

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON
TUESDAY, 12 APRIL 2011 AT 7.00PM

VENUE

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

A G E N D A



CORPORATE GOVERNANCE DIRECTORATE

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Agenda and Timetable
Tuesday 12 April 2011

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 1 March 2011	To sign as a true record	1 - 5
1.4	Declarations of interest	To receive Members’ declarations of interest	-
1.5	Official Announcements		-
1.6	Resolution of Appreciation		
1.7	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 Andrew Harper – Squatting		6
3.2	Councillor Daniel Thomas – Budget for Growth		7
3.3	Councillor Richard Cornelius - Japan		8
3.4	Councillor Claire Farrier – Review of Statutory Duties		9
	Break	8.45pm – 9.00pm	-
Part 4	Policy Development (60 minutes)	9.00pm – 10.00pm	-
4.1	Administration Policy Item (30 minutes) Strategic Library Review		10
4.2	Opposition Policy Item (30 minutes) Protecting frontline NHS services		11

Part 5	Statutory Council Business (40 minutes)	10.00pm – 10:40pm	-
5.1	Report from Cabinet		-
5.1.1	Local Development Framework		12
5.2	Reports from other Committees		-
5.2.1	Special Committee (Constitution Review)	To Follow If recommended for approval by SC(CR) 6 April 2011	
	Reports of Officers		-
5.3	Report of the Head of Governance		
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)		13
6.2	Questions to representatives on Outside B odies (10 minutes)		-

Aysen Giritli, Head of Governance
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, 1 March 2011.

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 Brodkin	*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 Strongolou
*Tom Davey	*Lord Palmer OBE, BA, FCA	*Andreas Tambourides
*Barry Evangeli	*Susette Palmer MA	*Joanna Tambourides
*Claire Farrier	*Bridget Perry	*Daniel Thomas BA (Hons)
*Brian Gordon LLB	*Wendy Prentice	*Reuben 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 Brian and Kate Salinger, Councillor Daniel Seal and Councillor Ansuya Sodha.
- 3. MINUTES (Agenda Item 1.3):**
RESOLVED – That the minutes of the meeting of the Council held on 25 January 2011 be approved.

4. SUSPENSION OF COUNCIL PROCEDURE RULES

The Worshipful Mayor, duly seconded, moved, under the provisions of Council Procedure Rule 14, that Council Procedure Rule 3.2 be suspended to allow 30 minutes for Part 1 business, as this included the election of the Mayor Designate for the year 2011/12. The Worshipful Mayor further proposed that Council Procedure Rule 46 also be suspended to permit the Councillor Lynne Hillan, Leader of the Council, Councillor Alison Moore and Councillor Jack Cohen to speak for a time in excess of five minutes each on the Council Budget and Council Tax 2011/12 item.

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

RESOLVED –

- (i) **That Council Procedure Rule 3.2 be suspended to allow 30 minutes for Part 1 business as this included the election of the Mayor Designate for the year 2011/12.**
- (ii) **That Council Procedure Rule 46 be suspended to allow Councillor Lynne Hillan Leader of the Council, Councillor Alison Moore and Councillor Jack Cohen to speak for a time in excess of five minutes each on the Council Budget and Council Tax 2011/12 item.**

5. DECLARATIONS OF INTEREST (Agenda Item 1.4):

Members declared the following interests:

Member:	Subject:	Interest Declared:
Councillor Jack Cohen	Item 5.12 Report of Cabinet – 14 February 2011 – Council Budget and Council Tax	Personal but non-prejudicial interest as Councillor Cohen lives in a CPZ, has a parking permit and also purchases visitor vouchers. Councillor Cohen remained in the Chamber, participating in the discussion and voting on this item.
Councillor Brian Coleman		Personal but non-prejudicial interest as Councillor Coleman is a Member of the Greater London Assembly which set the Mayor’s precept which would form part of the local Council Tax. Councillor Coleman remained in the Chamber, participating in the discussion and voting on this item.
Councillor Eva Greenspan		Personal but non-prejudicial interest as Councillor Greenspan is a Trustee on the Arts Depot Board and her grandson is in receipt of an Education grant from Barnet Council. Councillor Greenspan remained in the Chamber during the discussion of this item and participated in the voting.
Councillor Lynne Hillan		Personal and prejudicial interest as Councillor Hillan’s mother is in receipt of extra care sheltered housing and a homecare package. Councillor Hillan left the Chamber

		during the vote on the Adult Social Services element of the Budget.
Councillor Anne Hutton		Personal but non-prejudicial interest as Councillor Hutton is a Trustee of Barnet Carers Centre. Councillor Hutton remained in the Chamber, participating in the discussion and voting on this item.
Councillor Geoffrey Johnson		Personal but non prejudicial as Councillor Johnson is a Governor at Sunnyfields Primary School. Councillor Johnson remained in the Chamber during the discussion of this item and participated in the voting.
Councillor Sury Khatri		Personal but non-prejudicial interest as Councillor Khatri is a Trustee of Barnet Carers Centre. Councillor Khatri remained in the Chamber during the discussion of this item and participated in the voting.
Councillor David Longstaff		Personal but non-prejudicial interest as Councillor Longstaff is a Trustee on the Arts Depot Board. Councillor Longstaff remained in the Chamber during the discussion of this item and participated in the voting.
Councillor Andrew McNeil		Personal but non-prejudicial interest as Councillor McNeil is a Trustee of Barnet Carers Centre. Councillor McNeil remained in the Chamber during the discussion of this item and participated in the voting.
Councillor Kath McGuirk		Personal but non-prejudicial interest as Councillor McGuirk is a Trustee on the Arts Depot Board. Councillor McGuirk remained in the Chamber, participating in the discussion and voting on this item
Councillor Alison Moore		Personal but non-prejudicial interest as Councillor Moore is currently Chair of the Advisory Committee for the Newstead Children's Centre in East Finchley. Councillor Moore remained in the Chamber, participating in the discussion and voting on this item.
Councillor Susette Palmer		Personal but non-prejudicial interest as Councillor Palmer lives within a

		CPZ and has a parking permit. Councillor Palmer remained in the Chamber, participating in the discussion and voting on this item
Councillor Robert Rams		Personal but non-prejudicial interest as Councillor Rams works for the Greater London Assembly. Councillor Rams remained in the Chamber, participating in the discussion and voting on this item.
Councillor Barry Rawlings		Personal and prejudicial interest as Councillor Rawlings works for CommUNITY Barnet. Councillor Rawlings left the Chamber during the vote on the Children's Services element of the Item.
Councillor Joanna Tambourides		Personal but non-prejudicial interest as Councillor Tambourides is a Trustee of Mind in Barnet and Friend in Need. Councillor Tambourides remained in the Chamber during the discussion of this item and participated in the voting.

5. OFFICIAL ANNOUNCEMENTS (Agenda Item 5):

The Worshipful Mayor expressed his condolences on behalf of the Council to Councillor Brian Salinger on the bereavement of his father.

6. BUSINESS REMAINING FROM LAST MEETING (Item 1.6)

There was none.

7. MAYOR DESIGNATE 2010/2011 (Agenda Item 1.7)

The Worshipful Mayor called for nominations for election of Mayor of the London Borough of Barnet for 2011/12:

Councillor Lynne Hillan, duly seconded by Councillor Brian Coleman, moved that Councillor Lisa Rutter be proposed for the appointment of Mayor of the London Borough of Barnet at the Annual Meeting of the Council on 17 May 2011.

Upon being put to the vote, the nomination in the name of Councillor Lisa Rutter was declared carried.

RESOLVED – That Councillor Lisa Rutter be formally proposed and seconded at the Annual Meeting of the Council on 17 May 2011 for the appointment as Mayor of the London Borough of Barnet for the Municipal Year, 2011/12.

Councillor Rutter thanked those present for the confidence shown in her and undertook to do her very best in her term of office as Mayor of the London Borough of Barnet. She announced that Councillor Barry Evangeli had consented to be her Deputy and that her husband, Mark Rutter, would be her consort.

- 8. REPORT OF CABINET, 14 FEBRUARY, 2011 – COUNCIL BUDGET AND COUNCIL TAX 2011/12 (Agenda items 5.1.2):**
 The Leader, Councillor Lynne Hillan, moved reception and adoption of the Cabinet Report:
 Amendments in the names of Councillor Alison Moore and Councillor Jack Cohen were moved and duly seconded. Debate ensued.
 During the debate of this item, Councillor Daniel Thomas, 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).
 Upon being put to the vote, the amendment in the name of Councillor Alison Moore was declared lost.
 Upon being put to the vote, the amendment in the name of Councillor Jack Cohen was declared lost.
 The Mayor indicated that he would take a separate vote on those elements of the budget that related to Adults Social Services and Children’s Service. Upon the substantive motion being put to the vote it was:
RESOLVED –
 (i) **That the report and the recommendations of the Cabinet be approved, with the exception of the Children’s Services and Adult Social Services.**
 Councillor Barry Rawlings left the Chamber
 (ii) **That the Children’s Service element of the budget be approved.**
 Councillor Lynne Hillan left the Chamber
 (iii) **That the Adult Social Services element of the budget be approved.**
- 9. REPORT OF SPECIAL COMMITTEE (CONSTITUTION REVIEW) (Agenda Item 5.2.1)**
 The Worshipful Mayor, Councillor Anthony Finn moved reception and adoption of the Report.
RESOLVED -
 (1) **That the Council approves the amendments to Part 1, Section 7 of the Financial Regulations in the Council’s Constitution as set out in the Appendix attached to the report.**
 (2) **That the Democratic Services Manager be instructed to make the appropriate amendments to the Constitution.**
- 10. COUNCIL’S APPROVAL OF THE TREASURY MANAGEMENT STRATEGY (Report of the Democratic Services Manager – Agenda item 5.3.1) & REPORT OF CABINET – 14 FEBRUARY 2011: AMENDMENT TO AGENDA ITEM 5E – APPENDIX 9 – TREASURY MANAGEMENT STRATEGY (Report of the Democratic Services Manager – Agenda item 5.3.2)**
RESOLVED - That
 1. **Council approve the above amendments to Agenda Item 5E, Appendix 9 Treasury Management Strategy of the Report of Cabinet – 14 February 2011.**
 2. **Council approve the Treasury Management Strategy.**

The meeting finished at 9.05pm

Council: Tuesday, 12 April 2011

Motion 3.1: Councillor Andrew Harper

Squatting

Council believes that squatting causes untold misery to homeowners and the neighbours of the property being occupied.

While Council deplores the actions of Colonel Gadaffi in Libya, Council notes the problems the current squat in Winnington Close is causing to nearby residents.

Therefore, Council is dismayed that squatting is not illegal in the UK, and that homeowners and the authorities have limited civil recourse against such people.

In fact, Council learns, Squatters themselves actually have some Legal Protection from homeowners, under the Criminal Law Act 1977.

Accordingly, Council welcomes moves by local Conservative MP Mike Freer to make Squatting a Criminal Offence in England and Wales.

Council is heartened to see the Coalition Government appears to be in agreement with such a move.

Council calls on the Chief Executive to write to the Justice Secretary, Rt Hon Kenneth Clarke MP, backing moves to make Squatting a Criminal Offence.

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 12 April 2011

Motion 3.2: Councillor Daniel Thomas

Budget for Growth

Council is appalled at the financial mess the last Labour Government left this country in, bequeathing debt interest costing taxpayers £120 million per day.

Council believes that a resurgent Private Sector, encouraged by the Coalition Government, is necessary to lead the Country back into strong growth, as the Public Sector has to make savings to pay off Labour's Credit Card. Increased tax revenue from a growing Private Sector will also help reduce the budget deficit.

Therefore, Council applauds the Budget for Growth, announced by the Chancellor on 23 March.

In particular, Council welcomes the move to stabilise Petrol Prices, the cuts in Fuel Duty and the increase in Personal Tax Allowances to help many people nationally and in Barnet struggling with household budgets.

In addition, cuts in Corporation Tax and the extension of the Business Rate Holiday for small firms will help re-invigorate enterprise, essential for the future of UK PLC and Barnet, which has one of the highest concentrations of small businesses in London.

Council accordingly commends the Coalition's Budget for Growth.

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 12 April 2011

Motion 3.3: Councillor Richard Cornelius

Japan

Council is proud of Barnet's Japanese Community which is estimated to be one of the biggest in the UK.

Council is appalled at the recent earthquake and resultant tsunami that has devastated parts of Japan, destroying towns and infrastructure and killing and injuring many people.

However, Council commends the rescue and rebuilding efforts undertaken by both Japan and the International Agencies. Council also applauds the brave and painstaking work undertaken by engineers and the emergency services, in partnership with international experts, in making the Fukushima Nuclear Plant safe.

Council accordingly calls on the Chief Executive to convey this Council's sympathy to the Japanese Ambassador in London, plus our praise for the excellent work Japan is undertaking to rebuild communities and lives shattered by this tragedy.

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 17 April 2011

Motion 3.4: Councillor Claire Farrier

Review of Statutory Duties

Council notes the recently announced government review of statutory duties that councils are being consulted on (closing date 25 April 2011).

Council asks Cabinet to carefully assess each of the statutory duties listed in the consultation and respond to the consultation by the deadline.

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, 12 April 2011

Item 4.1: Administration Policy Item – Councillor Robert Rams

Strategic Library Review

Council is proud of its Libraries which are the centres of local life in the Borough and an invaluable community resource.

However, we believe that investment and renewal is urgently needed in the facilities, to bring them up to the standard that residents expect in the 21st century and which was identified by LBB's consultation.

Therefore, Council commends the Strategic Library Review, which proposes the following, subject to further consultation and EIA:

- Buying more books
- Longer opening hours
- Better customer access to Council services
- Better access for children (all primary school children will be members of a library)
- Better services for the vulnerable
- More self-issue
- More WIFI and online services (including e-books)
- Plans to share Libraries' back-office
- Expanding Libraries
- New events and extra community use
- Exploring a paid-for book delivery scheme

Council notes that the plans involve a degree of re-provision, but is pleased that the Strategy does not involve the wholesale closure of libraries unlike many Councils in London.

Cabinet is therefore requested to forge ahead with these proposals, taking into account the second round of consultation and the EIA.

Council, Tuesday 12 April 2011

Item 4.2: Opposition Policy Item – Councillor Barry Rawlings

Protecting frontline NHS services

Council notes the health reforms proposed by the coalition government, and the impact they will have on frontline NHS services in Barnet and the wider North Central London area.

Council asks Cabinet to work with the Health Overview and Scrutiny Committee to assess the risks of the NHS re-organisation to health services for local people, and report back to the next possible Health Overview and Scrutiny Committee meeting.

Item 5.1.1

Report of Cabinet

29 March 2011

Cabinet Members:

Cllr Lynne Hillan (Chairman)

* Melvin Cohen, LLB	Andrew Harper	* Robert Rams
* Brian Coleman	* Helena Hart	* Joanna Tambourides
* Richard Cornelius	* Sachin Rajput	* Daniel Thomas

* denotes Member present

LOCAL DEVELOPMENT FRAMEWORK

Cabinet considered the following reports of the Cabinet Member for Customer Housing, Planning and Regeneration presenting the plans and strategies comprising the Local Development Framework:-

Enclosure A – Core Strategy:

Follow this link to view the Enclosure

<http://committeepapers.barnet.gov.uk/democracy/reports/reportdetail.asp?ReportID=10230>

Enclosure B – Development Management Policies:

Follow this link to view the Enclosure

<http://committeepapers.barnet.gov.uk/democracy/reports/reportdetail.asp?ReportID=10231>

Enclosure C – North London Waste Plan:

Follow this link to view the Enclosure

<http://committeepapers.barnet.gov.uk/democracy/reports/reportdetail.asp?ReportID=10232>

The approval of the plans and strategies comprising the Unitary Development Plan being reserved to full Council under the Constitution, Cabinet accordingly.

RESOLVED TO RECOMMEND that –

1. the Core Strategy be approved for submission to the Secretary of State.
2. the Development Management Policies be approved for submission to the Secretary of State.
3. the North London Waste Plan Submission Draft and the Supplemental Memorandum of Understanding be approved for submission to the Secretary of State.

COMMENTS ON THE WORK OF CABINET – AGENDA ITEM 6.1

Comments in the name of:

1. **Councillor Susette Palmer**

To comment on the any negotiations between the Cabinet and the Avenue House Estate Trust.

2. **Councillor Rowan Turner**

To comment on the work of the Cabinet Member for Planning, Housing and Regeneration, specifically on the Housing Allocations Policy.