of an annotation after Supplemental Question 7 and answer, that Councillor Jack Cohen withdrew a comment that he had made in accordance with a request made by Councillor Mike Freer, Leader of the Council.**

**(2) That the minutes as amended be approved and adopted.**

**11. LEADER'S SCHEME OF DELEGATION: ASSISTANT CABINET MEMBERS**

The Leader has advised me of the following changes to Assistant Cabinet Members:

- Replace Councillor Marina Yannakoudakis as an Assistant Cabinet Member for Children with Councillor Maureen Braun.

- Councillor Eva Greenspan appointed as Assistant Cabinet Member for Housing & Regeneration.

**12. APPOINTMENT OF CO-OPTED MEMBERS TO THE FIRST CLASS EDUCATION AND CHILDREN OVERVIEW AND SCRUTINY COMMITTEE.**

Agenda item 4 refers.

The ballot was held on 31 October and the results are as follows:

Christine Haugh – 39

Marianne Haylett – 33

Jacob Heimann - 25

The name of the successful candidate is Christine Haugh with 39 votes.

**RECOMMEND- That Christine Haugh be appointed as a co-opted member to the First Class Education Overview and Scrutiny Committee, and any successor Overview and Scrutiny Committee, as a parent governor representative for the period ending November 2010.**

Janet Rawlings  
Democratic Services Manager