

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY, 14 SEPTEMBER 2010 AT 7.00PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, HENDON, NW4 4BG

A G E N D A



CORPORATE GOVERNANCE DIRECTORATE

To view agenda papers go to: <http://committeepapers.barnet.gov.uk/democracy/>

Agenda and Timetable
Tuesday 14 September 2010

Item	Subject	Timing/Details	Page Nos.
Part 1	Statutory formalities / Announcements (15 minutes)	7.00pm – 7.15pm	
1.1	Prayer – the Mayor’s Chaplain	Rabbi Ginsbury	
1.2	Apologies for absence	To receive Members’ apologies for absence	
1.3	Minutes of last meeting held on 13 July 2010	To sign as a true record	1 - 34
1.4	Declarations of interest	To receive Members’ declarations of interest	
1.5	Official Announcements		
1.6	Any business remaining from last meeting		
Part 2	Question Time (30 minutes or until 7.45pm, whichever is the longer)	7.15pm – 7.45pm	
2.1	Questions to the Leader and Cabinet	To be circulated separately	
Part 3	Members’ Motions (60 minutes) Motions in the order in which notice has been given	7.45pm – 8.45pm	
3.1	Councillor Jack Cohen - Borough Wide 20 MPH Speed Limits		35
3.2	Councillor Richard Cornelius – Garden Grabbing		36
3.3	Councillor Lynne Hillan – Audit Commission		37
3.4	Councillor Andrew Harper – GCSE and A Level Results		38
3.5	Councillor Daniel Seal – Henly’s Corner		39
3.6	Councillor Jack Cohen – Leader of the Council		40
3.7	Councillor Ross Houston – Security of Tenure for Social Housing Tenants		41
3.8	Councillor Ross Houston - Cost of housing benefit cuts to Barnet		42
3.9	Councillor Geoff Cooke - Tube Station Ticket Office Closures		43
	Break	8.45pm – 9.00pm	

Part 4	Policy Development (60 minutes)	9.00pm – 10.00pm	
4.1	Administration Policy Item (30 minutes) Councillor Helena Hart - Coalition Proposals for Health		44
4.2	Opposition Policy Item (30 minutes) Councillor Barry Rawlings - Cuts to Pensioners' Benefits		45
Part 5	Statutory Council Business (40 minutes)	10.00pm – 10:40pm	
5.1	Report from Cabinet		
5.1.1	Barnet's Corporate Parenting Strategy	To Follow If recommended for approval by Cabinet 6 September 2010	
5.2	Reports from other Committees		
	Reports of Officers		
5.3	Report of the Acting Democratic Services Manager		46 - 58
5.3.1	Scheme of Members Allowances		
5.3.2	National Grid response to the Council regarding the East Barnet gas supply disruption		
5.3.3	London Local Authorities Bill		
5.3.4	Changes to Representation of the Council on Outside Bodies		
5.4	Report of the Monitoring Officer		
Part 6	Accountability (20 minutes)	10.40pm – 11.00pm	
6.1	Comments on the work of the Cabinet (10 minutes)		
6.2	Questions to representatives on outside bodies (10 minutes)		

Aysen Giritli, Acting Democratic Services Manager
Building 4, North London Business Park, Oakleigh Road South, N11 1NP

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Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET held at
The Town Hall, Hendon, NW4, on Tuesday, 13 July 2010.

PRESENT:

*The Worshipful the Mayor (Councillor Anthony Finn BSc (Econ), FCA)

*The Deputy Mayor (Councillor Lisa Rutter)

Councillors:

*Maureen Braun	*Anne Hutton	*Kate Salinger BEd (Hons)
*Alex Brodtkin	*Geoffrey Johnson	Gill Sargeant
*Anita Campbell	*Julie Johnson	*Joan Scannell
*Pauline Coakley Webb	*Sury Khatri BSc (Hons), MSc	*Brian Schama
*Dean Cohen BSc (Hons)	*David Longstaff	*Alan Schneiderman
*Jack Cohen	*John Marshall MA	*Daniel Seal
*Melvin Cohen	*Kath McGuirk	*Mark Shooter
*Brian Coleman AM FRSA	*Andrew McNeil	*Agnes Slocombe SRN, RM
*Geof Cooke	*Alison Moore	*Ansuya Sodha MBA(Middx), Cert Ed, DipM (CIM), AMBA
*Alison Cornelius	*Graham Old	*Stephen Sowerby
*Richard Cornelius	*Charlie O-Macauley	*Andrew Stongolou
*Tom Davey	*Monroe Palmer OBE, BA, PCA	*Andreas Tambourides
*Barry Evangeli	*Susette Palmer MA	*Joanna Tambourides
*Claire Farrier	*Bridget Perry	*Daniel Thomas BA (Hons)
*Brian Gordon LLB	*Wendy Prentice	*Ruben Thompstone
*Eva Greenspan	*Sachin Rajput BA (Hons) PgD Law	*Jim Tierney
*Andrew Harper	*Robert Rams	*Rowan Turner
*Helena Hart	*Hugh Rayner	*Darrel Yawitch
*John Hart BA MA	*Barry Rawlings	*Zakia Zubairi
*Lynne Hillan	Colin Rogers	
*Ross Houston	Brian Salinger	

*denotes Member present

1. PRAYERS (Agenda Item 1.1):

The Mayor's Chaplain offered prayer.

2. APOLOGIES FOR ABSENCE (Agenda Item 1.2):

Apologies for absence were received from Councillors Gill Sargeant, Colin Rogers and Brian Salinger.

3. MINUTES (Agenda Item 1.3):

RESOLVED – That the minutes of the meeting of the Council held on 17 May 2010 be approved.

4. DECLARATIONS OF INTEREST (Agenda Item 1.4):

Member:	Subject:	Interest Declared:
Councillor Helena Hart	Agenda Item 2.1– Council Questions to Cabinet Members – Question 36	Personal but not prejudicial as Councillor Hart is a Dental Practice Manager in a dental practice that has no NHS contract . Councillor Hart remained in the Chamber and participated in the discussion on this item.
Councillor Alan Schneiderman	Agenda Item 4.1 – Administration Policy Item: Academies and Free Schools	Personal but not prejudicial as Councillor Schneiderman works for the Department of Education. Councillor Schneiderman remained in the Chamber and participated in the discussion on this item.

5. OFFICIAL ANNOUNCEMENTS (Agenda Item 5):

The Worshipful Mayor regretted to announce the death of Dr Rudi Vis on 30 May 2010. Dr Vis was first elected as Ward Councillor for Woodhouse in 1986 and then represented East Finchley from 1990 to 1998. In his time as Ward Councillor, he served on a number of Committees including Education and Planning. In 1997, Dr Vis was elected as Member of Parliament for Finchley and Golders Green where he served until he stood down at the last general election. During his time in office, he participated in the Council of Europe in Strasbourg and the Western European Union in Paris. He also supported Barnet Council's twinning with Morphou in northern Cyprus. Dr Vis leaves a widow Jacqui and his three sons.

At the invitation of the Worshipful Mayor, Councillor Alison Moore, the Leader of the Council, Councillor Lynne Hillan and Councillor Jack Cohen spoke in tribute of Dr Vis.

A minute silence was held in remembrance of a departed friend and colleague.

6. BUSINESS REMAINING FROM LAST MEETING (Item 1.6)

There was none

7. QUESTION TIME FOR MEMBERS (Agenda Item 2.1)

Questions were put to the Leader and Members of the Cabinet. These questions, together with the answers provided and the text of any supplementary questions and answers are set out in Appendix 1 to these minutes.

8. VARIATION OF ORDER OF BUSINESS

Councillor Joan Scannell, duly seconded, moved under Council Procedure Rule, Section 1, paragraph 10.2.2, that the order of business relating to Agenda Item 3 be varied so that Motions 3.3, 3.4 and 3.2 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 3.3, 3.4 and 3.2 to be debated and voted upon in advance of votes being taken on the other Motions on the Agenda.

9. MOTION IN THE NAME OF COUNCILLOR DANIEL THOMAS AS AMENDED BY COUNCILLOR SUSETTE PALMER (Agenda Item 3.3)

Motion 3.3 in the name of Councillor Daniel Thomas was moved. Amendments in the name of Councillors Ross Houston and Susette Palmer were moved. Debate ensued. Councillor Thomas accepted Councillor Susette Palmer's amendment. Upon being put to the vote, the amendment in the name of Councillor Houston was declared lost. Upon being put to the vote, the substantive motion as amended was declared carried.

RESOLVED - Council believes Benefits should be designed to assist the neediest, and encourage people out of poverty.

Therefore, Council regrets the unsustainable levels of Housing Benefit that was paid to some individuals over a long period of time, which acted as a disincentive to work and provided long-term subsidised accommodation at a cost to hard-working taxpayers, in some of London's and Barnet's most expensive locations.

Accordingly, Council welcomes the new limits on Housing Benefit payments due in 2011 from the Coalition Government that Council believes, in combination with a number of other initiatives to be announced, will help encourage people off dependency and back into work.

Council calls on Cabinet to liaise with the Government in implementing this and other Benefits policies that will help break the cycle of dependency and poverty in Barnet and across the UK.

10. MOTION IN THE NAME OF COUNCILLOR LYNNE HILLAN AS AMENDED BY COUNCILLOR MONROE PALMER (Agenda Item 3.4)

Motion 3.4 in the name of Councillor Lynne Hillan was moved. Amendments in the name of Councillors Alan Schneiderman and Monroe Palmer were moved. Debate ensued. Councillor Hillan accepted Councillor Monroe Palmer's amendment. Upon being put to the vote, the amendment in the name of Councillor Schneiderman was declared lost. Upon being put to the vote, the substantive motion as amended was declared carried.

RESOLVED - Council notes the Emergency Budget that was presented on 22 June.

Council regrets the actions of the previous Labour Government that lavished money on bureaucracy, put nothing aside for a rainy day, and left the UK with staggering levels of debt that will affect generations to come.

While Council appreciates the Emergency Budget will be tough, Council believes it represents the only opportunity to restore national finances and put this Country back on a sound economic footing.

Accordingly, Council welcomes the Emergency Budget from the Coalition Government, and calls on Cabinet to work within the new Financial Constraints when setting this Council's Budget for next year.

11. MOTION IN THE NAME OF COUNCILLOR GEOF COOKE AS AMENDED BY COUNCILLOR BRIAN COLEMAN (Agenda Item 3.2)

Motion 3.2 in the name of Councillor Geof Cooke was moved. Amendments in the name of Councillors Brian Coleman and Jim Tierney were moved. Debate ensued. Councillor Cooke accepted Councillor Tierney's amendment. Upon being put to the vote, the amendment in the name of Councillor Brian Coleman was declared carried. Upon being put to the vote, the substantive motion with the amendment previously agreed by Council was declared carried.

RESOLVED - Council welcomes the fact that fatalities from road traffic accidents have reduced in Barnet over the last year.

Council notes Barnet's significant investment in Safer Routes to School, Vehicle Actuated Signs and general road safety improvement measures, as well as schemes to ease the traffic flow and cut congestion.

Council further notes this Administration's innovative traffic management policies that saw the removal of many so-called traffic calming measures.

In addition, Council notes the millions wasted by the Labour-led administration 1994 – 2002 on failed road safety initiatives, such as those on the A598 Finchley Road.

However, Council welcomes the Conservative Administration's commitment to repair the winter pothole damage to main routes by 31 July and other roads later in the year.

Council also welcomes the Mayor of London's initiative regarding traffic flow and traffic lights, and asks the Cabinet Member to lead the liaison with Transport for London regarding this matter.

12. MOTION IN THE NAME OF COUNCILLOR JACK COHEN AS AMENDED BY COUNCILLOR JOANNA TAMBOURIDES (Agenda Item 3.1)

Motion 3.1 in the name of Councillor Jack Cohen was moved. Amendments in the name of Councillors Joanna Tambourides and Julie Johnson were moved. Upon being to the vote, the amendment in the name of Councillor Joanna Tambourides was declared carried. Upon being put to the vote, the amendment in the name of Councillor Julie Johnson was declared lost. Upon being put to the vote, the substantive motion with the amendment previously agreed by Council was declared carried.

RESOLVED - Council supports the objective of making our Town Centres a pleasant, attractive and vibrant shopping experience .Council therefore notes with concern the number of street alcohol drinkers in and around Golders Green Town Centre.

Council believes that drunken and rowdy behaviour can be tackled by the Police using existing laws and existing powers.

Council calls on the Cabinet Member to liaise closely with the local Police and Child's Hill Safer Neighbourhood Team to tackle the problem of street drinking in Golders Green so that the attractiveness of the Town Centre can be preserved for all law-abiding visitors.

13. MOTION 3.5 IN THE NAME OF COUNCILLOR AGNES SLOCOMBE (Agenda Item 3.5)

Motion 3.5 in the name of Councillor Slocombe was moved. Upon being put to the vote, the motion was declared carried.

RESOLVED - Council notes the precedent set by the naming of Sir Sydney Chapman Way in Hadley to mark the retirement of Sir Sydney Chapman as the MP for Chipping Barnet in 2005.

Council further notes the sad death of Rudi Vis shortly after retiring as the MP for Finchley and Golders Green this year. Council would therefore wish to continue this tradition and mark his nearly 25 years service as a councillor and an MP by naming a road after him in the constituency that he held so dear.

Council asks the Executive to request the Chief Executive to identify a suitable road in the constituency of Finchley and Golders Green and arrange an appropriate ceremony to mark the naming.

14. ADJOURNMENT OF MEETING.

In accordance with the Agenda, the Mayor adjourned the meeting. The meeting reconvened at 9.10pm.

15. ADMINISTRATION POLICY ITEM AS AMENDED BY COUNCILLOR MONROE PALMER: ACADEMIES AND FREE SCHOOLS (Agenda Item 4.1)

Councillor Andrew Harper proposed the item and moved that it be adopted. Amendments in the name of Councillors Anne Hutton and Monroe Palmer were moved. Debate ensued. Councillor Harper accepted Councillor Palmer's amendment. Upon being put to the vote, the amendment in the name of Councillor Hutton was declared lost. Upon being put to the vote, the Policy Item as amended was declared carried.

RESOLVED - The Government has announced that all schools are being invited to apply for Academy Status and that parents and other interested groups will now be able to set up "Free Schools".

Academies will be autonomous of the local Council and receive their funding direct from the DFE. They will be given greater freedom over their curriculum and financial affairs. LA Maintained Schools rated as Outstanding by OFSTED can apply to be fast-tracked, with a view to becoming an Academy by autumn this year.

In addition, "Free Schools" which will also enjoy Academy status can be set up by parents groups, teachers, charities, trusts and voluntary groups. The planning framework is being liberalised in order to facilitate the location of schools within a variety of buildings.

Accordingly, Council:

1) Welcomes this innovative policy by the Coalition Government, which Council believes will further the Borough's reputation of being the home of First Class Education.

2) Urges Cabinet to ensure Barnet is at the forefront of national education policy, works constructively to assist our schools in becoming Academies and engages with all its partners to guarantee that every school is a good school for every child.

16. OPPOSITION POLICY ITEM AS AMENDED BY COUNCILLOR RUEBEN THOMPSTONE: CHILD POVERTY IN BARNET (Agenda 4.2)

Councillor Anne Hutton proposed the item and moved that it be adopted. Amendments in the name of Councillors Rueben Thompstone and Ansuya Sodha were moved. Debate ensued. Councillor Hutton accepted Councillor Sodha's amendment. Upon being put to the vote, the amendment in the name of Councillor Thompstone was declared carried. Upon being put to the vote, the substantive Policy Item with the amendment previously agreed by Council was declared carried.

RESOLVED - Council regrets the failure of the outgoing Labour Government to properly tackle the root causes Child Poverty in the UK despite being in Office for 13 years.

Council notes the Labour Government spectacularly missed its own target to halve child poverty by 2010.

Council welcomes LBB's Children and Young People's Plan (CYPP) which contains priorities and measures to tackle Child Poverty in Barnet.

Council requests that the Cabinet Member ensures the effective implementation of the CYPP to ensure that Child Poverty is tackled in Barnet."

17. REPORT OF THE STANDARDS COMMITTEE – STANDARDS ANNUAL REPORT (Agenda Item 5.2.1)

Councillor Andreas Tambourides moved reception and adoption of the report.

RESOLVED - Council noted the Standards Committee Annual Report.

18. URGENT ITEM - SCHEME OF MEMBERS ALLOWANCES (Report of the Acting Democratic Services Manager – Agenda Item 5.3.1)

The Worshipful Mayor informed Council of the following: the item was set out on the published agenda and, as normal, individual papers under that item were circulated to Members and published as soon as they were available. Whilst the officers were satisfied that this met the necessary requirements, a Member raised a concern that it did not. For the avoidance of any doubt, The Worshipful Mayor took the item concerned at 5.3.1 – Member's Allowances, as an urgent item. Problems with IT within the Council contributed to delay in distributing/publication of the paper, but The Worshipful Mayor was satisfied that Council needed to consider the London Councils Independent Remuneration Panel report as soon as possible after its publication in May, particularly given that the next Council meeting is not until 14th September 2010. 2010.

RECOMMENDATIONS: That Council decide whether

(1) It wished to dispense with the services of the local Independent Remuneration Panel and instead have regard to the recommendations made by

the London Councils Independent Panel on the Remuneration of Councillors and, in particular, the most recent report of that panel, published in May 2010.

(2) Subject to the Council deciding that it does wish to dispense with the services of the local Independent Remuneration Panel and instead have regard to the recommendation of the London Council's Independent Panel (LCIP) on the Remuneration of Councillor in London, the Members' Allowance Scheme for the year 2010/11 should be revised for the period from 1 August 2010 to 31 March 2014.

(3) That the revised arrangements should be based upon the following:-

- (i) The recommendations of LCIP as to the amount of the Basic Allowance.
- (ii) That principle of the five bands of Special Responsibility Allowance.
- (iii) The revised attached schedule of Special Responsibility Allowances for the Barnet Scheme of Members Allowances.
- (iv) That no inflation uplift be applied to the Basic or Special Responsibility Allowances before May 2014.
- (v) That, at any given time, a member may only be in receipt of one Special Responsibility Allowance.
- (vi) The recommendations of LCIP regarding payments to members of the Standards Committee.

(4) It wishes to remove the existing arrangements for payment of a lump sum annual travel allowance of £500 "to recognise the cost of all travel within the borough".

(5) That if the changes are introduced, it wishes Cabinet Members be asked to each forgo £5000 of their special responsibility allowances so that there are no additional costs to the overall Members Allowances budget for 2010/11 and that any additional costs do not exceed £15,228 on a full year from 2011/12.

(6) It wishes to follow the recommendation of LCIP be followed for role descriptions to be developed for councillors for all their areas of work; the role descriptions to be placed on council websites; members to report publicly on their activity through a variety of channels as illustrated in the LCIP report; and the introduction of an appraisal system for members.

(7) That the Acting Democratic Services Manager be instructed to give appropriate publicity and make any necessary amendments to the Council's constitution.

Debate ensued. The Leader of Council, Councillor Hillan, moved adoption of the report on the basis of Council giving an affirmative response to each of the issues set out in the recommendations subject to the following amendment to recommendation 5:

(5) That if the changes are introduced, it wishes Cabinet Members be asked to each forgo £7,200 of their special responsibility allowances so that there are no additional costs to the overall Members Allowances budget for 2010/11 and that any additional costs do not exceed £15,228 on a full year from 2011/12.

During the debate of this item Councillor Brain Coleman, moved that the question now be put (to the vote). This was duly seconded. Upon being put to the vote the motion was carried.

RESOLVED – That the question now be put (to the vote).

RECOMMENDATION 1:

Upon being put to the vote, Recommendation 1 was declared carried:

At least ten Members rose in their places and demanded a formal division on the voting on Recommendation 1. Upon being taken the results of the Division were declared as follows:

For	Against	Abstain	Absent
Councillors	Councillors	Councillors	Councillors
Finn	Brodkin	Kate Salinger	Rogers
Rutter	Campbell		Brian Salinger
Braun	Coakley Webb		Sargeant
Dean Cohen	Jack Cohen		
Melvin Cohen	Cooke		
Coleman	Farrier		
Alison Cornelius	Houston		
Richard Cornelius	Hutton		
Davey	Geoffrey Johnson		
Evangeli	Julie Johnson		
Gordon	McGuirk		
Greenspan	McNeil		
Harper	Moore		
Helena Hart	O-Macauley		
John Hart	Monroe Palmer		
Hillan	Susette Palmer		
Khatri	Rawlings		
Longstaff	Schneiderman		
Marshall	Slocombe		
Old	Sodha		
Perry	Tierney		
Prentice	Zubairi		
Rajput			
Rams			
Rayner			
Scannell			
Schama			
Seal			
Shooter			
Sowerby			
Strongolou			
Andreas Tambourides			
Joanna Tambourides			

Thomas			
Thompstone			
Turner			
Yawitch			

For	37
Against	22
Abstain	1
Absent	3
TOTAL	63

RESOLVED - That the services of the local Independent Remuneration Panel be dispensed with and instead have regard to the recommendations made by the London Councils Independent Panel on the Remuneration of Councillors and, in particular, the most recent report of that panel, published in May 2010.

RECOMMENDATION 2:

Upon being put to the vote, Recommendation 2 was declared carried:

At least ten Members rose in their places and demanded a formal division on the voting on Recommendation 2. Upon being taken the results of the Division were declared as follows:

For	Against	Abstain	Absent
Councillors	Councillors	Councillors	Councillors
Finn	Brodkin	Kate Salinger	Rogers
Rutter	Campbell		Brian Salinger
Braun	Coakley Webb		Sargeant
Dean Cohen	Jack Cohen		
Melvin Cohen	Cooke		
Coleman	Farrier		
Alison Cornelius	Houston		
Richard Cornelius	Hutton		
Davey	Geoffrey Johnson		
Evangeli	Julie Johnson		
Gordon	McGuirk		
Greenspan	McNeil		
Harper	Moore		
Helena Hart	O-Macauley		
John Hart	Monroe Palmer		
Hillan	Susette Palmer		
Khatri	Rawlings		
Longstaff	Schneiderman		
Marshall	Slocombe		
Old	Sodha		
Perry	Tierney		
Prentice	Zubairi		
Rajput			

Rams			
Rayner			
Scannell			
Schama			
Seal			
Shooter			
Sowerby			
Strongolou			
Andreas Tambourides			
Joanna Tambourides			
Thomas			
Thompstone			
Turner			
Yawitch			

For	37
Against	22
Abstain	1
Absent	3
TOTAL	63

RESOLVED - That the Members' Allowance Scheme for the year 2010/11 be revised for the period from 1 August 2010 to 31 March 2014.

RECOMMENDATION 3:

Upon being put to the vote, Recommendation 3 was declared carried:

At least ten Members rose in their places and demanded a formal division on the voting on Recommendation 3. Upon being taken the results of the Division were declared as follows:

For	Against	Abstain	Absent
Councillors	Councillors	Councillors	Councillors
Finn	Brodkin	Kate Salinger	Rogers
Rutter	Campbell		Brian Salinger
Braun	Coakley Webb		Sargeant
Dean Cohen	Jack Cohen		
Melvin Cohen	Cooke		
Coleman	Farrier		
Alison Cornelius	Houston		
Richard Cornelius	Hutton		
Davey	Geoffrey Johnson		
Evangeli	Julie Johnson		
Gordon	McGuirk		
Greenspan	McNeil		
Harper	Moore		
Helena Hart	O-Macauley		
John Hart	Monroe Palmer		

Hillan	Susette Palmer		
Khatri	Rawlings		
Longstaff	Schneiderman		
Marshall	Slocombe		
Old	Sodha		
Perry	Tierney		
Prentice	Zubairi		
Rajput			
Rams			
Rayner			
Scannell			
Schama			
Seal			
Shooter			
Sowerby			
Strongolou			
Andreas Tambourides			
Joanna Tambourides			
Thomas			
Thompstone			
Turner			
Yawitch			

For	37
Against	22
Abstain	1
Absent	3
TOTAL	63

RESOLVED - That the revised arrangements should be based upon the following:-

- (i) The recommendations of LCIP as to the amount of the Basic Allowance.
- (ii) That principle of the five bands of Special Responsibility Allowance.
- (iii) The revised attached schedule of Special Responsibility Allowances for the Barnet Scheme of Members Allowances.
- (iv) That no inflation uplift be applied to the Basic or Special Responsibility Allowances before May 2014.
- (v) That, at any given time, a member may only be in receipt of one Special Responsibility Allowance.
- (vi) The recommendations of LCIP regarding payments to members of the Standards Committee.

RECOMMENDATION 4:

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

RESOLVED - To remove the existing arrangements for payment of a lump sum annual travel allowance of £500 “to recognise the cost of all travel within the borough”.

RECOMMENDATION 5

Upon being put to the vote, the amendment in the name of Councillor Hillan was declared carried.

Upon being put to the vote, the recommendation as amended was declared carried.

RESOLVED - That Cabinet Members be asked to each forgo £7,200 of their special responsibility allowances so that there are no additional costs to the overall Members Allowances budget for 2010/11 and that any additional costs do not exceed £15,228 on a full year from 2011/12.

RECOMMENDATION 6:

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

RESOLVED - That the recommendation of LCIP be followed for role descriptions to be developed for councillors for all their areas of work; the role descriptions to be placed on council websites; Members to report publicly on their activity through a variety of channels as illustrated in the LCIP report; and the introduction of an appraisal system for Members.

RECOMMENDATION 7:

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

RESOLVED - That the Acting Democratic Services Manager give appropriate publicity and make any necessary amendments to the Council’s constitution.

19. LEADERS SCHEME OF DELEGATION – ASSISTANT CABINET MEMBERS (Report of the Acting Democratic Services Manager – Agenda Item 5.3.2)

RESOLVED – That Council note the following:

- **Councillor Darrel Yawitch has been removed as Assistant Cabinet Member for Resources.**
- **Councillor Brian Gordon has been removed as Assistant Cabinet Member for Policy and Performance.**

20. JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE– ASSISTANT CABINET MEMBERS (Report of the Acting Democratic Services Manager – Agenda Item 5.3.3).

Councillor Joan Scannell moved the nominations in her name. Councillor Barry Rawlings moved the nominations of Councillor Andrew McNeil and himself. Upon being put to the vote, the nominations in the name of Councillor Scannell were approved.

RESOLVED -

- (1) That the Joint Health Overview & Scrutiny Committee with the London Boroughs of Barnet, Camden, Enfield and Islington be established.**
- (2) That Councillor Alison Cornelius and Councillor Maureen Braun be appointed to this body.**
- (3) That the Health Overview & Scrutiny Committee be reserved the right to make its own representations on behalf of the London Borough of Barnet regarding any matter considered by the Joint Health Overview & Scrutiny Committee.**
- (4)**

21. MEMBERS IT AND TELEPHONY PANEL (Report of the Acting Democratic Services Manager – Agenda Item 5.3.4)

Councillors Scannell, Rawlings and Susette Palmer moved nominations in their names.

RESOLVED – That the following Members be appointed to a Members’ IT and Telephony Panel.

Councillors Brian Coleman, Lynne Hillan, Andreas Tambourides, Robert Rams, Andrew McNeil, Anita Campbell and Monroe Palmer.

Substitutes: Councillors Rowan Turner, Andrew Strongolou, Alex Brodtkin, Jim Tierney, Susette Palmer and Jack Cohen

22. CHANGES TO MEMBERS OF OUTSIDE BODIES (Report of the Acting Democratic Services Manager – Agenda Item 5.3.5)

RESOLVED –

- (1) That Councillor Grahame Old be appointed as a Council representative on the Fostering Approvals Panel.**
- (2) That Council note the resignation of Councillor Monroe Palmer as one of the appointed Members on Barnet Homes Management Board.**

23. CHANGES TO MEMBERSHIP OF SCHOOL GOVERNING BODIES (Report of the Acting Democratic Services Manager – Agenda Item 5.3.6)

RESOLVED –

That Councillor Dean Cohen replaces Councillor Mark Shooter as a Local Authority Governor at Menorah Foundation School.

24. FURTHER CHANGES TO COMMITTEE MEMBERSHIPS

- (1) Councillor Joan Scannell moved the following changes to Committee membership from the floor:

RESOLVED – The following changes were approved.

Policy and Performance Overview and Scrutiny Committee:

- Councillor Wendy Prentice be appointed to replace Councillor Kate Salinger as a member of the Committee

Health Overview and Scrutiny Committee:

- Councillor Sury Khatri be appointed to replace Councillor Kate Salinger as a substitute member of the Committee

Appeals Committee:

- Councillor Maureen Braun be appointed to replace Councillor Kate Salinger as a member of the Committee

Licensing Committee:

- Councillor Alison Cornelius be appointed to replace Councillor Kate Salinger as Vice-Chairman of the Committee
- Councillor Maureen Braun be become a member of the Committee.

Chipping Barnet Resident's Forum:

- Councillor Barry Evangeli be appointed to replace Councillor Kate Salinger as Vice-Chairman of the Forum

- (2) Councillor Monroe Palmer moved the following change from the floor:

RESOLVED – The following change was approved.

Pension Fund Committee

- Councillor Susette Palmer be appointed to replace Councillor Monroe Palmer as a member of the Committee

25. FURTHER CHANGES TO OUTSIDE BODIES

- (1) Councillor Joan Scannell moved the following changes to Outside Bodies from the floor:

RESOLVED – The following changes were approved.

Standing Advisory Committee for Religious Education (SACRE):
Reference 1155c

- Councillor Brian Gordon be appointed to replace Councillor Kate Salinger as a Council representative on the organisation

Friends of Barnet Borough Libraries:

Reference 0075

- Councillor Robert Rams be appointed to replace Councillor Kate Salinger as a Council representative on the organisation

Friern Park Centre Management Committee:

Reference 0165

- Councillor Stephen Sowerby be appointed to replace Councillor Kate Salinger as a Council representative on the organisation

Adoption and Permanency Panel:

Reference 0111

- Councillor Wendy Prentice be appointed to replace Councillor Kate Salinger a Council representative on the organisation

26. APPOINTMENT OF INDEPENDENT MEMBERS TO THE AUDIT COMMITTEE (Report of the Acting Democratic Services Manager – Agenda Item 5.3.7)

RESOLVED –

- (1) That Council approve the appointment of Mr. Richard Harbord and Ms. Debra Lewis to be independent Members of the Audit Committee.
- (2) The appointments will be for a fixed term of four years until May 2014, subject to annual re-appointment, which is approved by Council.

27. AMENDMENTS TO THE CONSTITUTION (Report of the Acting Democratic Services Manager – Agenda Item 5.3.8)

RESOLVED –

- (1) That the Constitution be amended to delete all reference to the post Head of Legal Services and replace with reference to the post of Assistant Director – Legal.
- (2) That the Acting Democratic Services be instructed to make the appropriate amendments to the Council's constitution.

28. COMMENTS RELATING TO THE WORK OF THE CABINET (Agenda Item 6.1)

Comment: Councillor Geof Cooke

....if they are instructed to see how people view the London Borough of Barnet from outside. This is from a new resident of the Totteridge ward – “Whilst I am a new resident of Barnet I was surprised to learn that Barnet doesn't contribute to open house weekend. A wonderful two-days where interesting buildings not normally open to the public become so. I was amazed to learn that the decision to opt-out was based on cost – a miserable £3,800 was saved”. That is a fraction of the increase in the allowance for a single Member of the Cabinet forced through tonight. So, please oh please would Barnet opt-in to this wonderful annual event if they are interested in buildings in the Borough. I would like to feel proud of living in Barnet!!

Response: Councillor Richard Cornelius

The scheme is known to be of very limited value and no.

Comment: Councillor Zakia Zubairi

Will the Cabinet Member comment on how the loss of homes and communities agency money of £2.2 million from Beaufort Park and £1.5 million from the West Hendon Regeneration Scheme will be made to ensure that these developments are not jeopardised?

Response: Councillor Richard Cornelius

I think it is important that all of us in this Chamber do everything we can to make sure that the level of funding is maintained in so far as is possible. And, frankly, this Administration will be making every effort to get our share of the money from the HCA.

The meeting finished at 11:00pm

Council Questions to Cabinet Members
13 July 2010
Questions and Responses

Question 1**Councillor Susette Palmer**

I am delighted to hear from a recent Conservative leaflet, under the main heading "Action in Childs Hill", that a Childs Hill park has apparently been awarded £25,000 for youth equipment. Could the Cabinet Member please tell me which is the fortunate park?

Answer by Councillor Brian Coleman

Clitterhouse Playing Fields and Lichfield Road Youth Centre.

Supplementary Question 1**Councillor Susette Palmer**

Thank you Mr Mayor. Look Councillor Coleman, I'm really sorry that I'm afraid that Clitterhouse Playing Fields is not in Childs Hill ward and I am unable to trace the Lichfield Road Youth Centre at all. Perhaps you can ask your officers again and give an update next time.

Answer by Councillor Brian Coleman

Mr Mayor, I am well aware where Clitterhouse Playing Fields is, but I know the good folk of Councillor Susette Palmer's ward are clever people and can make their way there and use the excellent new facilities that are being installed for the benefit of residents of Childs Hill ward and indeed Golders Green ward.

Question 2**Councillor Brian Gordon**

How do we anticipate that the change of Government will impact on the allocation of rate support grant for Barnet and other similarly efficient local authorities?

Answer by Councillor Daniel Thomas

The Chancellor, in his Emergency Budget, said there would be a requirement of a 25% real reduction of departmental budgets over the next four years.

Barnet received £94.6m in Formula Grant for 2010/11. Ignoring inflation, a 25% reduction would represent £24m. This is clearly very early days and we need to wait for the Comprehensive Spending Review in October and the provisional Local Government settlement due in December to find out the exact details.

Supplementary Question 2**Councillor Brian Gordon**

Councillor Thomas I note what you say about the Chancellor's recommendation that the budget be reduced by 25% but I would like to know whether you could explain how this might apply to the rates support grant. Does this mean that the entire budget that the Government previously would have allocated to rates support would be reduced by 25% and then it would be allocated fairly amongst the local authorities or does it mean that it is going to be a straight forward position that what local authorities received last year would be reduced by 25%? I hope it is the former rather than the latter because we are all very much aware of the unfair and inexplicable way that the previous Government distributed rates support grant.

Answer by Councillor Daniel Thomas

Mr Mayor, Councillor Gordon raises a few issues there. Firstly, it is my understanding that the 25% decrease for local government as a whole. We have not been notified of the formula in which local government is funded is going to change – hopefully, it will change and that will address Councillor Gordon's concerns. The answer I have put in the paper this evening simply states 25% of what we receive as a Borough.

Our settlement is due in December and we will have to wait and see. This Administration do all we can to prepare ourselves for a 25% reduction. That will hopefully be the worse case scenario.

Question 3

Councillor Barry Rawlings

Why did the Cabinet Member for Health say at the April Council meeting that she would not interfere with Hospital Trusts setting their parking charges and then did so a few weeks later?

Answer by Councillor Helena Hart

Perhaps I should remind Councillor Rawlings of the question actually posed by Councillor Agnes Slocombe namely:

"I was wondering if the Cabinet Member for Health would mind commenting on whether she supports the scrapping of parking charges at hospitals in Barnet – something that Labour has pledged to do."

As I recall, having first drawn attention to the perilous financial position into which our local NHS Trusts had been put by that same Labour Government to which Councillor Slocombe referred – I stated quite clearly that it was up to each individual Trust whether or not they levied parking charges in order to alleviate that position. Trusts must be able to manage their own finances responsibly and how on earth did the former Government intend to finance their free hospital parking scheme – presumably by even greater public borrowing!

My view on this has not changed. Nor has my view on the former Labour Government whose reckless and ill targeted spending has resulted in this Nation's worst financial deficit ever.

The fact is that the flat charge of £4 for a full day's parking at Barnet Hospital is considerably less than at some other local NHS Trusts. Where it does seem to be unfair, however, is for those people intending to stay for far shorter periods – particularly those intending to stay for an hour or less.

I therefore asked the Chief Executive of the Trust to urgently consider reducing the minimum payment for stays of less than an hour and perhaps to also look at some sort of phasing for slightly longer periods.

Supplementary Question 3

Councillor Barry Rawlings

I would like to thank the Cabinet Member for her patronising reply. But, can I ask a supplementary more on the last paragraph. Was the Chief Executive of the Trust surprised seeing that the first action that the Cabinet Member wanted to take was when there was a story in the local paper? But, this review was already happening as the previous Government had asked for a review, the hospital was carrying out a review, and then a couple months later you were asking for a review. Does she worry that being so out-of-date and irrelevant to what is going on in health actually hinders her ability to do the job?

Answer by Councillor Helena Hart

Certainly not, Mr Mayor, and I would say that in contrast with some Members opposite who seem to change their view on the provision of health services according to whether or not their Party is in Government – I have been entirely consistent on these matters. I have not asked the Chief Executive to scrap car parking charges but purely to try and ensure that they are fair and equitable, particularly for those people staying for short periods. And I have to say that she had readily agreed to do so and I call that a result even if Councillor Rawlings wouldn't.

Question 4

Councillor Jack Cohen

How do you intend to reduce the number of casualties on the Borough roads?

Answer by Councillor Brian Coleman

By continuing our successful policies.

Supplementary Question 4**Councillor Jack Cohen**

Well Councillor Coleman you have a strange definition of successful policies. Whilst every other Borough in London has seen a reduction in road traffic accidents in 2009, Barnet has seen an increase of 15% of road traffic accidents. By the by you say you are continuing your successful policies – can you name 6 of those policies?

Answer by Councillor Brian Coleman

Why not 5? I could name 66 Councillor Cohen. How long have we got Mr Mayor?

- Hump removal;
- Traffic calming removing;
- Replacing failing road schemes;
- A massive road resurfacing programme;
- Eliminating the potholes in the Borough;
- Improving the pavements.

There's 6, shall I go on Mr Mayor? You've had enough thank you.

Question 5**Councillor Brian Gordon**

What representations could be made (or are being made) by the Council to Transport for London/Highways Agency concerning the appalling flooding that has occurred on some major roads in Barnet caused by defective sewers?

Answer by Councillor Brian Coleman

Councillor Gordon will no doubt have seen the question I posed as the Assembly Member for the Borough to the Mayor of London at Mayor's Question Time and the resulting answer which I reproduce below. I shall continue to keep up the pressure on the Mayor, in his role as Chairman of Transport for London and Barnet Officers are continuing to keep up the pressure at an officer level.

Question by Brian Coleman (AM):

Sections of the A1 and A41 consistently flood following heavy rainfall, especially in the Hendon area, leading to road closures and inconvenience for my constituents. Will the Mayor instruct TfL to investigate why this is the case and how drainage can be improved?

Answer by Boris Johnson (Mayor of London):

The answer is, yes, of course TfL is aware of the problem that you mention. It is doing extensive investigations. It is to do with a flaw in a Thames Water sewer. It is not big enough to deal with the water that accumulates. I am raising the matter with Thames Water on 28 May 2010.

Brian Coleman (AM):

I am grateful for that, Mr Mayor. I am sure my constituents are. There have been several occasions in the last six months on the A41, at different points along the A41, but particularly focused at Brent Cross, of flooding. Whilst I recognise you are omnipotent I know you cannot control the weather, but this problem is not new and TfL

Boris Johnson (Mayor of London):

We can control the weather. What are we doing with our Mayor's Air Quality Strategy and our climate change? That is exactly what we are trying to do; is to control the weather. I just point that out.

Brian Coleman (AM):

Until the improvements from your strategies come along to the benefit of my constituents, can we just kick TfL where it needs to be kicked to make sure this does not continually happen month in month out?

Boris Johnson (Mayor of London):

OK. I certainly will kick TfL wherever they need to be kicked on this, though the issue seems to be that £15 million of Thames Water needs to spend on this sewer.

Supplementary Question 5

Councillor Brian Gordon

Councillor Coleman, I am most grateful to you for raising the issue of road flooding with the Mayor of London and if the reason for your raising that question had anything to do with my question to you then I am even more grateful. I know you are very concerned about this. I would like to ask you whether you will undertake to continue to keep a very close eye on what's going on at TfL and Thames Water regarding this sewer because if that's the reason for all the problems then I'm sure all the money that needs to be invested to put right the sewer will be more than compensated by the better roads and by the lack of flooding that would occur this will be much better for Londoners and in the long-term much more cost-effective.

Answer by Councillor Brian Coleman

My Mayor, as much as Councillor Gordon is always ahead of the game, this question to the Mayor of London was prompted by complaints from many constituents about the state of the busy area of Borough every time it rains heavily. I and the Mayor will continue to keep up the pressure on Thames Water and to continue to insist on keeping their promises about investing in replacing the infrastructure in this Borough.

Question 6

Councillor Julie Johnson

Has the West Hendon regeneration project been awarded HCA Kick Start funding, and if not, can the Cabinet Member tell me how and when the estate will be brought up to Decent Homes standard?

Answer by Councillor Richard Cornelius

The West Hendon Project has not yet been awarded Kick Start Funding. We are still working so that the scheme may proceed as quickly as possible.

Supplementary Question 6

Councillor Julie Johnson

I thank the Cabinet Member for his answer. This development is £4 million short, so how are you going to find this money and when are you going to lay a brick so that people are not left in a constant state of limbo by this Administration?

Answer by Councillor Richard Cornelius

Mr Mayor, I would love to lay a brick and I look forward to that – but it does depend on achieving the funding which was lamentably lacking from the last Government and the mess that they left makes it very difficult for the current Government.

Question 7

Councillor Jack Cohen

Why was the current issue of Barnet First not delivered to the railway cottages, Cricklewood NW2?

Answer by Councillor Lynne Hillan, Leader of the Council

I understand confusion arose regarding which entrances to push the magazine through. As soon as we were aware of this, we took it up with our distributor who took steps to rectify it. I apologise to those residents of the Terraces who initially missed out on the most recent issue of Barnet First, one that contained a major feature on life in the Railway Terraces.

Question 8**Councillor Brian Gordon**

How will the idea mooted by the new Education Secretary for schools to obtain non-Council academy status affect our education programme within Barnet?

Answer by Councillor Andrew Harper

Outstanding schools could potentially convert to academies by September 2010. Governing bodies of academies will be responsible for ensuring quality of educational provision, challenging and monitoring performance, managing finances and property, and employing staff. We anticipate that this will enhance the quality of educational provision in the Borough.

We currently have two academies – the Wren Academy and the London Academy. These schools continue to have a positive relationship with Barnet Council and we expect that all schools who chose to convert to academies will continue to work closely with the Council and other schools.

Supplementary Question 8**Councillor Brian Gordon**

Can you please confirm in regard to the academies whether the decision-making as to which schools will become academies will be that of the schools themselves and that there will be no other pressure and any other influence the Council will seek to bring one way or the other? Can you also endorse, and that this will remain the Council's policy, that whether schools are under the control of the Council or whether they are independent of the Council, in any event we completely support the freedom and independence of our schools as much as possible to run their affairs and their administration in the way that they themselves see fit.

Answer by Councillor Andrew Harper

Mr Mayor, I am happy to give that pledge to Councillor Gordon and indeed he will see when I speak in the Administration policy item later this evening, which I am sure he will support, that I will be developing this in more detail. He is absolutely right, the Council stands ready to assist those schools that wish to become academies, but the decision is down entirely to the schools themselves.

Question 9**Councillor Barry Rawlings**

When are the contracts for the rebuild of Finchley Memorial Hospital due to be signed?

Answer by Councillor Helena Hart

At this stage the application is currently being considered by the Department of Health. All questions and queries have been responded to correctly and a decision is expected to allow contracts to be signed by the end of July – on schedule.

Question 10**Councillor Mark Shooter**

Will the Leader join me in congratulating the Conservative-led Government in scrapping the CAA?

Answer by Councillor Lynne Hillan, Leader of the Council

Absolutely. Councils such as Barnet should be free to determine their priorities according to what local people need and not the whim of Whitehall bureaucrats.

Supplementary Question 10**Councillor Mark Shooter**

Thank you Mr Mayor. Regarding the CAA, please can the Leader outline how much this wasteful Labour inspection regime has cost our tax payers?

Answer by Councillor Lynne Hillan, Leader of the Council

I am absolutely delighted that the CAA is being scrapped. It was nothing short of centralised expensive bureaucracy.

It cost us absolute fortune – £245,000 for Barnet's auditor fees, in addition we funded the cost of an Audit Commission CAA lead for which we paid £20,000. The Local Government Association found that in the first year the CAA had not met many of its stated objectives and I don't think it has since. It is about time we scrapped it – its only one of the diktats from Central Government that are being scrapped and I hope that they are all torn up very soon.

Question 11

Councillor Anne Hutton

Is the Council committed to providing decent Youth Services, or will they take money away from children and young people once the ring fence for grants like Capital Ambition and the Youth Opportunity Fund are removed?

Answer by Councillor Andrew Harper

The Barnet Children and Young People Plan clearly sets out our commitment to ensure that children and young people engage with positive activities, are actively involved in decision-making, and are supported to access education, employment and training. Youth services in Barnet help to make this possible.

As you will appreciate, we are having to scrutinise all our services, especially those that are grant funded, to ensure they are effective and continue to provide value for money. This is not to say that those services which cease to be ring fenced will be cut. However, resources will have to be reallocated across the Children's Service and indeed across the Council. We are in the process of reaching conclusions about this. No decisions on the levels of funding available to our services have yet been made.

Question 12

Councillor Tom Davey

Will the Cabinet Member for Housing outline how the Council is responding to planned changes in Housing Benefit?

Answer by Councillor Richard Cornelius

The main changes will be:

- Caps on the total amount payable;
- Reduced benefit for families with adult children; and
- Reducing housing benefit to 90% after receipt of 12 months jobseekers allowance.

The Council is planning to help those in need move to less expensive properties. Barnet will work with partners to encourage Adults back in to work and away from benefit dependency.

Supplementary Question 12

Councillor Tom Davey

I would like to thank Councillor Cornelius for his response and ask him to join me in praising the decision to ensure that more reasonable levels of benefits are paid to prevent people being trapped in a benefits dependency culture.

Answer by Councillor Richard Cornelius

Mr Mayor, absolutely.

Question 13

Councillor Alan Schneiderman

Why wasn't a council tax freeze for two years (as opposed to just one) included in the emergency budget on 22 June, and will this mean the Barnet Tories reneging on their promise of a freeze for two years?

Answer by Councillor Daniel Thomas

It is not for me to explain the rationale behind central Government budgets. Our manifesto stated this Administration would work with a Conservative Government to freeze Council Tax for two years and this was inline with national Conservative Party policy.

We do not have an outright Conservative Government to work with, however, this Administration, as always, will endeavour to keep Council Tax as low as possible.

Supplementary Question 13

Councillor Alan Schneiderman

I thank Councillor Thomas for his answer. But, his Administration promised before the election a two-year council tax freeze. So, we have got a Tory Council and a Tory Government, albeit supported by the Liberal Democrats, will he now agree to deliver the promised freeze or is this just another broken promise?

Answer by Councillor Daniel Thomas

Mr Mayor, Councillor Schneiderman seemed very selective about which part of the manifesto that he is quoting. The manifesto said we would work with a Conservative Government. We do not have a Conservative Government, we have a Conservative and Liberal Democrat coalition, and in that coalition there were compromises. The reality of the compromises, different policy pieces were disbanded, we have adopted some and, of course, compromise means that we have had to change our policies. Councillor Schneiderman knows that full well and is just trying to score party points.

Question 14

Councillor Barry Evangeli

Does the Leader agree with me, that while tough, the Emergency Budget was the only way to deal with the problems affecting the UK and our residents?

Answer by Councillor Daniel Thomas

As the Cabinet Member for Resources and Performance, it falls upon me to answer budget related questions.

I agree that the Emergency Budget was the only way to deal with the aftermath of the reckless manner in which the previous Labour Government dealt with public finance.

Supplementary Question 14

Councillor Barry Evangeli

Will the Cabinet Member join me in condemning the mess left by the Labour Party?

Answer by Councillor Daniel Thomas

Of course.

Question 15

Councillor Ross Houston

What impact will the cuts to the HCA have on Barnet's ability to build new affordable homes in the Borough?

Answer by Councillor Richard Cornelius

Clearly the HCA funding reductions will reduce the numbers of affordable homes that will be built nationally. As we do not know precisely how monies will be distributed it is not possible to give a quantitative answer for Barnet. However, we will ensure that Barnet receives its share of the money available.

Supplementary Question 15

Councillor Ross Houston

Thank you for your answer. What precisely is the Cabinet Member going to do to ensure that Barnet receives its fair share?

Answer by Councillor Richard Cornelius

Pull every string that we can.

Question 16**Councillor Andreas Tambourides**

Will the Leader join me in congratulating the former Leader of Barnet Council, Mike Freer, on his election to the DCLG Select Committee?

Answer by Councillor Lynne Hillan, Leader of the Council

Yes. A well-deserved appointment. Mike has done a huge amount to improve and innovate in Local Government as many people in Barnet and beyond will testify.

Supplementary Question 16**Councillor Andreas Tambourides**

Thank you Mr Mayor. Does the Leader agree with me that this reflects, in part, Mike Freer's success in formulating the innovative Future Shape strategy, something you, Leader, you were actively involved and have pledged to continue?

Answer by Councillor Lynne Hillan, Leader of the Council

I always will be very proud of the achievements of former Councillor Mike Freer. As he moves onto bigger and better things I think that we all know that his roots will still be in Barnet Council.

Question 17**Councillor Barry Rawlings**

How will the Administration continue "Supporting People" given the recent announcements on "Supporting People grant" – particular those elderly and vulnerable residents in sheltered housing?

Answer by Councillor Sachin Rajput

The Government's decision to remove the ring-fence from the Supporting People Programme Grant and to subsume it within the Area Based Grant makes no difference to the Council's relentless drive to use resources as efficiently as possible. Government-commissioned research shows that prevention services, such as those provided by this Authority, help to keep people independent and reduce the risk of dependency on more expensive health and social care provision. Local and national analyses of housing and support services for older people also show that there are inefficiencies that need to be resolved. In relation to the aforesaid, later this year Cabinet will be considering options for improvement within the budgetary resources available in Barnet.

Supplementary Question 17**Councillor Barry Rawlings**

The response is neither patronising nor an answer, so I will give it another go. Will the Cabinet Member confirm that this answer would be seen as a threat to the elderly and vulnerable residents in Barnet because it suggests further cuts are in line; and also he is not recognising that sheltered housing could be part of the preventative services. A decision has been made, got mucked up, has been made again without thinking through the options for these services as so often happens with this Council.

Answer by Councillor Sachin Rajput

Mr Mayor, can I just start with the word patronising, I cannot see how my response in any way whatsoever can be considered patronising. Mr Mayor, I think that the response that I have provided adequately answers the question raised by the relevant Councillor. But, can I just say this in an effort to cover any anomalies that he may consider may be apparent although I disagree that any such exist: quite simply I reassert the very importance on this side of the Chamber and the Council as a whole to make sure that we look after the interests of all of our residents. And, it is very important while we consider elderly, vulnerable, middle-aged and younger adults that we consider all of them.

So when I look at the supporting people grant that he refers to, regardless as to what it is termed as, or how it may change, as far as I'm concerned the funds that I have, and we are in difficult times mainly due to his failed Government, that we must consider what we do with the money we have and I would like it directed at all people and not just targeted groups leaving out others like his Party may seek to do. Thank you, Mr Mayor.

Question 18

Councillor Reuben Thompstone

Given we are in the Age of Austerity, will the Cabinet Member for Resources outline steps being taken to keep Council spending and Council Tax down next year and beyond?

Answer by Councillor Daniel Thomas

Real terms reductions over 4 years of between 25% and 33% have been announced for non-priority services. This represents an unprecedented challenge to all local authorities.

In response, the Council has recently enhanced the business planning and performance framework. All services have been asked to identify how they would manage with a reduction in net expenditure of 20% over three years.

The Government has also announced incentives for Councils which freeze council tax for 2011/12. The Council will consider its response to this when further details become available.

Supplementary Question 18

Councillor Reuben Thompstone

Thank you Mr Mayor and I would like to thank Councillor Thomas for the answer to the question. Is he pleased that Barnet is regarded as ahead of the curve in terms of the efficient use it made over the boom years and does he wish the Labour Government had done the same?

Answer by Councillor Daniel Thomas

Mr Mayor, I am very pleased. We do run a very efficient Council and the Audit Commission has said so. We have a good level of reserves unlike when we took over from the previous Administration when reserves were extremely low and I do wonder if we had severe weather just after we took over from the Labour-Liberal Democrat pact whether we could have actually afforded to have repaired the roads to the extent that we have this time round. So yes, I am very pleased.

Question 19

Councillor Alan Schneiderman

How much money has Barnet lost as a result of the Con-Dem government's emergency budget?

Answer by Councillor Daniel Thomas

My answer to question two gives an indication of how much the Council's funding will decrease.

Supplementary Question 19

Councillor Alan Schneiderman

I thank Councillor Thomas for his answer, but given that his Administration frivolous complaints about Labour's year-on-year increases in funding for this Council, will he now oppose these cuts?

Answer by Councillor Daniel Thomas

No.

Question 20

Councillor Ansuya Sodha

Mapledown School came fourth in the "Best Small Place to work in the UK" competition run by the Great Place to Work Group. Would the Cabinet Member join me in congratulating them?

Answer by Councillor Andrew Harper

I would. It is a great testament to all staff at the school.

Question 21**Councillor Ross Houston**

How much money will Barnet lose from the Con-Dem government's capping of Housing Benefit, and what impact will this policy have on ordinary local residents' ability to afford to live near their families?

Answer by Councillor Richard Cornelius

Barnet Council will not lose any money by this change. There will be an impact on those people receiving very large amounts of housing benefit. We hope not to have more news stories causing resentment amongst hard working tax payers who feel the community is being ripped off.

Supplementary Question 21**Councillor Ross Houston**

I thank the Cabinet Member for his reply. Around 428 families in Barnet are in receipt of housing benefit over the proposed cap out of 26,000 that is. This is a small proportion in percentage terms but it is still hundreds of families that are all on low incomes i.e. in receipt of income support or pension credits or job seekers allowance. These people cannot afford to pay rent in Barnet where will they go?

Answer by Councillor Richard Cornelius

They will be helped to find other accommodation both in the Borough and outside.

Question 22**Councillor Alan Schneiderman**

The Administration made a commitment to publish all expenditure over £500 online – why hasn't this been implemented yet?

Answer by Councillor Daniel Thomas

The Council committed to publishing items of expenditure in excess of £500 with effect from 1 April 2010. This is being undertaken quarterly in arrears and therefore the first due date is 30 June. It will take a couple of weeks to summarise and validate the data into a format that can be posted on the website but it is expected that this will be achieved by mid-July which is earlier than many other Councils.

Supplementary Question 22**Councillor Alan Schneiderman**

The motion committed to publishing items of expenditure online was actually passed in this Chamber in November last year, eight months ago. What's actually taken so long to get this online? We actually want to see the full data not the summarised version that he is working on.

Answer by Councillor Daniel Thomas

Mr Mayor, the fact that Councillor Schneiderman wants the full data is welcomed and that is what is taking so long. I don't know if Councillor Schneiderman in his regular briefings with officers manages to look at how much of our money we spend by department, of all the accounting codes – it is very complex accounting this Council has and to get it in order to display to the public and in a format that the public understands takes a long time. We are still ahead of many councils with this policy and I look forward to the publishing next week.

Question 23**Councillor Alan Schneiderman**

Would the Leader comment on the Council's council tax collection rate this year?

Answer by Councillor Daniel Thomas

As the Cabinet Member for Resources and Performance it falls upon me to answer questions related to Council Tax collection. The Council Tax collection rate as reported to the Government at 31.3.10 was 96.34%. This was the highest rate ever achieved in Barnet.

We anticipate that this excellent collection performance will be maintained.

Question 24**Councillor Alan Schneiderman**

How much has the Future Shape Project cost council tax payers so far?

Answer by Councillor Daniel Thomas

Current year costs will be considered for approval with the quarter one monitoring report to Cabinet Resources Committee in September. We currently anticipate that costs for the financial year 2010/11 will be within a revised and lower ceiling of £1.5m.

A key element of Future Shape is the delivery of significant savings which will contribute substantially to meeting the forecast revenue funding gap in future years.

Supplementary Question 24**Councillor Alan Schneiderman**

Can I ask the Cabinet Member when will Future Shape savings actually exceed the costs of this programme, if ever?

Answer by Councillor Daniel Thomas

In due course.

Question 25**Councillor Anne Hutton**

How many Barnet schools are considering Academy status because the Council gives little or no support to them?

Answer by Councillor Andrew Harper

Nine of our secondary schools and 20 of our primary schools are rated outstanding, and are therefore eligible to become Academies from September 2010. A number of our outstanding secondary schools are considering Academy status, but there is no evidence to suggest that this is because they feel unsupported by the Council. In fact a large proportion of our schools choose to purchase additional support such as catering and IT support from the Council rather than private suppliers, which suggests we offer a high quality service.

Supplementary Question 25**Councillor Anne Hutton**

Thank you Mr Mayor. I think some of the Heads do feel unsupported by the Council in fact. Would the Cabinet Member assure me that there won't be any increase in the charges for support services to schools under the easyCouncil?

Answer by Councillor Andrew Harper

I can't possibly make any such commitment about charges in the future, as Councillor Hutton knows, we're having to review all the matters in light of the financial constraints that the authority finds itself under, and indeed the costs of many other services will feature as part of that review.

Question 26**Councillor Geof Cooke**

When will safety measures at Henlys Corner be implemented?

Answer by Councillor Brian Coleman

TfL plans to start construction of the Henlys Corner improvement scheme in early 2011.

Supplementary Question 26
Is the funding 100% committed?

Councillor Geof Cooke

Answer by Councillor Brian Coleman
No.

Question 27

Councillor Jim Tierney

If the London Councils Grant Scheme ends, will the Administration ring fence their contribution for the local voluntary sector?

Answer by Councillor Daniel Thomas

The current four-year commissioning of services by London Councils extends to 2012.

The Council is not at this stage making any commitment to ring fence current contributions for future years.

Question 28

Councillor Agnes Slocombe

What batteries are accepted in the door-step re-cycling box, and has there been a change in policy on what batteries will or won't be collected i.e. AA type batteries?

Answer by Councillor Brian Coleman

In Barnet all household batteries left in the recycling boxes will be collected. All undamaged car batteries left beside the recycling boxes will also be collected. There has been no change in policy on the collection of batteries.

Supplementary Question 28

Councillor Agnes Slocombe

If we are paying contractors to collect these things they should be collected. So I am drawing your attention to this issue, it is not what a resident told me it is me personally having these batteries dumped back on me. This is not right, so I am surprised to see from the this answer to me that they are still being collected and I shall put them back again. If they are not collected I shall remind you.

Answer by Councillor Brian Coleman

Mr Mayor, I shall be around in the morning.

Question 29

Councillor Pauline Coakley Webb

The Administration gave a commitment to provide more allotment plots in Coppetts ward, but so far nothing has happened. When will these additional allotments actually be provided?

Answer by Councillor Brian Coleman

In due course.

Supplementary Question 29

Councillor Pauline Coakley Webb

Looking at the answer it seems to be a standard answer that we are going to get for a lot of questions these days – in due course. I am not quite sure, in due course, does it mean similar to when you are looking for something, when it is on the side, or in excess or wait a mo and it can actually happen next year. What I would like to know is – have actually any sites been looked at? And, if not why not? And can I have a bit more precise than in due course, and does that mean next week, next year, the next year or never?

Answer by Councillor Brian Coleman

Mr Mayor, it is a great pleasure to welcome Councillor Pauline Coakley Webb back to the Chamber after a gap of 8 years and her tour of wards across the Borough. In due course, Mr Mayor, means in due course.

Question 30**Councillor Alison Moore**

Given the huge number of potholes and deteriorating patches of tarmac on roads that have been resurfaced in recent years, what redress will the Council be seeking from its contractors for poor quality road maintenance?

Answer by Councillor Brian Coleman

I blame the weather not the contractors.

Supplementary Question 30**Councillor Alison Moore**

Thank you Mr Mayor. Councillor Coleman, you may blame the weather conditions but I think you are missing the point. The Council's auditors say that there is an underlying downward trend in the condition of the Borough's roads – it is not due to the short space of severe weather. And your own scrutiny task and finish group said the conditions on Barnet's roads are worse than neighbouring Boroughs. So, when will the Cabinet Member get tough on contractors to make sure that Barnet's tax payer's money is not being poured down the drain or should it be into a pothole?

Answer by Councillor Brian Coleman

Mr Mayor, can I take this opportunity to pay tribute to all the Council's own staff and indeed their contractors who are working flat out to repair the roads damaged by acts of God during the winter. I am mindful of the points made by Councillor Moore, I'm considering taking action against the person responsible for the potholes, I shall be suggesting to the Borough Solicitor we take proceedings against the Lord Almighty.

Question 31**Councillor Geof Cooke**

Will the Cabinet Member advise whether traffic congestion in Barnet is increasing, stabilising or reducing?

Answer by Councillor Brian Coleman

All three in different parts of the Borough.

Supplementary Question 31**Councillor Geof Cooke**

Where can the public see a breakdown of which situation ascertained in each area of the Borough?

Answer by Councillor Brian Coleman

In due course, Mr Mayor.

Question 32**Councillor Geof Cooke**

Boris Johnson has decided to increase public transport fares for the third year running. What impact will this have on residents in outer-London Boroughs like Barnet who commute to go to work?

Answer by Councillor Brian Coleman

The Mayor of London needs to fill the black hole of £1.9 billion in TfL's accounts left by the Administration of Ken Livingstone.

Supplementary Question 32**Councillor Geof Cooke**

Do you welcome the inevitable increase in road traffic that will happen if public transport fares continue to be raised above the rate of inflation to pay for the scrapping of the carbon dioxide charge, scrapping of the western extension of the congestion zone and the Mayor's hugely expensive vanity bus?

Answer by Councillor Brian Coleman

Well, Mr Mayor, Councillor Cooke was the Member of the Administration that left a huge black hole in this Council's accounts, so he should know that there is a £1.9 billion black hole in TfL accounts and that fare rises have sadly had to fill that black hole. But, there again Councillor Cooke is also a supporter of the party that has left this country in one enormous black hole.

Question 33**Councillor Kath McGuirk**

Will the Cabinet Member join me in condemning the cuts to police numbers that have been announced in London, and will the Cabinet Member also say what they have done to lobby against any cuts to police numbers occurring in Barnet?

Answer by Councillor Joanna Tambourides

To date we have not been advised of any specific proposals relating to police numbers in Barnet. At present our police officer number is 585, (though this fluctuates a little month by month), and it has remained at about this level for two years. The figure includes the officers on our Safer Neighbourhood Teams who are doing excellent work across all the wards in our Borough. All organisations are being asked by the government to look at budget reductions, the police included, and our lobbying efforts will be focused on any specific proposals affecting Barnet.

Supplementary Question 33**Councillor Kath McGuirk**

Thank you Mr Mayor. I am presuming that the Cabinet Member is aware that the Metropolitan Police has put a block on PCSOs and Safer Neighbourhood Teams across London applying for jobs as full-time PCs. This means that a lot of hard working PCSOs who have contributed fantastically to the safety of the residents of this Borough and across the Capital will now longer have the opportunity to become full PCs. Will you join me in condemning this move?

Answer by Councillor Joanna Tambourides

At the moment the Police are having a full review of all their services and their budgets. Until we hear actually what their budgets are going to be I can add nothing further to my answer.

Question 34**Councillor Geof Cooke**

Will the Cabinet Member advise how much secure cycle parking has been provided by the Council in the last eight years, and where?

Answer by Councillor Brian Coleman

In the last two years, (the period for which figures are available) 41 new cycle stands have been provided on street at Hadley Highstone; Finchley Road, Temple Fortune; East Finchley (Church Lane, East End Road and High Road near tube station); Station Road, Edgware; High Road, Whetstone; Woodhouse Road, Friern Barnet; North Finchley (near Sainsbury's); Chipping Barnet (near The Spires).

Supplementary Question 34**Councillor Geof Cooke**

Would it be fair to say that the Administration shares the enthusiasm of the Mayor for London to promote cycling?

Answer by Councillor Brian Coleman

Mr Mayor, there is no end to my enthusiasm for the policies of the Mayor for London.

Question 35**Councillor Colin Rogers**

Would the Cabinet Member please explain why Stanley Road Playing Fields has been fenced off?

Answer by Councillor Daniel Thomas

Stanley Road playing fields was subject to a lease which recently expired. Property Services repossessed the site at that expiry and took action to secure the site to avoid squatters and further rubbish dumping.

Although the site was leased out, the previous occupier failed to properly secure the gates, wrongly giving the impression that public access was permitted. It was not. The site will remain secured while consideration is given to the future of the site.

Property Services will undertake intermittent checks of the site until the future of the site is agreed.

Question 36**Councillor Barry Rawlings**

Would the Cabinet Member say what she thinks of the value of dentistry services at Edgware Hospital?

Answer by Councillor Helena Hart

Whilst I have not had any complaints about the quality of service at the Dental Access Centre (DAC) at Edgware Hospital, I understand that activity levels at the DAC have been relatively low. This is despite NHS Barnet's efforts to increase uptake of NHS Dental services, including a mail drop to every house in Barnet with information on how to access an NHS dentist. Perhaps greater uptake of NHS dental services across the Borough is something which should best be pursued through the Health Overview and Scrutiny Committee.

Question 37**Councillor Geof Cooke**

Why did the number of road casualties in Barnet increase in 2009 in all categories except fatalities when most of London showed an improvement?

Answer by Councillor Brian Coleman

Barnet's rise in overall casualties in London between 2008 and 2009 was a common issue with other authorities in North London. The highest casualty increases all occur in north London (Haringey 25%, Enfield 20%, Islington 19%, Barnet 15%) with relatively high increases in other north and north west London boroughs (Harrow, Brent and Ealing all 8%, Hammersmith and Fulham 7% and Camden 6%). Relatively low numbers of casualties in some of the groups reported recently by TfL mean that year-on-year fluctuations are to be expected. Comparison over a longer period suggests that the increases for most groups in 2009 are consistent with the level of random variation that can be expected.

Encouragingly fatalities fell (from 18 to 8) and seriously injured casualties had a lower percentage increase than overall casualties. (The combined measure of casualties killed and seriously injured rose by one from 136 in 2008 to 137 in 2009).

Child (under 16) casualties also fell, with a 50% reduction in the numbers of children killed or seriously injured (from 12 in 2008 to 6 in 2009).

Supplementary Question 37**Councillor Geof Cooke**

Is it not the case that 15% increase to 1,403 casualties is statistically significant and crying out for investigation and response from TfL, Barnet and the other Boroughs in north and north-west London?

Answer by Councillor Brian Coleman

Yes, Mr Mayor.

Question 38**Councillor Ansuya Sodha**

Was the Cabinet Member aware that schools are being charged for PC encryption? Can he tell Members how much money schools have been charged in total for this, and is it fair that schools who have been responsible and not lost any data should have to pay this extra charge?

Answer by Councillor Andrew Harper

All schools have a responsibility to keep pupil data secure. We recently sent a document to schools outlining best practices and how pupil data can be kept safe. Encrypting documents is one way of keeping data safe and Barnet Council is currently in discussion with suppliers to purchase encryption software in bulk at a lower price than individual schools would be able to. Our ICT schools support is a traded service, which many of our schools buy into. It is not the Council's responsibility to provide this support. When we have finalised arrangements with a supplier, any schools interested in buying encryption software from the Council would be able to do so. No schools currently purchase encryption software via the Council.

Question 39**Councillor Alison Moore**

Will the Leader advise how much money will be provided by the Con-Dem government to pay for the Census?

Answer by Councillor Daniel Thomas

We have not been advised of any additional support from government.

Supplementary Question 39**Councillor Alison Moore**

Could I ask the Cabinet Member would the census be going ahead, and if not how much worse would that make the allocation and delivery of resources and services in Barnet, mindful of the outcomes of the previous census?

Answer by Councillor Daniel Thomas

Mr Mayor, as far as I am aware the census is still going ahead and we are working with the Office of National Statistics, who actually co-ordinate the census, in order for them to get as accurate results as possible because the result of the census will impact on the funding for Barnet.

Question 40**Councillor Anne Hutton**

Will Barnet get the £80 million allocated from Building Schools for the Future programme, and if not what will happen to those school building programmes that were going to benefit from that money?

Answer by Councillor Andrew Harper

Barnet had made a bid for funds under the BSF programme after we were invited by the previous government to make a submission; the money had not actually been allocated. As Councillor Hutton will know, the Secretary of State for Education has announced that the six projects that we proposed as part of BSF will not proceed. We are currently reviewing capital investment for our schools in light of that announcement.

Question 41**Councillor Geof Cooke**

Will the Cabinet Member tell me what discussions have taken place with TfL regarding delivery of the Mayor of London's election pledge to "Put the commuter first by improving public transport in outer-London through orbital bus routes"?

Answer by Councillor Brian Coleman

Very little other than in relation to regeneration proposals.

Supplementary Question 41**Councillor Geof Cooke**

Will you be encouraging the London Mayor to put the outer-London commuter first and to deliver on his promise?

Answer by Councillor Brian Coleman

Mr Mayor, as Councillor Cooke will know there is yet another black hole and that is called the bus subsidy that is currently running at £600 million when in the year 2000 it was zero. So, I cannot force any calls for increase bus services until the £600 million black hole on the bus account is duly filled.

Question 42**Councillor Geof Cooke**

What progress has been made, since I last asked, on consultation and planning for suitable permanent improvements in the Borough to mark the Queen's Diamond Jubilee in February 2012?

Answer by Councillor Melvin Cohen

We will be consulting the Representative Deputy Lieutenant for the London Borough of Barnet, Mr Martin Russell, on the most appropriate way to mark the Queen's Diamond jubilee. A small working group of officers has been established within the Chief Executive's Service to explore how the Council might mark the Jubilee locally and how we might join in any capital wide celebrations.

No one is more enthusiastic about marking Her Majesty's reign than I am but the Jubilee will of course take in a time of austerity and this has to be borne in mind as we talk about permanent improvements.

I will report back.

Supplementary Question 42**Councillor Geof Cooke**

Do you consider that permanent improvements to the Borough would be an appropriate way to mark the Jubilee?

Answer by Councillor Melvin Cohen

I refer the Member to my answer.

Question 43**Councillor Geof Cooke**

Does the Administration "buy in" to the internal audit process?

Answer by Councillor Daniel Thomas

Yes, the Administration fully supports the internal audit process as a key element of effective corporate governance.

Supplementary Question 43**Councillor Geof Cooke**

Why then had Cabinet Members not required senior officers to co-operate with the internal audit process and thus avoid the need for the external auditors to comment on the lack of buy in?

Answer by Councillor Daniel Thomas

Mr Mayor, I am not aware of Cabinet Members being involved in the audit process that to the extent that they had encouraged services not to buy in to audit. I can state quite clearly now that we are bought into the audit process, we have restructured the audit function, we brought it under the finance directorate, and we co-operate with the Committee and the auditors. And it is for the Audit Committee to oversee all this and to raise any concerns either with the Chief Executive or the Director of Finance.

Question 44**Councillor Agnes Slocombe**

Is there a mentoring scheme for young people in the Borough that residents can get involved in?

Answer by Councillor Andrew Harper

There are several mentoring schemes in the Borough, some of which residents can get involved with. For example:

- The Middlesex University Inclusion Development Ambassador Scheme which aims to widen access to Middlesex University to care leavers is due to start. The scheme is run in partnership with London Borough of Barnet and mentors are currently being trained. It is a programme for university students.
- We are currently investigating the possibility of setting up a voluntary Independent Visitor scheme (similar to a mentoring scheme) in Barnet for children in care.
- A First Time Entrants Mentoring Scheme (Council-led in partnership with police) is being developed, and 6 volunteers from the local community are currently being trained.
- Various mentoring opportunities can be accessed via the voluntary sector. Many faith groups have projects, for example there is one providing English for Speakers of Other Languages (ESOL) for mothers and homework support for local children. Other opportunities include mentoring young men who have been involved in drug misuse.

Supplementary Question 44**Councillor Agnes Slocombe**

What I really want to know, I know that the staff and different people are mentors in our schools, so are there any Councillors to your knowledge that are mentors?

Answer by Councillor Andrew Harper

I believe some Members are, in their individual capacities, yes.

Question 45**Councillor Ansuya Sodha**

Older Children from Mapledown School attend course at a college outside the Borough. Given the huge cost of sending children with special educational needs outside the Borough what can be done to provide education for these young people at Barnet College?

Answer by Councillor Andrew Harper

Barnet Council is responsible for commissioning provision for such children from September 2011 and is very keen to improve the local offer to students with severe learning difficulties. The most popular college is currently Oaklands in Hertfordshire, which received significant additional resources from the Learning and Skills Council in 2005 in order to develop a new provision for students with severe learning difficulties.

Working with other north London boroughs, Barnet has researched demand and will use this information to seek to commission further provision locally.

Council, Tuesday, 14 September 2010

Motion 3.1: Councillor Jack Cohen

Borough Wide 20 mph Speed Limits

Council notes the Coalition Government's support for the introduction of 20 mph speed limits in residential areas. Council agrees that the introduction of 20 mph speed restrictions will make our streets safer. Council therefore request the Cabinet to draw up proposals to implement Borough Wide 20 mph speed limits.

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.

Council, Tuesday, 14 September 2010

Motion 3.2: Councillor Richard Cornelius

Garden Grabbing

Council regrets the practice of “Garden Grabbing” that occurred because front and rear gardens were classified as Brownfield under the planning rules, making it far easier to obtain planning permission to build on them.

Council notes that between 2006 and 2009, 34% of dwellings in Barnet were built on previously developed land (including gardens). This was the 10th highest rate in London, and a large jump from the 12% recorded in the three years to 1997.

Council also regrets that the old Labour Government made few changes to curtail this practice despite constant representations from this Council and local MP Theresa Villiers.

However, Council is extremely pleased that the new Coalition Government has listened and has reclassified front and rear gardens away from Brownfield land, which Council believes will serve to control building upon them.

Accordingly Council instructs the Chief Executive to write to the Communities Minister Greg Clark MP welcoming this move.

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.

Council, Tuesday, 14 September 2010

Motion 3.3: Councillor Lynne Hillan

Audit Commission

Council notes the Audit Commission cost £200 million a year and employed 2,000 people.

Council further notes that the role of the organisation shifted over many years, ending up as an arm of Whitehall, issuing local authorities with costly diktats.

The abolished CAA Inspection regime (and the CPA before it) costing LBB over £100,000 in staff time each year formed a major part of the Audit Commission's remit, Council remembers.

Further Council is dismayed that the Audit Commission spent taxpayers' money treating its staff to jollies such as trips to the races.

In addition, Council deplores the spending of £60,000 by that body on lobbyists in order to "combat the activities" of a senior Opposition MP in early 2010.

Council believes that local authorities should manage and audit their own spending, and that the bureaucracy of the Audit Commission has become both unwieldy and unnecessary.

Accordingly, Council welcomes the Coalition Government's abolition of the Audit Commission.

Council further requests Cabinet work to put in place a framework to ensure the requisite auditing of Barnet's finances in light of the abolition of the Audit Commission.

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.

Council, Tuesday, 14 September 2010

Motion 3.4: Councillor Andrew Harper

GCSE and A-Level Results

Council is proud of its first class schools and colleges that give the children of the Borough the best possible start in life.

Council believes that decent education and training is extremely important in building the future of Britain's and Barnet's economy.

Therefore Council is proud to note the excellent GCSE and A-Level results across the Borough, with 80% of Barnet's students receiving 5 or more A* to C grades at GCSE and 71% gaining A* to B in A-Levels.

Council warmly congratulates all the students, staff, teachers, parents and Governors responsible for these excellent results, and calls on Cabinet to ensure Barnet continues to enjoy excellence in education for years to come.

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.

Council, Tuesday, 14 September 2010

Motion 3.5: Councillor Daniel Seal

Henly's Corner

Council is pleased that Transport for London agreed in 2009 to make improvements to improve the safety and traffic flow at Henly's Corner, although Council remains adamant this should not preclude additional future improvement work.

However, Council notes that owing to the deficit left by the previous Labour Government, the current Government is looking to make savings through the Comprehensive Spending Review (CSR). This will include examining the funding towards transport bodies, such as Transport for London (TfL).

TfL has, Council notes, consequently put its major projects under review, including the planned work on the A406 at Henly's Corner.

Council believes that the work at Henly's Corner is of the utmost importance, not only for local safety, but also as part of the strategic road network across North London, as delays at the junction produce many knock-on effects on traffic flow on the North Circular and the A1.

Therefore, Council resolves to make strong representations for the improvement work at Henly's Corner to be safeguarded in TfL's review, and calls for the Chief Executive to write to the TfL Commissioner and Mayor of London pressing for the scheme to be protected and the reasons why.

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.

Council, Tuesday, 14 September 2010

Motion 3.6: Councillor Jack Cohen

Leader of the Council

Council has lost confidence in Cllr Lynne Hillan as Leader of the Council. Therefore Council resolves this evening to remove Cllr Hillan as leader of the Council.

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.

Council, Tuesday 14 September 2010

Motion 3.7: Councillor Ross Houston

Security of Tenure for Social Housing Tenants

Council notes the comments made by David Cameron that fixed tenancies of between 5 and 10 years for social housing tenants may be introduced by the ConDem government.

Council believes that abandoning security of tenure would destroy Barnet's sustainable communities, turning them into "transit camps", would adversely impact some of the poorest in our community, and, perversely, would provide an incentive for people who believed they may lose their home, to remain in poverty – in complete contradiction of the ConDem government's supposed aim to tackle the poverty trap.

Council condemns this ill-thought through policy, and asks Cabinet to write to the Prime Minister and Secretary of State outlining their opposition to it.

Council asks Cabinet to re-double its efforts to build more affordable homes for ordinary Barnet residents – which is the best solution to tackling the housing crisis.

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.

Council, Tuesday 14 September 2010

Motion 3.8: Councillor Ross Houston

Cost of housing benefit cuts to Barnet

Council notes the opposition shown by London Mayor, Boris Johnson to the ConDem government's £2 billion housing benefit cuts on the grounds that those cuts are "draconian", and "will have a damaging effect on many households in London" where the cost of living is much higher, including in Barnet.

Council believes that LB Barnet will end up spending more on helping those who become homeless as a result of the housing benefit cuts, and asks Cabinet to investigate the true cost to Barnet of these cuts and the number of households affected, including the potential increase in personal debt and homelessness, and the impact on those in private rented accommodation and social housing in particular.

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.

Council, Tuesday 14 September 2010

Motion 3.9: Councillor Geof Cooke

Tube Station Ticket Office Closures

Council notes Transport for London's proposals to shed up to 800 ticket office and gateline jobs on London Underground, and believes this will adversely affect the opening times of 245 ticket offices across the Tube network, including in Barnet, with the number of stations staffed by only one person working alone increasing.

Council also believes the proposed staff cuts will damage the level of customer service to passengers, with longer queuing times to buy tickets; that over dependence on ticket machines will disproportionately impact on those passengers who have a disability that makes it difficult to use a ticket machine; and that passengers will feel less safe, particularly early in the morning and late in the evening.

Council further believes that these proposals to cut ticket office staff and close ticket offices flies in the face of Boris Johnson's election pledge to keep ticket offices open, and shows that Boris simply cannot be trusted.

Council acknowledges the impact of increased Oyster card usage on the number of ticket office transactions and the possibility of rebalancing staffing between ticket office and other station duties to maximise safety for passengers but considers that staff reductions are not justified.

Council asks the Cabinet Member to lobby Transport for London and its Chair, Mayor Boris Johnson to review this decision and re-affirm reasonable and safe staffing levels in Barnet and across the London Underground network to ensure passengers continue to receive excellent service from London Underground, so that confidence in and use of public transport is not eroded.

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.

Council: Tuesday, 14 September 2010

Administration Policy Item: Councillor Helena Hart

Coalition Proposals for Health

The Coalition Government's White Paper "Equity and Excellence: Liberating the NHS" proposes some of the most radical and far reaching changes to the way that Health Services are planned and delivered in the UK.

Based upon and protecting the core principles of the NHS of being free at the point of use and available to everyone based on need, not ability to pay, the White Paper proposes a real transfer of choice and control to Patients and Health Professionals, with General Practitioners taking the lead in commissioning patient care.

It is envisaged that the London Borough of Barnet will play a key role in supporting and liaising between the different groups and will also have the right to object to any proposed re-structuring of local Hospitals.

The White Paper also proposes far greater influence and powers for Local Authorities, such as the London Borough of Barnet, who will take a lead in Public Health. The responsibilities for local health improvement will also transfer from Primary Care Trusts to Local Authorities and there will be an additional White Paper later in the year devoted to Public Health.

All the proposals contained in the White Paper will, of course, be subject to extensive consultation before they are implemented.

As part of this, Council requests Cabinet to:-

- Respond carefully to the Consultation, ensuring the new relationship represents the best possible outcome for Barnet residents
- Liaise closely with the Secretary of State for Health, in ensuring the proposals are implemented as effectively as possible.
- Continue the Future Shape programme as it already involves much closer cooperation between LBB and NHS Barnet.
- Build upon LBB's track record of supporting and working with local healthcare providers and GPs to improve local healthcare for local people.

Council: Tuesday, 14 September 2010

Opposition Policy Item: Councillor Barry Rawlings

Cuts to Pensioners' Benefits

Council notes that, according to the Institute of Fiscal Studies, pensioners are one of the two groups that will be hit hardest by the Con-Dem government's regressive emergency budget.

Council also notes that since the emergency budget was announced the Con-Dem government have made it clear that pensioner benefits, such as the winter fuel allowance, free TV licences and free bus travel, are now under review – despite David Cameron's promise that these would be protected.

Council believes that the Con-Dem government should honour its pledge to pensioners and protect their benefits.

Council therefore calls on Cabinet to:

- write to the Prime Minister, and the Secretary of State, setting out Barnet's opposition to any cuts to pensioners benefits, and
- work with local pensioners' and voluntary sector groups, including Barnet 55+, to minimise the impact of any cuts to Barnet's pensioners.

<p style="text-align: center;">Council Meeting 14 SEPTEMBER 2010</p>
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REPORT OF THE ACTING DEMOCRATIC SERVICES MANAGER
AGENDA ITEM 5.3

5.3.1 SCHEME OF MEMBERS ALLOWANCES

At its meeting on 13 July 2010, Council resolved to dispense with the services of the local Independent Remuneration Panel and instead have regard to the recommendations made by the London Councils Independent Panel on the Remuneration of Councillors (LCIP) and, in particular, the most recent report of that panel, published in May 2010.

The Members' Allowance Scheme for the year 2010/11 was revised for the period from 1 August 2010 to 31 March 2014 to include;

- (i) The recommendations of LCIP as to the amount of the Basic Allowance.
- (ii) That principle of the five bands of Special Responsibility Allowance.
- (iii) The revised schedule of Special Responsibility Allowances for the Barnet Scheme of Members Allowances.
- (iv) That no inflation uplift be applied to the Basic or Special Responsibility Allowances before May 2014.
- (v) That, at any given time, a member may only be in receipt of one Special Responsibility Allowance.
- (vi) The recommendations of LCIP regarding payments to members of the Standards Committee.

The arrangements for payment of a lump sum annual travel allowance of £500 "to recognise the cost of all travel within the borough" were also removed.

It was further agreed that in place of the previous arrangements an allowance of £256 per meeting attended shall be paid to the Chairman of the Standards Committee and an allowance of £127 per meeting attended shall be paid to the other Independent Members of the Standards Committee.

The revised scheme came into effect on 1 August 2010. All Cabinet Members agreed to forgo £7,200 from their special responsibility allowance so that there would be no additional costs to the overall Members Allowances budget for 2010/11 and, on a full year from 2011/12, any additional costs would not exceed £15,228. The proposals set out below, if adopted, will result in a saving of £76,284 in 2010/11 and £115,113 for a full year in 2011/12 onwards (Appendix 2). The latter includes an overall saving of £99,885 and the saving of the additional cost to the overall Members Allowances budget of £15,228 from 2011/12 onwards, as included within the revised scheme to Council on 13 July 2010.

The Leader of the Council has requested that an item be included in my report setting out the following proposed further revisions to the Members' Allowances Scheme, with retrospective effect from 1 August 2010 -

Position	Band	Approved by Council on 13 July 2010	Proposed revisions
Cabinet Members (excl. Leader and Deputy)	3	34,780	17,455
Deputy Leader of the Council	3	41,262	27,429
Leader of the Council	4	54,227	34,909

Council is also asked to clarify that, in place of the previous arrangements, the allowances for co-opted members appointed to other Council Committees shall be the same as those for Independent Members of the Standards Committee, so that an allowance of £127 per meeting attended shall be paid to such co-opted Members.

Recommend - That the Council

- (1) Approve the further revisions to the Members' Allowances Scheme as stated below;**
 - The adjustment of the Cabinet Member's Special Responsibility Allowance from £34,780 to £17,455
 - The adjustment of the Deputy Leader's Special Responsibility Allowance from £41,262 to £27,429
 - The adjustment of the Special Responsibility Allowance for the Leader of the Council from £54,227 to £34,909
- (2) Confirm the revision to the co-opted members' allowance, so that an allowance of £127 per meeting is paid to a co-opted member for his/her attendance at any relevant committee meeting.**
- (3) Approve the revised Members Allowances Scheme attached (Appendix 1), incorporating these amendments with retrospective effect from 1 August 2010.**
- (4) Instruct the Officers to implement the necessary changes and the Acting Democratic Services Manager to make the necessary amendments to the Council's Constitution.**

5.3.2 NATIONAL GRID RESPONSE TO THE COUNCIL REGARDING THE EAST BARNET GAS SUPPLY DISRUPTION

At its meeting on the 20 April 2010, Council approved the recommendations and adoption of the Ad Hoc Overview & Scrutiny Committee dated the 18 March 2010 regarding the East Barnet gas supply disruption. One of the recommendations instructed '.....***the Chief Executive of the Council write to National Grid asking them to increase compensation to affected residents to the level of £100 per day.***'

Attached at Appendix 3, is the National Grid response to the Council regarding the East Barnet gas supply disruption.

RECOMMEND – That the Council note the response from National Grid.

5.3.3 LONDON LOCAL AUTHORITIES BILL

This item seeks to confirm by resolution the promotion of a London Local Authorities Bill that would amend the Greater London Authority (GLA) Act to provide flexibility in relation to travel concession on railways and would provide an arbitration mechanism in relation to the cost of the reserve scheme. The resolution is necessary to enable the Council to promote the Bill. If the resolution is not confirmed by the full Council the Council will be unable to participate in the Bill. The report to the London Councils Leaders' Committee on the Proposed London Local Authorities Bill is attached as Appendix 4.

RECOMMEND – That the Council

(1) Confirm by resolution the promotion of the London Local Authorities Bill; and

(2) Agree the draft resolution as set out in Appendix 4.

5.3.4 CHANGES TO REPRESENTATION OF THE COUNCIL ON OUTSIDE BODIES

The Conservative Group has indicated that they wish to make the following changes:

RECOMMEND – That the following changes to the representation of the Council on Outside Bodies be approved:

Arts Depot Trust Limited

Ref: 0228a

- **Councillor David Longstaff to replace Councillor Lisa Rutter as a Council Representative on the organisation**

Aysen Giritli
Acting Democratic Services Manager

APPENDIX 1

Position	Band	Amount	Proposal
Leader of Smaller Opposition Group	1	2368	Unchanged
Member of Pension Fund Cttee	1	2368	
Shadow Cabinet Members	1	2368	
Chairmen of Area Environments	1	2368	
Chairmen of Residents Forums	1	2368	
Chairmen of Overview and Scrutiny Sub Cttees (except Business Management)	1	8852	
Chairman of Special Cttee to Deal with Constitution	1	8852	
Chairmen of Area Planning	1	8852	
Chairman of Audit Cttee	2	15333	
Leader of Major Opposition Group	2	15333	
Chairman of General Functions Cttee	2	15333	
Chairman of Business Management Overview and Scrutiny Sub Cttee	2	15333	
Chairmen of Overview and Scrutiny Committees	2	15333	
Chairman of Licensing Cttee	2	15333	
Chairman of Pension Fund Cttee	2	15333	
Chairman of Planning & Environment Cttee	2	15333	
Cabinet Members (excl. Leader and Deputy)	3	34780	17,455
Deputy Leader of the Council	3	41262	27,429
Leader of the Council	4	54227	34,909
BASIC ALLOWANCE		10597	Unchanged

A Member holding posts that attract more than one SRA may only be in receipt of one SRA at any given time. The Member shall be entitled to receive whichever is the higher of the SRAs

APPENDIX 2

LC Scheme costs with proposed further adjustment to CM/Deputy Leader/Leader SRAs from 1st August 2010			
2010/11 cost assuming implementation from 1st August 2010	Barnet Scheme (April - July)	New Scheme (August - March)	Total 10/11
Allowances	391,470	857,371	1,248,840
Less:			
Adjustment to Cabinet Allowances (pro-rata) (note 2)		(114,501)	(114,501)
Add: Co-opted Member's allowance		2,032	2,032
Total	391,470	744,902	1,136,372
On-costs @ 17.8% (note 1)			202,274
Total incl. on-costs			1,338,646
Budget (incl. on-costs)			1,414,930
Overspend/(Underspend) vs Budget 2010/11			(76,284)
LC Scheme full year (2011/12 onwards)			LC Scheme (Full Year)
			£
Allowances			1,286,056
Less:			
Adjustment to Cabinet Allowances			(171,751)
Add: Co-opted Member's allowance			2,032
Total			1,116,337
On-costs @ 17.8% (note 1)			198,708
Total incl. on-costs			1,315,045
Budget (incl. on-costs)			1,414,930
Overspend/(Under spend) vs. Budget (Full Year)			(99,885)
Notes			
1. On-cost rate used above is based on actual on-costs in 09/10 and could vary dependent on membership of the pension Scheme			
(b) Revised allowances for Leader, Deputy Leader and Cabinet members effective from 01/08/2010:			
	Leader	£34,909	
	Deputy Leader	£27,429	
	Cabinet Members	£17,455	

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*Calls will be recorded and may be monitored

Mr Nick Walkley
Chief Executive
Barnet Borough Council
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Mr Clive Nicholas
Customer Experience Manager
Gas Distribution
National Grid

Direct tel +44(0)845 605 6677
Direct fax +44 (0)1455 892531

21st July 2010

www.nationalgrid.com

Dear Mr Walkley,

Thank you for your correspondence dated 16th June 2010 regarding the Scrutiny Committee's report into the utility problems experienced in East Barnet in December 2009 which has been passed for my attention.

The Committee made a number of recommendations involving National Grid and we have given careful consideration as to how we can support their implementation.

Recommendation 1: That, reflecting the severity of weather and length of the incident, the Chief Executive of the council writes to National Grid asking them to increase compensation to affected residents to the level of £100 per day.

Recommendation 2: That National Grid offer compensation to residents who suffered gas outages of periods of 12 hours or longer.

As the Committee's report explains, the incident was caused by a water main belonging to Veolia Water bursting, leading to damage and water entering National Grid's gas distribution network and resulting in the loss of gas supplies to customers.

Under such circumstances National Grid is required to compensate customers if their gas supply is interrupted for a period in excess of 24 hours. The payments are set under the Guaranteed Standards of Service at £30 for domestic customers and £50 for non-domestic customer, with an additional £30/ £50 for each subsequent complete 24 hours National Grid is unable to reconnect, up to a maximum of £1000.

Customers are generally not eligible for compensation for any periods of less than 24 hours. However, during this incident, customers were paid for each day off gas and not by the 24 hours as regulated. In addition, careful consideration was made regarding the payments made to occupiers for the time off gas and an additional goodwill payment, was made to each household who was at home during Christmas and Boxing Day, of £100 per day, to reflect the additional inconvenience caused over the festive period.

To ensure that all customers had been appropriately paid in line with our guaranteed payment and where appropriate the discretionary payment had been applied, National Grid operated a three day customer centre in Barnet during February, allowing customers the opportunity to discuss their payments. During this surgery over 300 residents spoke with our customer service personnel and any outstanding payments or incorrect payments were investigated and processed accordingly.

We believe that given the circumstances of the incident that the payments made by National Grid are appropriate and consistent with those made during other similar incidents. However, we recognise the support offered to National Grid by the local community during the incident and therefore we made an offer at a previous public meeting to make a contribution to the local community. This offer remains open and if you would like to discuss further, please contact me on the number above.

Recommendation 4: That the memorandum of understanding for utility companies responding to supply disruption and suchlike incidents be updated in consultation with the local authority in responding to incidents.

National Grid agrees that the memorandum of understanding should be reviewed and that the review should consider the role of local authorities within any such incident area. A meeting between Veolia, EDF and National Grid following the Barnet incident concluded that given the potential number of parties involved nationally, consideration ought to be given to a multilateral agreement between bodies representing the respective utilities and local authorities.

Recommendation 7: That in light of the inadequacies highlighted by the committee, the utility companies review their customer care arrangements for incidents of this kind.

As we acknowledged to the Committee, our initial response in terms of customer communication could have been better. In particular, National Grid was hampered by having to support a similar incident in Caddington, near Luton where damaged was also caused to the gas network by a burst water main. Loss of supply incidents where water enters the gas system are extremely challenging and it can be difficult to estimate the scale of the incident as water moves around the network, National Grid's operation was also stretched by the extremely high workload and weather associated with what has been acknowledged as the coldest winter in over 30 years.

However I would like to assure you that we have captured the learning from this incident and reviewed our processes. A number of changes have been implemented at subsequent incidents to good affect and with positive feedback from customers.

Recommendation 9: The steps that are taken by utility companies to ensure that roads are re-surfaced to the satisfaction of the authority following the completion of works.

National Grid complies with the Department for Transport's document 'Specification for Reinstatement of opening in Highways' which ensures that all roads are backfilled and reinstated to the national standard and are guaranteed for a period of 2 years. All reinstatements are inspected by the local authority and we have joint quality assurance processes in place.

I do hope that you find this information of assistance.

Yours sincerely



Mr Clive Nicholas

APPENDIX 4 - PROPOSED LONDON LOCAL AUTHORITIES BILL

1. PROPOSAL

- 1.1 Members may be aware of proposals in April 2009 for London Councils to address two aspects of the current Freedom Pass system:
- Railway services: the scheme currently provides for 24-hour access to TfL run rail services (Underground, Overground and DLR) but access to services on National Rail agreed through the Association of Train Operating Companies (ATOC) excludes the morning peak. When TfL took control of the former Silverlink Metro services in November 2007, London Councils was advised that it had to offer the same times of eligibility as on other TfL rail services. This was a relatively small change. If more franchises are transferred to TfL we will be obliged to offer the same concession on all, either extending the concession into the morning peak on National Rail services – at high cost – or restricting existing access to TfL services.
 - Reserve scheme: a further proposal would provide a safeguard over the cost of the scheme for London boroughs in the event of there being no negotiated settlement with TfL. This issue was raised as part of the agreement with the Mayor on the 5-year deal on Freedom Pass and was previously agreed by members to be part of a Bill which might be deposited in November 2010.
- 1.2 Both issues would most easily be addressed by private legislation. Under this proposal, London Councils would commission retained legal and parliamentary agents Sharpe Pritchard to draft and deposit a private Bill tackling both issues by amendment to the Greater London Authority (GLA) Act 1999. The Bill would be sponsored by Westminster City Council and deposited in parliament by the end of November 2010 (in time for a first reading in January 2011).
- 1.3 The first amendment would address railway services. At present, the same times of eligibility must be offered on all railway services operated or managed by TfL even if they are outside Greater London or where there are parallel national rail services serving the same stations which have a different eligibility to TfL. Following TfL's takeover of the former Silverlink Metro services to form London Overground, there are now a couple of places where parallel services with different eligibility exist- e.g. Clapham Junction to Harrow & Wealdstone/ Watford Junction and New Cross Gate to West Croydon/ Crystal Palace. This will become a major issue if TfL takes charge of more suburban rail services e.g. in south London.
- 1.4 The Government has already suggested that it wants to give TfL more say over National Rail services in London and extending TfL control over franchises in London in the same way as with London Overground would not need any primary legislation. In considering access by Freedom Pass

holders to these national rail services during the morning peak, as part of the general extension of Freedom Pass into the morning peak in 2008, ATOC gave a quote in excess of £100m. The risk is, therefore, that without any legislative change, boroughs would be faced with a choice either of extending Freedom Pass into the morning peak on National Rail services at a cost which might exceed £100m or having to reduce the current scheme by removing the concession during the morning peak on the Underground, Overground and DLR. What is clear is that under these circumstances the current status quo could not be continued.

- 1.5 The proposal would allow London boroughs and Transport for London (TfL) to negotiate different eligibility for different railway services (or parts of railway services) operated or managed by TfL. This would be done by an amendment to Section 242(6) of the GLA Act 1999. London Councils would consult on this proposed amendment with stakeholders including the GLA, the Association of Train Operating Companies (ATOC) and relevant user groups.
- 1.6 The second amendment would introduce the possibility of an arbitration process for the reserve scheme. At present, if TfL considers that by 1 January prior to the financial year there is not in place a concessionary fares scheme which meets the statutory requirements in relation to the national bus concession on buses and in relation to scope and uniformity in relation to other modes, then it can impose a reserve scheme and set the charges for this. If this were to happen (and it has never happened yet), neither London Councils nor individual boroughs would have a say in how much the scheme would cost or how the costs were to be apportioned.
- 1.7 It would be much fairer for there to be an arbitration mechanism if London Councils were unhappy with what TfL proposed. This would only affect the amount the scheme cost London boroughs. This amendment would be likely to be uncontroversial as it does not alter the reserve scheme itself. As part of the five year deal negotiated in early 2009 was an agreement that the Mayor would support such legislation. Again London Councils would consult stakeholders on the proposed amendment.
- 1.8 A copy of the draft text of these amendments is at Appendix A.
- 1.9 This proposal was agreed in principle by the new Executive on 28 June. Agreement is now needed from Leaders' Committee, so that there is enough time for each borough to pass an individual resolution at a meeting of its full Council, publicly advertised in the local media.

2. TIMETABLE CONSTRAINTS

There is only one opportunity each year to deposit private Bills before Parliament. In order for the Bill process to start in this Parliamentary session, the draft Bill text must be deposited with the House of Commons' private bill office by **Friday 26 November**. Before the Bill can be deposited every full council must pass a resolution supporting it and this meeting must be advertised. London Councils would expect to place the

advert with a list of all the relevant council meetings. To meet the earliest of these, the advert must be placed in early August.

Given the requirement that we confirm approved from each individual borough, there is in practice a very limited timescale to approve this work in time for the final deposit date in late November.

3. FINANCIAL IMPLICATIONS FOR LONDON COUNCILS

It is not possible to give a precise estimate of the overall cost, but it is hoped that costs would be kept relatively low given the brevity of the text, and the scope to minimise objection through the consultation process. It is expected that the external cost of co-ordinating the Bill through Sharpe Pritchard would be between £10,000 and £15,000.

4. LEGAL IMPLICATIONS FOR LONDON COUNCILS

There are no specific legal implications from this report.

5. EQUALITIES IMPLICATIONS FOR LONDON COUNCILS

There are no specific equalities implications from this proposal, although adoption of the recommendations and subsequent enactment of the Bill proposals could affect details regarding future delivery of the Freedom Pass scheme provided to elderly and disabled Londoners.

6. APPENDICES

Appendix A: Draft text for amendments on concessionary fares

7. BACKGROUND PAPERS

None

APPENDIX A - DRAFT TEXT FOR AMENDMENTS IN CONCESSIONARY FARES

1. RAILWAY SERVICES

Amendment to Section 242 of Greater London Authority Act 1999

At end of section 242(6) add: “or different provision for different categories of railway service or sections of railway service”

2. RESERVE SCHEME

Amendment to Schedule 16 of Greater London Authority Act 1999

After paragraph 5(7) insert –

“(8) Where a London authority considers the amount notified by Transport for London under paragraph 5(1) to be excessive, the authority may within 7 days of being notified by Transport for London request that the matter is referred to an arbitrator appointed by the Chartered Institute of Arbitrators.

(9) If the arbitrator agrees that the proposed charge is excessive, then he shall notify both Transport for London and the authority of an alternative lower amount which the authority shall pay.”

In paragraph 6(1)(a) after “fixed by Transport for London” insert “or the arbitrator as the case may be”

FIRST RESOLUTION OF COUNCIL

BARNET LONDON BOROUGH COUNCIL

RESOLVED -

That the Council approves the inclusion in a bill to be promoted by Westminster City Council of provisions effecting all or some of the following purposes -

- (a) to alter the application of Chapter VIII of Part IV of the Greater London Authority Act 1999 so that different provision may be made for travel concessions in relation to different railway services and journeys on railway services on the London Local Transport Network and so as to make provision for arbitration in cases where London Authorities consider that charges notified by Transport for London under the reserve free travel scheme are excessive;
- (b) to enact any additional, supplemental and consequential provisions that may appear to be necessary or convenient.

I HEREBY CERTIFY THAT -

- (1) the above Resolution is a true copy of a Resolution passed by the Barnet London Borough Council on the [] day of [] 2010;
- (2) the said Resolution was passed by a majority of the whole number of the members of the Council; and
- (3) the meeting at which the said Resolution was passed was held after thirty clear days' notice of the meeting and of the purposes thereof had been given by advertisement in a local newspaper circulating in the borough such notice being given in addition to the ordinary notice required to be given for the convening of a meeting of the Council.

Dated this [] day of [] 2010.

[Chief Executive]

[or other appropriate officer]