

MEETING

BUSINESS MANAGEMENT OVERVIEW AND SCRUTINY COMMITTEE

DATE AND TIME

WEDNESDAY 24TH OCTOBER, 2012

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

TO: MEMBERS OF BUSINESS MANAGEMENT OVERVIEW AND SCRUTINY COMMITTEE (Quorum 3)

Chairman: Councillor Hugh Rayner
Vice Chairman: Councillor Brian Salinger

Councillors

Brian Salinger	Brian Gordon	Rowan Turner
Maureen Braun	Kath McGuirk	Barry Rawlings
Jack Cohen	Alison Moore	Andrew Strongolou

Substitute Members

John Marshall	Geoff Johnson	Lord Palmer OBE
Daniel Seal	Alan Schneiderman	Susette Palmer

You are requested to attend the above meeting for which an agenda is attached.

Aysen Giritli – Head of Governance

Governance Services contact: Andrew Charlwood 020 8359 2014
andrew.charlwood@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes	
2.	Absence of Members	
3.	Declaration of Members' Interests a) Personal and Prejudicial Interests b) Whipping Arrangements (in accordance with Overview and Scrutiny Procedure Rule 17)	
4.	Public Question Time (if any)	
5.	Members' Items (submitted in accordance with Overview and Scrutiny Procedure Rule 9) (if any)	
	Call-in	
6.	Any matters Referred by Members of the Committee relating to key decisions made by: Cabinet Resources Committee, 18 th October 2012; or Any action taken by Cabinet Member(s) and /or Directors/Chief Officers under delegated powers (Executive Functions)	1 - 2
	Councillor Calls for Action	
7.	Councillor Calls for Action (Submitted in accordance with Overview and Scrutiny Procedure Rule 22) (<i>if any</i>)	
	Business of the Committee	
8.	Stop the One Barnet Programme Petition	To Follow
9.	Task and Finish Groups - Recommendation Tracking	To Follow
10.	Advanced Notice of Executive Decisions	3 - 14

11.	Business Management Overview and Scrutiny Committee Work Programme	15 - 22
12.	Any Other Items the Chairman Decides are Urgent	

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Andrew Charlwood 020 8359 2014 andrew.charlwood@barnet.gov.uk. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

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You should proceed calmly; do not run and do not use the lifts.

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AGENDA ITEM 6

Delegated Powers Report 1709 (Community Right to Challenge)	
Report	Decision of the Cabinet Member for Customer Access and Partnerships
Called in by	Councillor Alison Moore
Decision, Reason and Objective	<p>Decision:- 10.1</p> <p>Noting that the Community Right to Challenge legislation came into force on 27 June 2012 and that implementation is delegated to the Assistant Chief Executive in consultation with the Cabinet Member and working with other Directors via the Localism Project Board</p> <p>Reason for call-in:-</p> <p>To refer back to Cabinet Member</p> <p>Objective:-</p> <p>To ask for a timetable for implementation and action plan to be published with the decision, and to obtain the list of options for Eol commissioning periods\times that the Cabinet Member is considering.</p>

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Meeting	Business Management Overview & Scrutiny Committee
Date	24 October 2012
Subject	Advanced Notification of Executive Decisions
Report of	Scrutiny Office
Officer Contributors	Andrew Charlwood, Overview and Scrutiny Officer
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix – Advanced Notification of Executive Decisions
Reason for urgency / exemption from call-in	N/A

Contact for further information:

Andrew Charlwood Overview & Scrutiny Officer, 020 8359 2014,
andrew.charlwood@barnet.gov.uk

1. RECOMMENDATION

- 1.1 That the Committee comment on and consider the Advanced Notification of Executive Decisions when identifying areas of future scrutiny work.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities.

- 3.2 The three priority outcomes set out in the 2012-13 Corporate Plan are:

- Better services with less money
- Sharing opportunities, sharing responsibilities
- A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 None.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010, the Council has a legislative duty to have 'due regard' to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.

- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 None in the context of this report.

7. LEGAL ISSUES

- 7.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 removes the requirement for local authorities to public a Forward Plan of Key Decisions. This has been replaced with a requirement to publish an Advance Notification of Executive decisions which the Council has been compliant with since the regulations came into force on 10 September 2012.

8. CONSTITUTIONAL POWERS

- 8.1 The scope of the Overview and Scrutiny Committees are contained within Part 2, Article 6 of the Council's Constitution
- 8.2 The Terms of Reference of the Scrutiny Committees are included in the Overview and Scrutiny Procedure Rules (Part 4 of the Council's Constitution).

9. BACKGROUND INFORMATION

- 9.1 Under the current overview and scrutiny arrangements, the Business Management Overview & Scrutiny Committee will ensure that the work of scrutiny is reflective of Council priorities, as evidenced by the Advanced Notification of Executive Decisions and the programme being followed by the Executive.
- 9.2 The Advanced Notification of Executive Decisions will be included on the agenda at each meeting of the Business Management Overview & Scrutiny Committee as a standing item.
- 9.3 The Committee is encouraged to comment on the Notification.
- 9.4 The Committee is asked to consider items contained within the Advanced Notification of Executive Decisions to assist in identifying areas of future scrutiny work, particularly focussing on areas where scrutiny can add value in the decision making process (pre-decision scrutiny).
- 9.5 When identifying items for pre-decision scrutiny, the Committee are requested to provide specific information on the rationale behind the pre-decision scrutiny request and the expected outcome to enable Cabinet Members and officers to prepare appropriately.

10. LIST OF BACKGROUND PAPERS

- 10.1 None

London Borough of Barnet
Decisions Taken Under Executive Functions – Advance Notice of Proposed Items for Decision and Parts of Meetings which will not be held in public session ('subject to exempt report').

This notice gives details of proposed decisions due to be taken under Executive functions, together with information as to whether any proposed decisions are subject to an exempt report, consideration of which will not be in public session. The document below is also indicative of the decisions which at this stage are intended to be classified as 'key'. For the purposes of complying with the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 however, all prospective decisions listed below are to be regarded as potentially key or potentially subject to a separate exempt report (not held in public session).

Please note: this plan lists prospective decisions. The final agenda for each meeting, which may not include all prospective decisions listed for that meeting on this document, will be published five clear working days prior to the meeting on the authority's website:

<http://barnet.moderngov.co.uk>

Title	Description of proposed decision	Cabinet Member	Key Decision (Y/N).	Subject to Exempt Report (Y/N).
CABINET RESOURCES COMMITTEE, 7pm, 18 OCTOBER 2012				
Hendon Town Hall, The Burroughs, NW4 4BG				
Treasury Management Outturn for quarter ended 30 June 2011	To report on Treasury Management activity for quarter ended 30 June 2012.	Resources and Performance	No	No
Quarter 1 Monitoring and Performance Report 2012/13	To seek the Committee's approval of the recommendations and forecast within the report and to approve virements and transfers.	Resources and Performance	Yes	No
Granville Road NW2, New Housing Development	To report on the competitive dialogue process to procure a developer partner, to recommend a developer partner, to authorise Officers to enter into contract with the recommended developer for the new housing development at Granville Road.	Leader / Resources and Performance / Housing	Yes	Yes
Re-shaping Day opportunities for Older People in Barnet: Implementation plan	To approve the implementation plan for the neighbourhood model, to be delivered by existing providers via a lead provider framework; and approve the commencement of procurement for Later Life Planners and Practical Support services.	Adults	Yes	
Sport and Physical Activity Review	Approval of Strategic Outline Case	Customer Access and Partnerships	Yes	
Early Intervention and Prevention Strategic Outline Case	Approval of Strategic Outline Case	Education, Children and Families	Yes	
Information	To seek the waiver of relevant rules	Resources and	Yes	

Title	Description of proposed decision	Cabinet Member	Key Decision (Y/N).	Subject to Exempt Report (Y/N).
Systems – Logica SAP services for The Barnet Group	within the Council's Contract Procedure Rules to enable additional purchases to be made in 2012/13 for services provided for The Barnet Group with Logica, the council's Managed Service for SAP provider.	Performance		
Future Provision of Music Service	To authorize future provision for the Music Service	Education, Children and Families	Yes	
Semi Independent Supported Housing Services for Children and Young People in Care and Leaving Care	To seek approval to procure providers for the provision of Semi Independent Supported Housing Services	Education Children and Families	Yes	
Provision of Indemnity for Legal Costs	To seek provision of an indemnity for Legal Costs.	TBC		
IS Contract Waivers	Agreement to waive contract procedure rules in relation to a number of IS contracts	Resources and Performance	Yes	Yes
Wireless Concession Contract	A cross-London procurement opportunity to join a contract to permit wireless internet equipment to be installed upon the Council's street furniture	Environment		
Information Systems – Infrastructure Managed Service Contract	To seek agreement to waive contract procedure	Resources and Performance	Yes	
Contract for the Supply of Electricity & Gas – Ratification of DPR	To report retrospectively prior to the commencement of supply the decision of the Deputy Leader of the Council and Cabinet Member for Resources and Performance (on behalf of the Leader of the Council) to approve, using urgency provisions, a waiver of contract procedure rules.	Leader / Resources and Performance	Yes	
Barnet Centre for Independent Living-Extension of contract	To seeks authority to extend the contract with Barnet Centre for Independent Living to provide Peer Support Brokerage services to bring the contract in line with the recommissioning timetable for User Controlled Information, Advice and Advocacy services	Adults	Yes	
Award of the Contract for the Replacement of cremators at Hendon Cemetery & Crematorium	To award the contract for the design, supply and installation of abated cremators and ancillary equipment at Hendon Cemetery & Crematorium	Housing	Yes	Yes
The sale of the	Approval for the sale of the freehold	Resources and	Yes	Yes

Title	Description of proposed decision	Cabinet Member	Key Decision (Y/N).	Subject to Exempt Report (Y/N).
freehold interest in the former Watling Boys Club, Dryfield Road	interest in the former Watling Boys Club, Dryfield Road	Performance		
Watling Avenue Car park and adjacent land and properties	To approve the sale of the Freehold interest in Watling Avenue Car Park, adjacent vacant land and properties	Resources and Performance	Yes	Yes
99 Year Lease of Land and Garages to the Rear of 7 Victoria Avenue Finchley, N3	Authority is sought to proceed with the grant of a 99 year lease	Resources and Performance	Yes	Yes
Building Condition Survey and Compliance Testing Contract Award	To approve the award of a contract for the provisions Building Condition Survey and Compliance Testing Contract services	Resources and Performance	Yes	Yes

Notice published: 19 September 2012

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Title	Description of proposed decision	Cabinet Member	Key Decision (Y/N).	Subject to Exempt Report (Y/N).
CABINET, 7PM, 7 NOVEMBER 2012 Hendon Town Hall, The Burroughs, NW4 4BG				
Business Planning 2013/14-2015/16	To seek the Committee's approval of the recommendations and the budget headlines.	Leader / Resources and Performance	Yes	No
Strategy for investment in school places	To seek the Committee's approval of the strategy for investment in school places.	Education, Children and Families	Yes	No
CABINET RESOURCES COMMITTEE, 8PM, OR AT THE CONCLUSION OF A CABINET MEETING, WHICHEVER IS LATER, 7 NOVEMBER 2012, Hendon Town Hall, The Burroughs, NW4 4BG				
Waste and Street Scene Strategic Review	To seek approval of the Options Appraisal and Business Case.	Environment	Yes	No
Corporate Procurement Forward Plan	To seek approval of the Corporate Procurement Forward Plan.	Resources and Performance	Yes	No
Legal support for the Primary Schools Capital Investment Programme (PSCIP)	This report seeks authorisation to retain the existing legal advisors for the PSCIP.	Education, Children and Families/Resources and Performance	No	No
Adults Passenger Transport Policy	To seek approval of the Adults Passenger Transport Policy.	Adults	Yes	No
West Hendon Regeneration Scheme	To seek the Committee's approval	Leader	Yes	Yes
Asset Management Plan	To seek approval of the Asset Management Plan.	Resources and Performance	Yes	No

Frith Manor Stables Lullington Garth N12	Approval of the disposal of the Council's freehold interest in the property, Frith Manor Stables, Lullington Garth, Finchley, London N12 7BP	Resources and Performance	Yes	Yes
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Notice published: 8 October 2012

London Borough of Barnet Decisions Taken Under Executive Functions – Advance Notice of Proposed Items for Decision and Parts of Meetings which will not be held in public session ('subject to exempt report').

This notice gives details of proposed decisions due to be taken under Executive functions, together with information as to whether any proposed decisions are subject to an exempt report, consideration of which will not be in public session. The document below is also indicative of the decisions which at this stage are intended to be classified as 'key'. For the purposes of complying with the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 however, all prospective decisions listed below are to be regarded as potentially key or potentially subject to a separate exempt report (not held in public session).

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Title	Description of proposed decision	Cabinet Member	Key Decision (Y/N).	Subject to Exempt Report (Y/N).
Cabinet Member Delegated Powers Report - Mental Health Day Opportunities Contract Award	To award a contract to Richmond Fellowship, for the provision of Mental Health Day Opportunities, following competitive tender.	Adults	Yes	Yes

Notice published: 15 October 2012

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Meeting	Business Management Overview & Scrutiny Committee
Date	24 October 2012
Subject	Business Management Overview & Scrutiny Committee Forward Work Programme 2012/13
Report of	Scrutiny Office
Summary	This report outlines the Committee's draft work programme for 2012/13

Officer Contributors	Andrew Charlwood , Overview & Scrutiny Manager
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix – Business Management Overview and Scrutiny Committee Work Programme 2012/13
Reason for urgency / exemption from call-in	N/A

Contact for further information: Andrew Charlwood, Overview & Scrutiny Manager
020 8359 2014, andrew.charlwood@barnet.gov.uk

1. RECOMMENDATION

- 1.1 That the Committee consider and comment on the items included in the 2012/13 work programme of the Business Management Overview and Scrutiny Committee as set out in the Appendix.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities
- 3.2 The three priority outcomes set out in the 2012-2013 Corporate Plan are: –
- Better services with less money
 - Sharing opportunities, sharing responsibilities
 - A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 None.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:
- The Council's leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 None in the context of this report.

7. LEGAL ISSUES

- 7.1 None in the context of this report.

8 CONSTITUTIONAL POWERS

- 8.1 The scope of the Overview and Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.
- 8.2 The Terms of Reference of the Scrutiny Committees are included in the Overview and Scrutiny Procedure Rules (Part 4 of the Council's Constitution).

9. BACKGROUND INFORMATION

- 9.1 The Business Management Overview and Scrutiny Committee's Work Programme 2012/13 indicates:
 - a) items of business carried forward from the Business Management Overview and Scrutiny Sub-Committee work programme for the 2011/12 municipal year; and
 - b) items requested by the Committee in the 2012/13 municipal year.
- 9.2 The work programme of this Committee is intended to be a responsive tool, which will be updated on a rolling basis following each meeting, for the inclusion of areas which may arise through the course of the year.
- 9.3 The Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

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**London Borough of Barnet
Business Management Overview
and Scrutiny Committee
October 2012**

Contact: Andrew Charlwood 020 8359 2014 andrew.charlwood@barnet.gov.uk

Subject	Decision requested	Cabinet Member	Author
24 October 2012			
Stop the One Barnet Programme Petition	The Council have received a petition which has in excess of 2,000 signatures which triggers a provision in the Council's Constitution to call an officer to account at a meeting of the Business Management Overview and Scrutiny Committee.	TBC	Scrutiny Office
Task and Finish Groups / Scrutiny Panels - Recommendation Tracking	Ongoing monitoring of implementation of recommendations made by Task and Finish Groups and Scrutiny Panels (accepted by Cabinet only) at six-monthly intervals.	N/A	Scrutiny Office
Advanced Notification of Executive Decisions	Committee to consider Advanced Notification of Executive Decisions for items of pre-decision scrutiny.	N/A	Scrutiny Office
Business Management Overview and Scrutiny Committee Work Programme	Committee to consider future work programme.	N/A	Scrutiny Office

Subject	Decision requested	Cabinet Member	Author
20 November 2012			
Parking Charges Petition Update	In February 2012, the Committee considered a petition which had been signed by in excess of 2,000 people in relation to parking charges. At the conclusion of the item, the Committee requested that they receive a follow-up report on the impact of the charging increases and steps being taken to mitigate their impact.	Cabinet Member for Environment	Interim Director of Environment, Planning and Regeneration
Crime and Disorder Scrutiny	<p>The Committee has within its terms of reference the following responsibilities:</p> <p>(i) to consider all matters, not the responsibility of the Executive, relating to crime, disorder, anti-social behaviour and scrutiny of the Safer Communities Partnership Board in accordance with the provisions of the Police and Justice Act 2006.</p> <p>(ii) to make recommendations to Council on the appointment of representatives to serve on the Barnet Community Safety Engagement Group and to receive regular reports as necessary from those representatives to highlight crime and disorder matters of public concern.</p> <p>In accordance with these responsibilities, the Committee is to consider crime and disorder issues.</p>	Cabinet Member for Safety and Resident Engagement	Scrutiny Office

Subject	Decision requested	Cabinet Member	Author
Business Management Overview and Scrutiny Committee Work Programme	Committee to consider future work programme.	N/A	Scrutiny Office
10 January 2013			
Business Management Overview and Scrutiny Committee Work Programme	Committee to consider future work programme.	N/A	Scrutiny Office
11 March 2013			
Business Management Overview and Scrutiny Committee Work Programme	Committee to consider forward work programme.	N/A	Scrutiny Office
2 May 2013			
Business Management Overview and Scrutiny Committee Work Programme	Committee to consider forward work programme.	N/A	Scrutiny Office