

Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at Hendon Town Hall, The Burroughs, NW4 4BG, on 16 July 2013

PRESENT:-

The Worshipful the Mayor (Councillor Melvin Cohen (LLB))
The Deputy Mayor (Councillor Bridget Perry)

Councillors:

Maureen Braun	Anne Hutton	Brian Salinger
Alex Brodtkin	Andreas Ioannidis	Kate Salinger
Anita Campbell	Geoffrey Johnson	Gill Sargeant
Pauline Coakley Webb	Sury Khatri	Joan Scannell
Dean Cohen	David Longstaff	Brian Schama
Jack Cohen	John Marshall	Alan Schneiderman
Brian Coleman	Kath McGuirk	Mark Shooter
Geof Cooke	Graham Old	Agnes Slocombe
Alison Cornelius	Arjun Mittra	Ansuya Sodha
Richard Cornelius	Alison Moore	Stephen Sowerby
Tom Davey	Charlie O'Macauley	Andrew Strongolou
Barry Evangeli	Lord Palmer	Andreas Tambourides
Claire Farrier	Susette Palmer	Joanna Tambourides
Anthony Finn	Wendy Prentice	Daniel Thomas
Brian Gordon	Sachin Rajput	Reuben Thompstone
Eva Greenspan	Robert Rams	Jim Tierney
Andrew Harper	Barry Rawlings	Rowan Quigley Turner
Helena Hart	Hugh Rayner	Darrel Yawitch
John Hart	Colin Rogers	Zakia Zubairi
Ross Houston	Lisa Rutter	

Apologies for Absence

Councillor Julie Johnson

Councillor Daniel Seal

1. PRAYER - THE MAYOR'S CHAPLAIN

In the absence of the Mayor's Chaplain, Reverend Bernd Koschland offered prayer.

2. DECLARATIONS OF INTEREST

Member:	Interest Declared:
Councillor Alison Cornelius	<u>Item 3.2 - Happy 65th Birthday NHS</u> Non pecuniary interest. As Chaplain's Assistant, Councillor Alison Cornelius is part of the Chaplaincy team at Barnet & Chase Farm Hospitals NHS Trust. The position is voluntary and she does not receive any remuneration.

Councillor Schneiderman	Alan	<u>Item 3.9 - Free Schools</u> Pecuniary interest as Councillor Schneiderman works for the Department of Education. Councillor Schneiderman withdrew from the chamber during the voting on this item.
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3. OFFICIAL ANNOUNCEMENTS

- (i) The Worshipful the Mayor on behalf of Council passed on his condolences to the family of Mr. Stan Davison who following illness, passed away on Saturday, June 1 2013.

As a Barnet resident, Mr. Davison became a long-standing campaigner about a number of issues in the Borough. He was a founding member of the Barnet Older People's Assembly, chairman of the Barnet 55+ Forum.

He helped set up the Burnt Oak Pensioner's Association and his dedication to community causes led to him receiving two Barnet Council Civic Awards, the most recent this year.

- (ii) The Worshipful the Mayor congratulated Councillor Sachin Rajput and his wife on the birth of their twins. He also congratulated his son Councillor Dean Cohen and his wife on the birth of their daughter.

4. ANY BUSINESS REMAINING FROM THE LAST MEETING

There was none.

5. QUESTIONS TO THE LEADER AND 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.

6. SMALL BUSINESS - COUNCILLOR RICHARD CORNELIUS

Councillor Richard Cornelius moved the Administration Business item in his name. Councillor Pauline Coakley Webb moved her amendment. Debate ensued. Upon being put to the vote, the amendment in the name of Councillor Pauline Coakley Webb was declared lost. Upon being put to the vote the Administration Business item in the name of Councillor Richard Cornelius was declared carried.

RESOLVED - Council believes that small business is the backbone of the British economy and that the small businesses of today must both be nurtured and freed from the regulatory handicaps that impede their growth.

Council notes that Barnet has the third highest number of VAT registrations in Greater London and falling youth unemployment. Council further notes that 90% of Barnet's businesses have fewer than ten employees and that they provide a wide range of goods and services to other businesses and consumers. These facts are testimony to the skill sets of the people who live and work here, the proactive Council and the excellent communications linking Barnet with the rest of our City.

Council trusts that the Government will devolve the setting of Business Rates to the Council, just as it entrusts collection thereof, so that the borough can compete to attract and develop business.

Council notes the changes to the parking regime that are ensuring that spaces are better used and congratulates the Mayor of London on the improvements to the tube and rail systems that are vital to our borough's economic well-being.

Therefore, Council asks Cabinet to look at further measures to support small businesses locally – with a view to making Barnet the best place in London to do business – and further communicate with the Government to encourage the devolution of Business Rate setting.

7. HAPPY 65TH BIRTHDAY NHS - COUNCILLOR ALISON MOORE

Councillor Alison Moore moved the Opposition Business item in her name. Councillor Barry Rawlings moved his amendment. Debate ensued. Upon being put to the vote the amendment in the name of Councillor Barry Rawlings was declared lost. Upon being put to the vote the Opposition Business item in the name of Councillor Alison Moore was declared carried.

RESOLVED - Council wishes our National Health Service a very Happy 65th Birthday which was marked earlier this month on 5 July.

Council notes the role Aneurin Bevan, Minister of Health in 1948, had in creating a healthcare system that reinforces the principle of health provision free at the point of use.

Council further notes the role that all doctors, nurses and other staff who work and have worked for the NHS during this time have played in providing this unique healthcare system to residents in Barnet and elsewhere.

Council calls on the Government to protect this valued institution for future generations, and asks the Chief Executive to write to the Prime Minister, the Chancellor of the Exchequer and the Secretary of State for Health to convey this message.

8. VARIATION TO THE ORDER OF BUSINESS

Councillor Joan Scannell, duly seconded, moved under Council Procedure Rule 6.3, that the order of business relating to Agenda Item 3 be varied so that Non-Executive Business Item 3.3 be heard first. Upon being put to the vote, the Motion was declared carried.

RESOLVED – That the order of business be varied to allow Non-Executive Business Item 3.3 to be debated and voted upon in advance of votes being taken on the other Non-Executive Business Items on the Agenda.

9. BLACKLISTING - COUNCILLOR ALISON MOORE

Councillor Alison Moore moved the Non-Executive Business item in her name. Councillor Daniel Thomas moved his amendment. Debate ensued. Upon being put to the vote the amendment in the name of Councillor Daniel Thomas was declared carried. Upon being

put to the vote the substantive Non-Executive Business item as amended by Councillor Daniel Thomas was declared carried.

RESOLVED - Council publicly affirms their opposition to 'Blacklisting', an illegal practice that victimises workers on the grounds of trade union membership and legitimate activity.

Council notes that blacklisting has the potential to do great damage to the lives of ordinary people who may have done nothing more than raise health and safety concerns with their employer.

Council stresses that it always obeys the law and is committed not to choose to engage with contractors who are engaged in any illegal practices. Council calls on Cabinet to ensure this principle continues to be applied.

10. LONDON'S LIVING WAGE - COUNCILLOR ALISON MOORE

In accordance with Council Procedure Rule 23.5 the Non-Executive Business item in the name of Councillor Alison Moore and the amendments in the name of Councillors Daniel Thomas and Ross Houston were referred to the General Functions Committee for consideration and any necessary action.

11. PROTECTING EAST FINCHLEY POST OFFICE - COUNCILLOR ARJUN MITTRA

Councillor Arjun Mittra moved the Non-Executive Business item in his name. In accordance with Council Procedure Rule 23.5, the item was voted on without discussion. Councillor David Longstaff moved his amendment. Upon being put to the vote the amendment in the name of Councillor David Longstaff was declared carried. Upon being put to the vote the substantive Non-Executive Business item as amended by Councillor David Longstaff was declared carried.

RESOLVED - Council notes plans by the Post Office to franchise the Crown Post Office in East Finchley to a retail operator, which will mean closure of the branch as a flagship Crown Post Office.

Council believes this will result in a smaller space with fewer counters and services for local people and traders, who will have to travel all the way to Muswell Hill or North Finchley for Crown post office services.

Council also believes this will be a blow to the vibrancy of East Finchley High Street and the town centre.

Council notes that the Post Office do not yet have a retail partner for any of the 70 Crown Post Offices that have been earmarked for closure – including East Finchley Post Office.

Council also notes that when Finchley Central Crown Post Office was closed in 2005, a promise to re-provide the service in a local shop was not honoured, resulting in the loss of a post office in that high street.

Council is concerned that the current specialist trained staff in the Crown Post Office will be lost under the proposals to franchise the branch, and replaced with

staff on significantly lower pay, terms and conditions and a narrower range of expertise.

Council therefore asks the Chief Executive to write to the Post Office asking them to re-think their proposals.

12. HENDON CEMETERY AND CREMATORIUM - COUNCILLOR BRIAN COLEMAN

In accordance with Council Procedure Rule 23.5 the Non-Executive Business item in the name of Councillor Brian Coleman and the amendment in the name of Councillor Tom Davey were referred directly to Cabinet for consideration and any necessary action.

13. SAME SEX MARRIAGE BILL - COUNCILLOR BRIAN COLEMAN

In accordance with Council Procedure Rule 23.5 the Non-Executive Business item in the name of Councillor Brian Coleman and the amendment in the name of Councillor Arjun Mitra were referred directly to Cabinet for consideration and any necessary action.

14. KINDERTRANSPORT ANNIVERSARY - COUNCILLOR JOHN MARSHALL

Councillor John Marshall moved the Non-Executive Business item in his name. In accordance with Council Procedure Rule 23.5, the item was voted on without discussion.

RESOLVED - Council notes that this year marks the 75th anniversary of the Kindertransport programme, which saw 10,000 Jewish children rescued from the perils of the Third Reich and brought to safety in the United Kingdom. Swiftly mobilised in the aftermath of Kristellnacht, the scheme saw the British Government waive immigration requirements in order to allow an unlimited number of children to enter the country unaccompanied.

This was a uniquely British programme of which, as a country, we should be proud. Council would therefore like to extend its thanks to all those who enabled, organised and delivered this scheme, from the Government of the day and World Jewish Relief to the individuals who helped arrange the transports and the families and institutions who cared for the children on arrival.

Council further notes that many of the Kindertransport children came to settle in Barnet. Council wishes to thank them for their excellent contributions to the local community and those of the wider Kindertransport group to British society.

15. FREE SCHOOLS - COUNCILLOR ALISON CORNELIUS

Councillor Alison Cornelius moved the Non-Executive Business item and amendment in her name. Councillor Brian Coleman withdrew his amendment as it was superseded by Councillor Cornelius amendment. In accordance with Council Procedure Rule 23.5, the item was voted on without discussion. Upon being put to the vote the substantive Non-Executive Business item as amended by Councillor Alison Cornelius was declared carried.

RESOLVED - Council notes the number of free schools already established in the Borough and considers the significant interest in future proposals to be a mark of their appeal to the pupils and parents of Barnet.

Council welcomes this Conservative administration's wholehearted support of free schools, noting the unique way they are able to contribute to the excellent educational offer in the Borough.

Free schools bring choice and unrivalled community engagement within our school system. Council therefore believes they constitute a vital part of the mix of schools in Barnet, which the Council is working hard to develop.

Council notes that Barnet already has a very varied offer and values the administration's continued support of academies; faith schools; local authority maintained schools and grammar schools.

Council once again notes that 91% of Barnet's schools are rated as 'Good' or 'Outstanding' by OFSTED – the second best ratio in the country – and that the Borough is ranked in the top ten local authorities for Oxbridge admissions. Council is committed to continuing to strive for excellence in our local education system.

Council therefore expresses its deep concern at the Shadow Education Secretary's recent announcement that a Labour Government would review planned free schools. Council believes the uncertainty the opposition's current policy would inevitably cause would be highly damaging to the educational offer in the Borough.

Council believes that we are likely to require the places being created by new free schools in order to meet the growing demand for both primary and secondary places. Council fears that were this policy to be enacted it would deter new proposals, jeopardising the Council's ability to ensure there are sufficient places for the future children of the Borough. Council also notes that Labour's policy would threaten those proposals on which a lot of time and money has already been spent.

Council further notes its confusion with Mr Twigg's position given his advocacy for schools referred to as 'parent sponsored academies'. Council must conclude that Labour's education policy is in disarray and that they would be likely to undo much of both the current Council and current Government's good work.

Council calls upon Cabinet to continue to its active support for free schools and reassure them of their importance to the local schools offer; and further assist proposed free schools to find suitable locations and develop sustainable logistical arrangements.

Council further welcomes the success of Etz Chaim and Rimon Primary schools; Alma Primary, The Archer Academy and St Andrew the Apostle opening this coming September (2013); and looks forward to welcoming The Marco Polo Academy and Avanti School to the Borough at some future date.

16. NEW POLICING MODEL - COUNCILLOR ROWAN QUIGLEY TURNER

Councillor Rowan Quigley Turner moved the Non-Executive Business item in his name. Councillors Brian Coleman, Geof Cooke and John Marshall moved their amendments. In accordance with Council Procedure Rule 23.5, the item was voted on without discussion.

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 amendment in the name of Councillor Geof Cooke was declared lost. Upon being put to the vote the amendment in the name of Councillor John Marshall was declared carried.

RESOLVED - Council notes that Barnet recently became one of the first boroughs to launch the new neighbourhood policing model. Council welcomes the fact that this has seen the number of Neighbourhood Police Officers on the streets of Barnet more than double from 38 to 92 through the expansion of the Safer Neighbourhood Teams.

These changes have undoubtedly strengthened local policing and vindicated the Mayor of London's strategy of prioritising 'bobbies on the beat', which serves as a more reassuring and efficient way of preventing and responding to crime.

Council further welcomes the levelling up of the police force - with more PCSOs being given the chance to become Police Constables – noting that the number of Police Officers in the Borough will increase from 520 to 565 this year.

Council firmly believes that the increased flexibility in the local deployment of resources and the fact that Officers will patrol later into the night, associated with these reforms, will increase the force's capacity to respond to incidents effectively.

Council would like to congratulate the Mayor on his good work and calls on Cabinet to continue to work closely with the Borough Commander to ensure these excellent changes are successfully implemented and that they are fully utilised to crack down on crime in our Borough.

However Council notes the continued unacceptably high rate of burglary and vehicle crime in the Borough and resolves to write to the Borough Commander to ask how the new Neighbourhood Policing model will deal with residents concerns in this matter.

17. REPORT FROM CABINET (IF ANY)

There were none.

18. REPORT FROM THE BUSINESS MANAGEMENT OVERVIEW AND SCRUTINY COMMITTEE - OVERVIEW AND SCRUTINY ANNUAL REPORT 2012/13

Councillor Hugh Rayner moved adoption and reception of the Overview and Scrutiny Annual Report 2012/13. Councillor Brian Coleman moved the amendment in his name. Upon being put to the vote the amendment in the name of Councillor Brian Coleman was declared lost. Upon being put to the vote the recommendations as set out in the report were declared carried.

RESOLVED- That Council approve the Overview & Scrutiny Annual Report 2012/13.

19. **REPORT FROM THE REMUNERATION COMMITTEE - 2 JULY 2013**

Councillor Richard Cornelius moved adoption and reception of the report from the Remuneration Committee. Councillor Brian Coleman moved the amendment in his name. Upon being put to the vote the amendment in the name of Councillor Brian Coleman was declared lost. Upon being put to the vote the recommendations as set out in the report were declared carried.

RESOLVED

1. **That Mr Andrew Travers be appointed as Chief Executive and Head of Paid Service.**
2. **That the appointment be subject to the clearance of satisfactory employment checks.**

20. **REPORT FROM THE CONSTITUTION, ETHICS AND PROBITY COMMITTEE - 8 JULY 2013**

The Worshipful the Mayor, Councillor Melvin Cohen (Chairman of the Committee) moved adoption and reception of the report from the Constitution, Ethics and Probity Committee. An updated version of the feedback consultation analysis was tabled at the meeting. Upon being put to the vote the recommendations were declared carried.

RESOLVED -

1. **Review of Residents Forum**

- i) The start time of the Residents Forum to be at 6.30pm and the Area Environment Sub-Committees to start at 8.30pm or at the conclusion of the Resident Forum, whichever is earlier.
- ii) Residents may raise any matters relevant to the Council except for matters relating to specific planning applications.

2. **Constitutional Review**

Section of Report

Proposed Change(s)

Paragraph 9.4 - Management of Assets, Property and Land and Responsibility for Functions

Regularise the two minor inconsistencies between the provisions of Management of Assets, Property and Land Appendix 1, Table A and paragraph 7.13 of Responsibility for Functions.

Paragraph 9.5 – Council Question Time

Propose retaining existing arrangements whereby questions to Cabinet Members from an Independent (non-aligned) Member are taken after all of those from the party groups.

Paragraph 9.6.4 – Contract Procedure Rules – Waiver of Requirement for two written quotes and additional definition of ‘Individual Placement Agreement

Defer to the next meeting of the Committee.

Paragraph 9.6.8 – Contract Procedure Rules – Waiver of

Agreed – Include the definition of “Individual

Requirement for two written quotes and additional definition of 'Individual Placement Agreement

Placement Agreement”.

Paragraph 9.7 – Overview and Scrutiny- Terms of Reference of Contract Monitoring Overview and Scrutiny Committee

Agreed – subject to taking out the reference to “Public Health”.

Paragraph 9.8 – Appointment of School Governors

That the Committee note the report and that Officers (i) prepare a schedule of all Schools and Governors and this be reported to the next meeting of General Functions Committee on 22 July 2013 (ii) Governor Clerking Service should give School Governors advance notice one term before their term of office is due to expire.

Addendum – Public Participation and Engagement

Additional paragraph 3.4 added: “Members of the public making comments are able to send a substitute if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing”.

21. **REPORT FROM THE LICENSING COMMITTEE - 10 JULY 2013**

Councillor Andreas Tambourides moved adoption and reception of the report from the Licensing Committee. Upon being put to the vote the recommendations were declared carried.

RESOLVED -

- 1. That Council approve the draft Film Classification Policy.**
- 2. That Council approve the draft Sex Establishment and Sex Entertainment Venues Policy.**
- 3. That Council approve the draft Street Trading Policy.**

22. **TIME EXTENSION**

The Worshipful the Mayor in accordance with the Constitution moved that the period for the transaction of business be extended to 10.30pm.

23. **REPORT OF THE HEAD OF GOVERNANCE**

1. Report Exempt from Call-in

RESOLVED - That Council note the report exempted from call-in.

2. Natural Environment Champion

RESOLVED - That Council note the appointment of Councillor John Hart as Natural Environment Champion.

3. Appointment to the Barnet Group Board

RESOLVED - That Council approve the appointment of Mr Terry Rogers as Chair to the Barnet Group Board.

4. Appointment of representatives to Joint Venture Company (JVCO) with Capita Symonds Limited and Holding Company (NEWCO)

RESOLVED -

1. That Council approve the appointment of the Chief Executive and the Leader of the Council as the nominated Directors of the new company to be created to represent the Council's best interests as part of the new partnership arrangements for Development and Regulatory Services;
2. That Council approve the appointment of the Chief Executive and the Leader of the Council as the nominated Council representative Directors of the joint venture company with Capita Symonds Limited.

For Council to note:

Councillor Coleman sought clarification on advice for elected Members serving on boards, including declarations of interest and any exclusion from particular decisions.

The Worshipful the Mayor informed Council that the matter would be investigated and requested that the outcome be reported back to all Members.

5. Statutory Proper Officer Births Deaths and Marriages and Delegation of Functions under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005

RESOLVED -

1. That Council confirm the Assistant Director Community and Wellbeing as Statutory Proper Officer Births, Marriages and Deaths.
2. That Council delegate its functions in relation to approving premises for marriages and the formation of civil partnerships under the Marriage Act 1949 and the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 to the statutory proper officer births, marriages and deaths.

6. Changes to the Calendar of Meetings

RESOLVED - That Council note the changes to the calendar of meetings contained in the table as set out in the Supplemental Report of the Head of Governance.

7. Changes to Outside Bodies

Councillor Joan Scannell moved the following change:

- That Councillor David Longstaff replace Councillor Brian Coleman as the Council representative on the Eleanor Palmer Trust.

RESOLVED - That Councillor David Longstaff replace Councillor Brian Coleman as the Council representative on the Eleanor Palmer Trust.

24. **REPORT OF THE MONITORING OFFICER (IF ANY)**

There was none.

25. **QUESTIONS TO COUNCIL REPRESENTATIVES ON OUTSIDE BODIES**

1. **From Councillor Brian Coleman**

Will the Member report on the business conducted at the last meeting of the Grahame Park Partnership Board?

Response from Councillor Tom Davey

The response has been circulated to the Member.

2. **From Councillor Brian Coleman**

Will the Member update the Council on the legal dispute between the Arts Depot and Community focus? Will the Member ensure no tax payers money is spent by either party in this silly row?

Response from Councillor Anthony Finn

- The Council is continuing to facilitate negotiations between the Arts Depot management and Community Focus to resolve this dispute.
- The Council wants to avoid this dispute from entering the courts and any tax payers' money being spent on an unnecessary legal process at a time when money is tight. The Council withdrew its grant funding to the Arts Depot two years ago and the legal support that Community Focus are being given is not paid for by the tax payer, so no tax payers' money is being spent on this dispute.
- We will continue to facilitate negotiations with the objective of avoiding a legal dispute. The Council has made a commitment to support Community Focus and ensure that they continue to operate, whatever the outcome of this dispute. As such, we are working with them to explore all options.

3. **From Councillor Brian Coleman**

Will Councillor Shooter report briefly on the business discussed at the last meeting of SACRE at which he was present?

Response from Councillor Anthony Finn on behalf of Councillor Shooter who had left the meeting

The meeting discussed in detail the topic of moral education. The agenda and minutes of the meeting are available from Ms Janet Robinson should the Member require them.

4. **From Councillor Geoffrey Johnson**

Please would Councillor Davey provide us with a short report / update on the last Grahame Park Partnership Board.

Response from Councillor Tom Davey

The response has been circulated to the Member.

The meeting finished at 10.08 pm