

Public Document Pack

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON
TUESDAY, 17 APRIL 2012 AT 7.00PM

VENUE

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

A G E N D A



CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

Item No	Title of Report	Timing/Details	Pages
Part 1	Statutory formalities / Announcements (15 minutes)	7.00pm – 7.15pm	
1.1	PRAYER - THE MAYOR'S CHAPLAIN	Father Damian Konstantinou	
1.2	APOLOGIES FOR ABSENCE	To receive Members' apologies for absence	
1.3	MINUTES OF MEETING HELD ON 6 MARCH 2012	To sign as a true record	1 - 4
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	Business for Debate (90 minutes)	7.45pm – 9.30pm	
	Administration Business Item	7.45pm – 8.15pm	
3.1	MAYOR BORIS JOHNSON - COUNCILLOR RICHARD CORNELIUS		5 - 6
	Opposition Business Item	8.15pm – 8.45pm	
3.2	CAR PARK CHARGING IN BARNET - COUNCILLOR KATH MCGUIRK		7 - 8
	Break	8.45pm – 9.00pm	
	Non-Executive Business Item	9.00pm – 9.30pm	
3.3	SARACENS RUGBY CLUB - COUNCILLOR JOHN HART		9 - 10

3.4	POLICING IN BARNET - COUNCILLOR PAULINE COAKLEY-WEBB		11 - 12
	Part 4 - Statutory Council Business (30 minutes)		
4.1	REPORT FROM CABINET		
4.2	REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES		
4.3	REPORTS FROM OTHER COMMITTEES		
4.3.1	Report from Special Committee (Constitution Review)	To Follow	
	Reports of Officers		
4.4	REPORT OF THE HEAD OF GOVERNANCE		13 - 18
4.4.1	Draft Calendar of Meetings – 2012/13		
4.4.2	Report Exempt from Call in		
4.5	REPORT OF THE MONITORING OFFICER		19 - 20
4.5.1	Decision of the First Tier Tribunal		
4.6	QUESTIONS TO REPRESENTATIVES ON OUTSIDE BODIES (10 MINUTES)		21 - 22

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
AGENDA ITEM 1c
held at The Town Hall, Hendon, NW4, on Tuesday, 6 March 2012

PRESENT:

- *The Worshipful the Mayor (Councillor Lisa Rutter)
- *The Deputy Mayor (Councillor Barry Evangelini)

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	*Alison Moore	*Agnes Slocombe SRN, RM
*Geof Cooke	*Graham Old	*Ansuya Sodha MBA (Middx) Cert Ed, DipM (CIM), AMBA
*Alison Cornelius	*Charlie O-Macauley	*Stephen Sowerby
*Richard Cornelius	*Lord Palmer OBE, BA, FCA	*Andrew Strongolou
*Tom Davey	*Susette Palmer MA	*Andreas Tambourides
*Claire Farrier	*Bridget Perry	*Joanna Tambourides
*Anthony Finn BSc (Econ), FCA	*Wendy Prentice	*Daniel Thomas BA (Hons)
*Brian Gordon LLB	*Sachin Rajput BA (Hons) PgD Law	*Reuben Thompstone
Eva Greenspan	*Robert Rams	*Jim Tierney
*Andrew Harper	*Barry Rawlings	*Rowan Turner
*Helena Hart	*Colin Rogers	*Darrel Yawitch
*John Hart BA MA	*Hugh Rayner	*Zakia Zubairi
Lynne Hillan	*Brian Salinger	
*Ross Houston		

*denotes Member present

1. PRAYERS

In the absence of the Mayor's Chaplin, Father Damien Konstantinou, The Leader of the Council, Councillor Richard Cornelius offered a prayer.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Lynne Hillan, Melvin Cohen, Kath McGuirk, Alex Brodtkin and Eva Greenspan.

3. MINUTES

Council noted the amendments to minutes set out in paragraph 4.3.3 of the Supplemental Report of the Head of Governance

RESOLVED – That the amended minutes of the meeting of the Council held on 24 January 2012 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 2012/13. The Worshipful Mayor further proposed that Council Procedure Rule 45 also be suspended to permit the Councillor Richard Cornelius, 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 2012/13 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 2012/13.**
- (ii) **That Council Procedure Rule 45 be suspended to allow Councillor Richard Cornelius, 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 2012/13 item.**

5. DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS

Member:	Subject:	Interest Declared:
Councillor Ross Houston	Item 4.1.1 Report of Cabinet – 20 February 2012	Personal and non-prejudicial as Councillor Houston is a council appointed Director on the Barnet Homes Management Board.

6. OFFICIAL ANNOUNCEMENTS

None

7. BUSINESS REMAINING FROM LAST MEETING

None.

8. MAYOR DESIGNATE 2012/13

The Worshipful Mayor called for nominations for election of Mayor of the London Borough of Barnet for 2012/13:

Councillor John Marshall, duly seconded by Councillor Sury Khatri moved that Councillor Brian Schama be proposed for the appointment of Mayor of the London Borough of Barnet at the Annual Meeting of the Council on 15 May 2012.

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

RESOLVED – That Councillor Brian Schama be formally proposed and seconded at the Annual Meeting of the Council on 15 May 2012 for the appointment as Mayor of the London Borough of Barnet for the Municipal Year, 2012/13.

Councillor Schama thanked those present for the confidence shown in him and undertook to do his very best in his term of office as Mayor of the London Borough of Barnet. He announced that Councillor Kate Salinger had consented to be his Deputy.

9. REPORT OF CABINET, 20 FEBRUARY, 2012 – COUNCIL BUDGET AND COUNCIL TAX 2012/13

The Leader, Councillor Richard Cornelius, moved reception and adoption of the Cabinet Report attached at Appendix A of the Cabinet report:

Amendments in the names of Councillor Alison Moore and Councillor Jack Cohen were moved and duly seconded. Debate ensued.

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.

RESOLVED – That the report and the recommendations of the Cabinet dated 20 February 2012 be approved.

10. CHANGE OF MEETING DATE

RESOLVED – That Council note the change of meeting date contained in the tables at Items 4.4.1 of the Report of the Head of Governance.

11. REPRESENTATIVE OF THE COUNCIL ON OUTSIDE BODIES

RESOLVED – That Mr. Fabio Seccatore be reappointed as a Council representative on the Nicholl & Daniel Homes Charity

12. RESIGNATION OF A MEMBER OF THE COUNCIL

Council noted that Mr Andrew McNeil resigned as a Councillor for the East Finchley Ward on 22 February 2012 and that a by-election to fill the vacancy would be held on 11 April 2012

The meeting finished at 9.00 pm

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Council: Tuesday, 17 April 2012

Administration Business Item – 3.1: Councillor Richard Cornelius AGENDA ITEM 3a

Mayor Boris Johnson

Council congratulates Mayor Boris Johnson on the achievements of his first term of office and looks forward to further success for London and Barnet in particular, during the next four years.

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Council: Tuesday, 17 April 2012

Opposition Business Item – 3.2: Councillor Kath McGuirk

AGENDA ITEM 3b

Car park charging in Barnet

Council notes the proposal in this year's budget to introduce car park charging in the boroughs 7 remaining free car parks including those in Brunswick Park Road, New Southgate, N11, Daws Lane, Mill Hill, NW7, New Brent Street, Hendon, NW4, Osidge Lane, Southgate, N14, Quakers Course, Colindale, NW9 and Church Hill Road, East Barnet, EN4.

Council also notes that in the past when charging was introduced the car parks emptied and local traders suffered as people decided to shop elsewhere.

Council further notes that councillors are being inundated with emails from angry residents opposed to charging in these car parks, and that two Cabinet Members have already voiced their concerns about the charging, including Cabinet Member, Cllr Robert Rams who denounced the charges at a recent residents' meeting.

Cllr Rams said of the proposed charges that he, his Cabinet colleague Cllr Joanna Tambourides and East Barnet co-councillor Barry Evangelis, would do "everything in their power to stop them."

Cllr Rams also said that "We agree that these charges will be the death of the community here. It is clearly not the right decision and I can't see any rationale as to how it would be. I personally haven't seen a campaign like this since I have been a councillor and that is why I'm so confident we will get the proposals withdrawn."

Council agrees wholeheartedly with Cllr Rams, and asks Cabinet to withdraw the proposals to charge in these car parks.

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Council: Tuesday, 17 April 2012

Non-Executive Business Item – 3.3: Councillor John Hart

AGENDA ITEM 3c

Saracens Rugby Club

Council welcomes the decisions both of the Mayor of London, Boris Johnson, and of HM Secretary of State, the Right Hon. Eric Pickles, not to call in the planning application of Saracens Rugby Club to redevelop Cophall Stadium; and moreover calls upon Saracens Rugby Club to ensure the smooth redevelopment of the stadium with full regard for the interests of other users as much of Cophall Open Space as of the Stadium; and to honour fully the Club's commitments to manage traffic movements on match days so as to lessen any impact on the amenity of local residents

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 on at the meeting.

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Council: Tuesday, 17 April 2012

Non Executive - Business Item – 3.4: Councillor Pauline Coakley-Webb
AGENDA ITEM 3d

Police in Barnet

Council notes the following:

According to the Policing London Business Plan 2011-14 the number of police officers across London has already been cut by at least 507 posts last year, with a further 682 to be cut this coming year, and another 178 to be cut in 2013/14. The number of London PCSOs were cut by 814 in 2011/12, with a further 100 to be cut in 2012/13.

Barnet itself has 45 fewer PCSOs than its full quota, and our Safer Neighbourhood Teams (SNT) are not at full strength, with Woodhouse ward SNT officers, for example, at half strength, and most other Teams similarly affected.

In addition, SNT officers are being taken off their dedicated ward duties and deployed elsewhere - abstraction rates have been as high as 12 percent in recent months.

Meanwhile, crime levels in Barnet are rising for burglary, mugging and rape. Domestic burglaries are up by 28 per cent from 2692 burglaries in 2007/8 to 3454 this year. Muggings are up from 892 last year to 1076 this year. And the number of recorded rapes is up from 51 in 2007/8 to 80 this year.

Local SNT Panels, and Neighbourhood Watches are extremely concerned about the reduced police numbers in Barnet, and, in the words of one Neighbourhood Watch Chair, believe it is "leaving Barnet open to criminals".

Council asks Cabinet to confirm they agree that there is a need to reduce abstraction rates, replace the ring-fence on dedicated ward duties, replace the 5 Safer Neighbourhood Team sergeants that have been cut and ensure our Safer Neighbourhood Teams are at full strength at all times

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 on at the meeting.

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Council Meeting
17 April 2012

AGENDA ITEM 4d

REPORT OF THE HEAD OF GOVERNANCE
AGENDA ITEM 4.4

4.4.1 DRAFT CALENDAR OF THE MEETINGS - 2012/13

Attached at Appendix A is the draft Calendar of Meeting approved by the General Functions Committee on 29 March 2012.

In accordance with the Constitution, the dates of meetings of the Executive are matters for the Leader. However, these are included in the Calendar of Meetings 2012/13 for information and completeness.

The Council's Constitution requires that approval of Ordinary Meetings of the Council takes place at the Annual Meeting. Dates proposed for Ordinary Meetings of the Council are included in the draft Calendar of Meetings attached at Appendix A.

The Calendar is based on the existing arrangements which are in accordance with Council's previous instructions and include:

- Meetings that require the attendance of all Members are avoided during party conference weeks;
- No meetings are scheduled on those Jewish holydays specified by the Board of Deputies of British Jews. Diwali is also avoided as is the Muslim Festival of Eid-al-Fitr.

In accordance with a previous decision, school half-term holidays are not avoided.

The Group Secretaries have been consulted and, where possible, their comments have been borne in mind in the production of the attached draft Calendar of Meetings.

The Conservative Group wish to the make the following changes to the draft Calendar of Meetings;

Meeting	Current Date in the Draft Calendar	Proposed new Date
Trust Board	3 May 2012	10 May 2012
Corporate Parenting Advisory Panel	3 September 2012	TBC

RECOMMEND - That subject to the proposed changes set out in the table above, the draft Calendar of meetings 2012/13 attached as Appendix A be approved.

Aysen Giritli
Head of Governance

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Council Meeting

17 April 2012

REPORT OF THE HEAD OF GOVERNANCE

AGENDA ITEM 4.4

4.4.2. REPORT EXEMPT FROM CALL-IN: CARE HOME CONTRACT – IMPLEMENTATION OF THE HEADLINE AGREEMENT WITH CATALYST

These matters are reported to the Council to meet Constitutional requirements (Overview and Scrutiny Procedure Rule 16.8). No action is required by the Council and the decision has been implemented.

In the case listed below, the Chairman of the Business Management Overview and Scrutiny Committee agreed that the decisions proposed were reasonable in all the circumstances, was urgent and therefore had consented to the proposed decisions being exempted from call-in:

The Cabinet Member for Resources and Performance on 26 March 2012 approved the the specific terms for implementation of the headline agreement previously reached with Catalyst in respect of the termination of the Care Contract.

The decision to grant the explicit approvals to implement the headline agreement with Catalyst was considered to be urgent as the delay involved in awaiting any potential call-in to the Business Management Overview and Scrutiny Committee (whose next meeting is not due to take place until 18 April 2012), would have meant that agreement with Catalyst would not be completed within the required timescale. The decision was therefore regarded as urgent and an exemption from the call-in process was sought from the Chairman of the Business Management Overview and Scrutiny Committee.

In accordance with paragraph 16 of the Overview and Scrutiny Procedure Rules, this decision would then reported to the next available meeting of the Council (17 April 2012).

RECOMMEND – That Council note the report exempt from call-in

Aysen Giritli
Head of Governance

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Appendix A - Draft Calendar of Meetings 2012-13 (18 months)

	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013
Party Group Meetings for Council	10/5		5/7		6/9		1/11		17/1	28/2		11/4	13/5		11/7		3/9	31/10		
Council – Annual Meeting	15/5												21/5							
Council			10/7		11/9		6/11		22/1		5/3*	16/4			16/7		10/9		5/11	
Cabinet Briefing Meeting	23/5	25/6			3/9	17/10	19/11		30/1		12/3		23/5				2/9	8/10	19/11	
Cabinet & Cabinet Resources		20/6	17/7		27/9		7/11 Budget headlines	17/12		25/2		18/4		18/6			24/9		4/11 Budget headlines	16/12
General Functions Committee		28/6					7/11		29/1		19/3			27/6					4/11	
*Standards Committee			3/7			18/10				4/2				5/6				10/10		
*Provisional – Subject to Council decision																				
Audit Committee		21/6			13/9		8/11	10/12				8/4		12/6			11/9			5/12
Shadow Cabinet	24/5		12/7		20/9		20/11	13/12		21/2		17/4		13/6			19/9			
Business Management O&S		11/6	31/7			24/10	20/11		10/1		11/3		2/5		3/7			7/10	18/11	
Safeguarding O&S			2/7		10/9			12/12			20/3			19/6			16/9		27/11	
Health O&S	16/5				12/9			11/12		12/2			9/5	26/6			12/9			12/12
Budget & Performance O&S		19/6				15/10		6/12			7/3			20/6				24/10		9/12
Health & Safety JNCC					19/9			3/12			14/3							9/10		4/12
Finchley & Golders Green Residents Forum and Area Environment sub-Committee		26/6				16/10			16/1		13/3			25/6				22/10		
Hendon Residents Forum Area and Environment sub-Committee		26/6				16/10			16/1		13/3			25/6				22/10		

REPORT OF THE MONITORING OFFICER
AGENDA ITEM 4.5

4.5.1. MEMBERS CODE OF CONDUCT – DECISION OF THE FIRST TIER TRIBUNAL

Council is asked to note that on 26 March 2012, the First Tier Tribunal General Regulatory Tribunal (Local Government Standards in England) heard an appeal by Councillor Andreas Tambourides against both the decision of the Standards Sub-Committee of the London Borough of Barnet that he had failed to comply with paragraph 3(1) of the Council's Members' Code of Conduct, and the sanctions imposed.

The Tribunal determined, as a preliminary issue, whether Councillor Andreas Tambourides was acting in his official capacity, in accordance with paragraph 2(1)(a) of the Council's Members' Code of Conduct, when sending an email on 15 July 2010, that is whether he was conducting the business of the council (which in the Code includes the business of the office to which he was elected) and therefore whether the Code was engaged.

The Tribunal determined that Councillor Andreas Tambourides was not acting in an official capacity when he sent his email on the 15 July 2010 and therefore this action did not fall within the ambit of the Code.

The Tribunal was of the view that the Council's Members' Code of Conduct was not engaged and therefore upheld Councillor Tambourides' appeal. Accordingly, both the decision of and sanctions imposed by the Standards Sub-Committee were set aside and cease to have effect.

Jeff Lustig
Monitoring Officer

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Council Meeting

17 April 2012

AGENDA ITEM 4f

QUESTIONS TO REPRESENTATIVES ON OUTSIDE BODIES

AGENDA ITEM 4.6

1. **From Councillor Pauline Coakley-Webb**

Given the delays in the planning process for the proposed Waste Treatment Plant at Pinkham Way and the fact that the plant is not necessary for those Councils that reach their recycling target would Cllr Coleman ask NLWA to review their decision to go ahead with the plant at Pinkham Way?

To Councillor Brian Coleman – Representative on the North London Waste Authority

2. **From Councillor Brian Salinger**

(a) What discussions, and when, have been held at Arts Depot Board level with regard to the possibility of a major library being housed within the Arts Depot building?

(b) How many times in each of the last two years have events been staged in the main theatre of the Arts Depot that have involved raising the auditorium floor to create a level surface with the stage, and what was the nature of each of the events?

To Councillor Kath McGuirk – Representative on the Arts Depot Trust

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