

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 12TH DECEMBER, 2017 AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

A G E N D A



ASSURANCE GROUP

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Agenda and Timetable
Tuesday 12th December, 2017

Item	Subject	Timing	Page Nos
	Part 1 - Statutory formalities/Announcements (15 minutes)	7.00 – 7.15pm	
1.	Apologies for absence		
2.	Elect a Member to preside if the Mayor is absent		
3.	Prayer		
4.	Declarations of Interest		
5.	Minutes of the last meeting		5 - 16
6.	Official announcements		
7.	Any business remaining from last meeting		
	Part 2 - Question Time (30 minutes)	7.15 – 7.45pm	
8.	Questions to the Leader (and Committee Chairmen if he/she has delegated)		
	Part 3 - Statutory Council Business	7.45 – 8.15pm	
9.	Petitions for Debate		
10.	Reports from the Leader		
11.	Reports from Committees		
12.	Reports of Officers		
12.1	Report of Strategic Director for Environment - London Councils Agreement		17 - 28
12.2	Report of Director of Resources - London Business		29 - 48

	Rates Pooling Pilot		
12.3	Report of Head of Governance		49 - 52
13.	Questions to Council Representatives on Outside Bodies		
	Break	8.15 – 8.25pm	
	Part 4 – Business for Debate	8.25 - 9.00pm	
14.	Motions		
14.1	Administration Motion in the name of Cllr Gabriel Rozenberg - Electric cars must not bypass local democracy		53 - 54
14.2	Administration Motion in the name of Cllr Shimon Ryde - Protect Barnet's family homes		55 - 56
14.3	Opposition Motion in the name of Cllr Barry Rawlings - Preventing the proliferation and clustering of betting shops in Barnet		57 - 58

Andrew Charlwood, 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 Hendon Town Hall, The Burroughs, London NW4 4BG, on 31 October 2017

AGENDA ITEM 5

PRESENT:-

The Worshipful the Mayor (Councillor Brian Salinger)
The Deputy Mayor (Councillor Val Duschinsky)

Councillors:

Maureen Braun	Ross Houston	Sachin Rajput
Jess Brayne	Anne Hutton	Barry Rawlings
Rebecca Challice	Andreas Ioannidis	Hugh Rayner
Pauline Coakley Webb	Dr Devra Kay	Tim Roberts
Dean Cohen	Sury Khatri	Gabriel Rozenberg
Jack Cohen	Adam Langleben	Lisa Rutter
Melvin Cohen	Kathy Levine	Shimon Ryde
Philip Cohen	David Longstaff	Gill Sargeant
Geof Cooke	John Marshall	Joan Scannell
Alison Cornelius	Kath McGuirk	Alan Schneiderman
Richard Cornelius	Arjun Mittra	Mark Shooter
Tom Davey	Alison Moore	Agnes Slocombe
Paul Edwards	Ammar Naqvi	Stephen Sowerby
Claire Farrier	Nagus Narenthira	Caroline Stock
Anthony Finn	Graham Old	Daniel Thomas
Brian Gordon	Charlie O-Macauley	Reuben Thompstone
Eva Greenspan	Alon Or-Bach	Jim Tierney
Rohit Grover	Reema Patel	Laurie Williams
Helena Hart	Bridget Perry	Peter Zinkin
John Hart	Wendy Prentice	Zakia Zubairi

Apologies for Absence

Councillor Kitty Lyons

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Kitty Lyons.

2. ELECT A MEMBER TO PRESIDE IF THE MAYOR OR DEPUTY MAYOR ARE ABSENT

The Worshipful the Mayor was present.

3. PRAYER

Ms Suchita Rajadhyaksha of the Hindu faith was called upon by the Worshipful the Mayor to speak to Council and say prayers.

4. DECLARATIONS OF INTEREST

The following interests were declared:

Councillor	Subject	Interest declared
Cllr Jack Cohen	14.2 – Motion in the name of Cllr Alison Cornelius	A non-pecuniary interest by virtue of his bull terrier being walked by a dog walker at one of the sites where there are complaints.
Cllr Arjun Mittra	14.1 and 14.3 – Motions in the names of Cllr Rohit Grover and Cllr David Longstaff	A non-pecuniary and non-prejudicial interest, as he is an employee of the GLA (Greater London Authority).
Cllr Alan Schneiderman	14.4. – Motion in the name of Cllr Coakley-Webb	A pecuniary interest in connection with his employment. Cllr Schneiderman noted he would leave the chamber and would not participate in the voting on this item.
Cllr Ross Houston	14.3 – Motion in the name of Cllr David Longstaff	A non-pecuniary interest by virtue of being a council appointed director of the Barnet Group Board. Cllr Houston also declared an interest as he is a £1 shareholder in one of the companies mentioned.
Cllr John Marshall	14.3 – Motion in the name of Cllr David Longstaff	A non-pecuniary interest by virtue of being a council appointed director of the Barnet Group Board.
Councillor Rebecca Challice	14.4– Motion in the name of Cllr Coakley-Webb	A non-pecuniary interest by virtue of being employed in a school in Hertfordshire.
Councillor Paul Edwards	14.4– Motion in the name of Cllr Coakley-Webb	A non-pecuniary interest by virtue of being a governor of Totteridge Academy.

5. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 25 July 2017 were agreed as a correct record.

6. OFFICIAL ANNOUNCEMENTS

The Worshipful the Mayor on behalf of council extended congratulations to Cllr Adam Langleben on his marriage on 17 September to Tasha Adley.

The Worshipful the Mayor stated he was delighted to announce that children of Akiva school had recently won a trophy at the inter-schools Gardening competition. He then invited Headteacher Suzy Stone, teacher Nicola Bettis and pupils including Maddie Noah, Joe Rudling, Olicia Bohn and Harry Abrahams who were present at the meeting to approach the front of the Chamber to

receive their trophy. The Worshipful the Mayor noted the competition had been sponsored by Finchley Nurseries and that the schools were very grateful for the support.

In other announcements The Worshipful the Mayor noted Mr Robert Blyth had recently entered some photos, on behalf of Barnet, to the Le Raincy twin towns photographic competition. It was noted that Mr Blyth had won a first prize and that one of his photographs was on display on the railings outside Le Raincy library. The Worshipful the Mayor noted he had travelled to Le Raincy on his behalf to collect Mr Blyth's certificate as Mr Blyth was unable to attend. Mr Blyth was then invited to the front of the chamber where he was presented with his certificate.

The Worshipful the Mayor noted that the Mayor of Le Raincy was very keen to establish relations with a group in Barnet as the Friends of Le Raincy was no longer in existence. He invited Members to let him know if they knew of anyone interested in setting up a group, which he could then put in touch with the Mayor of Le Raincy.

The Worshipful the Mayor noted he had recently visited Cyprus and extended the greetings to council on behalf of the Mayor of Morphou and the President of Cyprus who he had also met. He noted he had had the pleasure of visiting Morphou and seeing the future potential of the city if there was a solution to the problems in Cyprus.

The Worshipful the Mayor then noted he was sad to announce the death of John A Skitt who had passed away last month in Mallorca. He noted John was appointed Deputy Principal at Barnet College in 1981 rising to Principal in 1983. Former Governor of the College, Anthony Alderman who had been a Governor at Barnet college for 25 years and Chair for 15 years has advised of John's outstanding leadership, during which time the college was always rated as good. He noted John was the person who oversaw the combination of Hendon College and Barnet College and memorably had contributed to the naming of the college by suggesting that the name be derived from a part of each colleges' name; 'College' from Hendon College and 'Barnet' from Barnet College.

The Worshipful the Mayor was sad to announce the recent passing on 13th October 2017 of Tony Williams, who was a London Borough of Barnet councillor for Colindale ward from 1971 to 1978. In addition to his ward responsibilities, Mr Williams had been Leader of the Labour Group. On stepping down from the Council he remained publicly active and was the Labour candidate for the Hendon North constituency in 1983. He served as a school governor including periods at Colindale School. It was noted that Mr Williams was an accountant by training who had later established a successful printing business and relocated to Bournemouth where he later lived in retirement. Friends described Mr Williams as an enthusiast in everything he did; gardening, the piano, steam locomotives and a vintage motorbike and sidecar featuring strongly. The Worshipful the Mayor noted that Mr Williams leaves a widow, Sandra Williams, children Michael, David and Jennifer and five grandchildren.

Councillor Geof Cooke and Councillor Gill Sargeant then each spoke in tribute to Mr Williams.

The Worshipful the Mayor then called on Council to hold a minute's silence.

The Worshipful the Mayor issued a reminder to Members that wreaths were ready to collect if they were representing him in attendance at services on Remembrance Sunday.

The Worshipful the Mayor noted he, the Leader and the Chief Executive had recently had the pleasure of meeting the new owners of the Golders Green Hippodrome.

The Leader of the Council then spoke with regards to the reasons why the petition on the Hippodrome was due to be considered by the Environment Committee and not Full Council, noting it was due to the number of signatures not meeting the required threshold. He noted that inappropriate comments on the council's Planning Portal had been removed and emphasised that this is purely a matter which concerns traffic and planning and that the council would not tolerate inappropriate comments or sentiments of hate. The Leader of the Opposition then spoke in support of the Leader's words.

7. ANY BUSINESS REMAINING FROM LAST MEETING

None.

8. QUESTIONS TO THE LEADER (AND COMMITTEE CHAIRMEN IF HE/SHE HAS DELEGATED)

Answers to the questions submitted were provided as a supplementary paper to the agenda.

Supplementary questions were then asked and answered within the allotted time given for the item.

9. PETITIONS FOR DEBATE

None.

10. REPORTS FROM THE LEADER

None.

11. ANNUAL REPORT OF THE AUDIT COMMITTEE 2016-17

Councillor Hugh Rayner, Chairman of the Audit Committee, moved reception and adoption of the recommendations in the report. Debate ensued.

On the recommendation in the report being put to the vote the recommendation was unanimously agreed.

RESOLVED that Council approve the Annual Report of the Audit Committee for 2016-17.

12. REPORT OF THE CONSTITUTION ETHICS AND PROBITY COMMITTEE - CONSTITUTION REVIEW

The Head of Governance noted that Members were asked to note that Article 2 – section 2.3F ‘Members Items for the Agenda’ should state that the deadline for Members Items is 10 days for applications to the Area Committee budget, not 19 days.

Councillor John Marshall, Chairman of the Constitution Ethics and Probity Committee, moved reception and adoption of the recommendations in the report, and moved that an amendment to Article 2 – section 2.3F be made to correct the error as noted. Debate ensued.

On the recommendations in the report being put to the vote the recommendations were unanimously agreed.

RESOLVED that:

1. Council approve the recommendations contained in the report from the Constitution Ethics & Probity Committee at Annexe 1A, and the track change versions attached at Appendix A to Appendix O.
2. The Monitoring Officer and Chief Legal Advisor be authorised to implement these revisions and publish a revised Constitution.

13. REPORT OF STRATEGIC DIRECTOR FOR ENVIRONMENT

Councillor Dean Cohen, Chairman of the Environment Committee, moved reception and adoption of the recommendations in the report. Debate ensued.

On the recommendations in the report being put to the vote the recommendations were unanimously agreed.

RESOLVED that Full Council approve the adoption and implementation of Barnet Waste Regulations 2017.

14. QUESTIONS TO COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

There were none.

15. MOTIONS

The Mayor called on the Group Secretaries to state which motions they wished to put forward for debate.

The Conservative Group Secretary stated that the Administration had chosen to debate agenda item 14.3 – Administration Motion in the name of Councillor David Longstaff – Is Mayor Khan an enemy of the people of Barnet?

The Labour Group Secretary stated that the Opposition had chosen to debate agenda item 14.4 – Opposition Motion in the name of Councillor Pauline Coakley-Webb – Planning school places in Barnet.

16. ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR DAVID LONGSTAFF - IS MAYOR KHAN AN ENEMY OF THE PEOPLE OF BARNET?

Councillor David Longstaff moved the Motion in his name. Councillor Arjun Mitra moved the amendment in his name. Debate ensued.

The amendment in the name of Councillor Arjun Mitra was put to the vote. Votes were recorded as follows:

For	30
Against	32
Abstain	0
Absent	1
TOTAL	63

The amendment was declared lost.

The motion was then put to the vote, and the votes were recorded as follows:

For	32
Against	30
Abstain	0
Absent	1
TOTAL	63

The motion was declared carried.

RESOLVED – that

Council is growing increasingly concerned that Mayor Khan is making life harder for the people of Barnet for the sake of political point-scoring.

In the last six weeks alone Mayor Khan has made several rulings attacking the borough’s already strained transport infrastructure. Most recently the Aslef union revealed he had scrapped plans laid by his predecessor, Boris Johnson, to add 17 much-needed trains to the Northern line and increase services to 30 an hour. The explosion in demand projected for this vital but overcrowded service will now have to be met by current stock — and borne by residents.

At the beginning of this month he also overruled Barnet’s democratically elected Planning Committee in order to force a deeply unpopular development of 460 flats on the people of Mill Hill. Adding insult to injury, he removed 78 parking spaces from the original plans, meaning residents will have to fight for spaces on neighbouring residential streets. This is despite visiting the site himself by car rather than brave the Northern line.

Before clogging up the borough’s roads and scuppering improvements to its Underground service, however, Mayor Khan decided to make private hire vehicles more expensive and less available for residents of outer London boroughs like Barnet. His decision against renewing Uber’s private hire licence not only risks putting 1,789 Barnet-based Uber drivers out of work; it will increase the costs for residents using black cabs.

Council agrees that any concerns about Uber’s safeguarding procedures must be addressed. However, Council is baffled as to why data revealed under the Freedom of Information Act showed TfL inspectors had given Uber a clean bill of health on no less than 10 occasions in the last four years (the last after an annual compliance audit in April this year) and why Mayor Khan failed to meet with Uber representatives to discuss concerns. In revoking Uber’s licence, Khan’s message is that London is closed to innovation and business.

Council is also deeply concerned by Mayor Khan’s intervention on the Grahame Park development. In making public an error-riddled letter from GLA planners he ensured the retraction, which Barnet was on the cusp of negotiating, would not

happen. The planning application now risks being refused or amended by the Mayor.

Council calls on the Leader of the Council and the Leader of the Opposition to write to the Mayor to address these concerns and request he rectify them for the benefit of the people of Barnet over party political gain.

17. OPPOSITION MOTION IN THE NAME OF COUNCILLOR PAULINE COAKLEY-WEBB - PLANNING SCHOOL PLACES IN BARNET

Councillor Alan Schneiderman left the chamber for consideration and voting on this item.

Councillor Pauline Coakley-Webb moved the Motion in her name. Councillor Reuben Thompstone moved the amendment in his name. Councillor Paul Edwards moved the amendment in his name. Debate ensued.

The amendment in the name of Councillor Reuben Thompstone was put to the vote. Votes were recorded as follows:

For	32
Against	29
Abstain	0
Absent	2
TOTAL	63

The amendment was declared carried.

The amendment in the name of Councillor Paul Edwards was put to the vote. Votes were recorded as follows:

For	29
Against	32
Abstain	0
Absent	2
TOTAL	63

The amendment was declared lost.

The motion as amended by Councillor Reuben Thompstone was then put to the vote, and the votes were recorded as follows:

For	32
Against	29

Abstain	0
Absent	2
TOTAL	63

The motion as amended by Councillor Thompstone was declared carried.

RESOLVED – that

Council notes the revolution in school organisation which began with the introduction of academies through the Learning and Skills Act 2000 and continued with the enabling of free schools through the Academies Act 2010 has moved the education sector from a centralised command economy to a system which offers parents real choice on how they wish to have their children educated.

Council believes the benefits of this shift are obvious in the increased academic attainment of Barnet pupils; not least in the percentage of those on free school meals going to university, which has increased from 27% in 2006/07 to 44% eight years later. Furthermore, according to a Department for Education report published in September 2016, 83% of free schools opened since 2013 did so in areas which required extra school places.

Nonetheless, Council believes a dialogue between local government, central government, and those wishing to open free schools and academies, is an important element of good government. Council also notes that at the most recent Children, Education, Libraries and Safeguarding Committee members were advised that:

“The free school programme is a central government programme administered by the Department for Education. The council has no role in assessing or approving free school applications. In more recent years, the Department for Education has invited the council to provide a view of the local need for school places.”

Council therefore makes known its disappointment that the Labour Group has so often opposed the creation of new secondary school places — whether through expansion of an existing school or the introduction of a new school — despite knowing these are much-needed due to the fast approaching primary school ‘bulge’.

Council resolves to continue to work with various levels of government as it already does; successfully planning school places, identifying new sites, and undertaking widespread consultation without creating extra and wasteful bureaucracy.

Following the decision-making on this item Councillor Alan Schneiderman re-entered the meeting room.

18. ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR ALISON CORNELIUS - KEEP OUR DOG WALKERS UNDER CONTROL

In accordance with Council Procedure Rule 2.15 The Worshipful the Mayor called for a vote on whether Council agreed to the debate of additional motions. Votes were recorded as follows:

For	36
Against	11
Abstain	15
Absent	1
TOTAL	63

It having been duly agreed to debate additional Motions, The Worshipful the Mayor stated that in accordance with Council Procedure Rule 2.15 Motions would be debated in rotation between the Political Parties, and called on the Conservative Group Secretary to state which Administration Motion would first be debated.

The Conservative Group Secretary stated that the Administration would first debate agenda item 14.2 – Administration Motion in the name of Councillor Alison Cornelius – Keep our dog walkers under control.

Councillor Alison Cornelius moved the Motion in her name. Debate ensued. On the motion being put to the vote it was unanimously agreed by council.

RESOLVED that:

Council notes a marked increase in the number of complaints from residents regarding large groups of up to 20 dogs being walked in public spaces by individual professional dog walkers. Residents have complained of personal distress when confronted with seemingly out of control dogs and of dog excrement which is not picked up.

Council recognises professional dog walkers provide a welcome service to those in the borough without the time or ability to walk their own dogs, but that this needs to be balanced with the safety of other residents and the cleanliness of our parks and open spaces.

Council further notes that, while it is an offence punishable by imprisonment under Section 3 of the Dangerous Dogs Act 1991 for an individual in charge of a dog to allow it to be so out of control that it causes reasonable apprehension to a person that they will be injured, enforcement and prosecution of offences can be difficult. However the Council has powers under the Antisocial Behaviour, Crime and Policing Act 2014 to introduce Public Spaces Protection Orders (PSPOs) to prevent their happening in the first place.

Guidelines by the Department for Environment, Food & Rural Affairs (Defra) quote expert advice suggesting the maximum number of dogs which a person can control is six. Many authorities have responded by introducing PSPOs limiting the number of dogs which can be walked by a person at once. Haringey and Waltham

Forest have set this at six; Brent, the City of London, Greenwich, Royal Parks, and Wandsworth have set the limit at four. It is a criminal offence to breach a PSPO, though the Council can offer a £100 Fixed Penalty Notice as an alternative to conviction. Wandsworth also issues up to 50 licences to walk a maximum of eight dogs under a bye-law applicable to certain parks and open spaces.

Council therefore requests the Environment Committee investigates introducing of a PSPO limiting the number of dogs an individual can walk at once, as well as issuing licences, and makes early contact with interest groups prior to a statutory consultation.

19. OPPOSITION MOTION IN THE NAME OF COUNCILLOR BARRY RAWLINGS - LOCAL GOVERNMENT PAY

Councillor Barry Rawlings moved the Motion in his name. Councillor Ammar Naqvi moved his amendment. Debate ensued.

The amendment in the name of Councillor Ammar Naqvi was put to the vote. Votes were recorded as follows:

For	30
Against	32
Abstain	0
Absent	1
TOTAL	63

The amendment was declared lost.

The motion was then put to the vote, and the votes were recorded as follows:

For	30
Against	32
Abstain	0
Absent	1
TOTAL	63

The motion was declared lost.

20. ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR ROHIT GROVER - SAFETY OF THE OSSULTON WAY/ KINGSLEY WAY/A1 JUNCTION

Councillor Rohit Grover moved the Motion in his name. Councillor Gill Sargeant moved her amendment. Debate ensued.

The amendment in the name of Councillor Gill Sargeant was put to the vote. Votes were recorded as follows:

For	30
Against	32
Abstain	0
Absent	1
TOTAL	63

The amendment was declared lost.

The motion was then put to the vote and was unanimously agreed by council.

RESOLVED that:

On 4 April 2017 Council unanimously agreed to call an urgent meeting between Transport for London (TfL), officers of Barnet's Highways Department and local councillors to assess and improve the safety of the Ossulton Way/ Kingsley Way/A1 Junction. This urgent meeting took place three months later on 13 July.

During this meeting it was noted that the all-red phase of the traffic lights at the above junction is inadequate to non-existent, meaning that pedestrians do not have sufficient time to cross the A1. As there are parades of shops and cafes on both sides of the A1 at this junction, this crossing is frequently used, particularly by elderly residents who need to cross from the surgery on the south side to the chemist on the north.

Excessive speed levels were also observed on the stretch of the A1, in both directions, leading from this junction to Henlys Corner.

While the TfL representative who was present noted these concerns, it was mentioned that 'political pressure' would likely be required for action to take place, given concerns over the impact on bus schedules in the event that further traffic calming measures are implemented.

In view of the fact that since 2010, 11 serious collisions have taken place on this stretch of the A1, including the death of an elderly resident at the Ossulton Way junction earlier this year, Council calls for a further meeting to take place, at a high level, where those with senior decision-making authority at TfL are required to seriously consider what can be done to improve pedestrian safety. Options could include a longer all-red phase at the Kingsley Way/Ossulton Way/A1 junction where traffic from all sides is stopped, an improved pedestrian crossing facility, or speed cameras for this stretch of road generally.

The meeting finished at 9.43 pm

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	<p>Council</p> <p>12th December 2017</p>
<p>Title</p>	<p>London Councils Agreement</p>
<p>Report of</p>	<p>Strategic Director, Environment</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>No</p>
<p>Enclosures</p>	<p>Appendix A : Letter from London Councils dated 4th August 2017/Delegated Authority Form</p>
<p>Officer Contact Details</p>	<p>Jamie Cooke, Assistant Director, Transportation and Highways Commissioning. Tel : 0208 359 2275 Mobile : 07885 213313 jamie.cooke@barnet.gov.uk</p>

<h3>Summary</h3>
<p>The pan-London strategic provision and operation of Electric Vehicle Charging Infrastructure is a key element to enabling the successful uptake of Electric Vehicles - both in Barnet and across London as a whole. This paper outlines the recommendation to amend the London Councils Technology & Environment Committee (LCTEC) Agreement in order to enable the future delegation of strategic and operational Management for Electric Vehicle Charge Points to LCTEC.</p>

<h3>Recommendations</h3>
<p>That Council approve :</p> <ol style="list-style-type: none"> 1. The amendments to the London Council’s Technical and Environment Committee Governing Agreement dated 13th December 2001 (as amended) and agree to delegate the Council’s functions to the London Council’s Transport and Environment Committee as set out in Appendix A. 2 The Council delegate authority the Strategic Director for Environment to sign and send an engrossed copy of the amendment to the London Council

Technology and Environment Committee Agreement as set out in Appendix A.

1. WHY THIS REPORT IS NEEDED

BACKGROUND

- 1.1 To ensure the successful take up of electric vehicles within Barnet - and across London as a whole - both in the short and medium term, publicly available charging infrastructure is considered to be a significant and necessary enabler.
- 1.2 The Council has secured funding under the Go Ultra Low Cities programme (GULCs) to install lighting column and destination charge units within the Borough. These proposals are currently being developed with the Council's Private Finance Initiative (PFI) Street Lighting provider, Bouygues, as well as with commercial charging unit manufacturers.
- 1.3 The provision of such infrastructure is based on various factors such as current demand, future demand predictions and availability of off-street parking. Importantly, there is not an organisation currently in existence which co-ordinates the strategic installation of charging units pan-London.
- 1.4 London Councils, who are custodians of the GULCs funding provision, see this strategic co-ordination as critical in ensuring Electric Vehicle Charging Points (EVCPs) are located in areas of demand and areas which will facilitate future demand, whilst also taking account of cross-boundary drivers for provision.
- 1.5 Feedback to London Council/GULCs also indicates that *some* Local Authorities are hesitant to take on operational responsibility of EVCPs.
- 1.6 The Barnet position on this is partially dependent on the system being installed. Lighting column mounted units, for example, are to be included within the current PFI contract and so become maintained and operated by Bouygues. Destination chargers will be maintained by the unit manufacturers.
- 1.7 However, electric vehicle charging is in its relative infancy and the future operational management of installations across the Borough could result in additional financial commitments for the Borough.
- 1.8 As a response to this potential hole in the strategic management of EVCPs, the role of the London Councils Technology and Environment Committee (LCTEC) has been identified as a body to expand and take on this additional responsibility of strategic and operational management.

- 1.9 The addition of the operational management role for LCTEC would require each of the 33 London local authorities participating in the London Councils Technology and Environment (TEC) joint committee arrangements to delegate the exercise of additional functions to the joint committee, which requires the TEC Constitution (Governing Agreement, dated 13 December 2001 (as amended)) to be varied.
- 1.10 There remain uncertainties around the establishment of a London-wide “partnership”, mainly due to future funding constraints, and LCTEC may not choose to utilise this delegation.
- 1.11 However, due to time constraints, London Council Officers are taking forward the delegated authority provision with the participating London Authorities and the participation of Barnet Council is recommended to ensure the timely development of these proposals.
- 1.12 The Environment Committee reviewed the proposals during the meeting on 7th November 2017 and accepted Officers recommendations to recommend to Full Council to give authority for :
 - 1.12.1 the amendments to the London Council’s Technical and Environment Committee Governing Agreement dated 13th December 2001 (as amended) and to delegate the Council’s functions to the London Council’s Transport and Environment Committee, all as set out in Appendix A; and
 - 1.12.2 the Strategic Director for Environment to sign and send an engrossed copy of the amendment to the London Council Technology and Environment Committee Agreement (Appendix A).
- 1.13 A business case will be reported to LCTEC for future consideration before any decision is taken to use the delegated authority. Barnet Council would also need to agree any delegated action which resulted in additional cost or expense being passed on. Therefore at this stage the Council is not committed to following any set course of action.

1.0 REASONS FOR RECOMMENDATIONS

- 1.1 A single interface for the London-wide strategic and operational management of EVCPs is considered to be the most effective method for enabling the future take up of EVCPs across London and hence assist with this uptake within Barnet.
- 1.2 By accepting the recommendations to permit this amendment to the LCTEC Agreement does not expose Barnet to financial commitment but enables the further development of such an organisation in a timely manner.

1.3 By accepting the premise of a pan-London strategic body does not restrict independent action by Barnet for the provision of additional charge units.

3.0 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED.

3.1 Council could decide not to recommend the amendment to the LCTEC agreement. .

3.2 By not recommending agreement to the amendments to the LCTEC Agreement, Barnet would not be able to participate in the development of any future organisation under LCTEC to strategically and operationally oversee EVCPs within Barnet and across London.

3.3 Considering the infancy of EVCP in the public arena, this exclusion could be considered a disadvantage to Barnet, its residents and businesses.

4.0 POST DECISION IMPLEMENTATION

4.1 On accepting the recommendations of this report, the Strategic Director of Environment will arrange to engross the amendment to the LCTEC agreement and send to London Councils.

4.2 Further development of the proposals will be undertaken by LCTEC and reported via that forum, on which Barnet has representation.

5.0 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 By enabling the uptake of Electric Vehicles across the Borough, will help promote the Councils core values of :

- Fairness: by seeking to balance the needs of different groups of residents and providing wider choices in modes of transport that provide access to essential services, education and employment.
- Responsibility: by recognising that the existing travel modes within the Borough are leading to long term issues with air quality, which means that action must be taken to promote and provide alternative travel modes.
- Opportunity: by making the use of Electric Vehicles a practical and accessible mode of transport to all Residents in the Borough.

5.2 Health & Wellbeing Strategy

5.2.1 It is widely recognised that particulates resulting from the use of petrol and diesel vehicles is a quantifiable factor affecting air quality - within London and further afield.

5.2.2 By encouraging and enabling the transition from the use of internal combustion engine (ICE) to Hybrid and full electric vehicles will have a measureable impact on the air quality within the Borough.

5.2.3 Central Government Policy relating to the future restriction on the sale of ICE vehicles, along with London Mayoral Policy relating to Taxi and Private Hire Vehicles being electric/hybrid powered, will also impact on air quality and the future requirement for EVCPs.

5.2.4 Enabling electric vehicle take up within the Borough also encourages a move away from the traditional private car reliance in favour of more sustainable, less polluting forms of travel.

5.3 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.3.1 There are no resource implications presented by the recommendations.

5.4 **Social Value**

5.4.1 A greater access to EVCPs across the Borough will better enable those residents with limited access to such modes of transport due to current restrictions on parking and on-street vehicle charging facilities.

5.5 **Legal and Constitutional References**

5.5.1 Council constitution Article 8 (Joint Arrangements): Section 8.1 (Joint Arrangements) provides that the Council may establish joint arrangements with one or more Local Authorities. Such arrangements may involve the appointment of a Joint Committee with the other Local Authorities. Section 8.3 (Delegation to and from other local authorities) states:

(a) The Council may delegate functions to another Local Authority or, in certain circumstances, the Executive of another Local Authority.

(b) The decision whether or not to accept such a delegation from another Local Authority shall be reserved to the Council meeting.

5.5.2 Section 101(5) of the Local Government Act 1972 gives the Council the power to set up joint arrangements with other councils for the joint discharge of their functions and in doing so may establish a Joint Committee. The legislation does not authorise a Council Committee or officer to either establish such joint arrangements or to authorise the delegation of functions pursuant to the joint arrangements. Accordingly it is for Full Council to do this and to agree any amendments. This is also consistent with Full Council's reserved power to agree a Committee's term of reference and any changes and to delegate/receive functions to/from other Council's or their Executives under Article 4 of the Constitution

5.5.3 Constitution Article 7 (Committees, Forums and Working groups) provides that

the Environment Committee has specific responsibilities for transport and traffic management including agreement of London Transport Strategy-Local Implementation Plan. The Environment Committee considered this matter at their meeting on the 7th November 2017 and approved the recommendations to Full Council.

5.5.4 It is therefore necessary in order to progress this proposal, that Full Council agree the proposal and to accept the amendments to the London Councils TEC Agreement to authorise adding further delegations to London Council's TEC Joint Committee under the Governing Agreement as set out in Appendix A to this report.

5.6 Risk Management

5.6.1 A full risk analysis will be carried out should LCTEC confirm the take up of delegated powers.

5.7 Equalities and Diversity

5.7.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people from different groups; and
- foster good relations between people from different groups.

5.7.2 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services

5.7.3 The future enabling of electric vehicle take up across the Borough will promote accessibility and inclusion, and will aim to meet the needs of diverse communities in Barnet.

5.8 Consultation and Engagement.

5.8.1 None.

5.9 Insight

5.9.1 Data on the future uptake of Electric Vehicles has been published by Transport for London. Upon this information, future trends and locations for strategic charge units has been developed. The formation of an overseeing organisation for pan-London infrastructure will utilise this information, along with any additional studies that Barnet may commission, to understand future

needs of Electric Vehicle owners/operators.

6.0 BACKGROUND PAPERS

- 6.1 Minutes of the Environment Committee, 7th November 2017 – Item 11 –
London Councils Agreement
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=9221>

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Mr John Hooton
By email
cc: Borough TEC representative,
Borough Director

Contact: Owain Mortimer
Direct line: 020 7934 9832
Fax:
Email: Owain.mortimer@londoncouncils.gov.uk

4 August 2017

Dear John,

Revised London Councils TEC Delegation - Action required by 31 October 2017

At its meeting on 15 June 2017 London Councils' Transport and Environment Committee (TEC) considered the attached report proposing amendments to the TEC Agreement in support of the Go Ultra Low City Scheme (GULCS) activities. The proposal is to provide London Councils TEC with the authority to take on the operational management as well as the strategic oversight of a London wide residential electric vehicle charging point delivery partnership on behalf of London's local authorities, should this be required.

Prior to this matter being referred to TEC on the 28 June, and since then, London Councils' officers have been liaising with the London local authorities and TfL regarding this proposal as part of the development of the Government's Office for Low Emission Vehicles grant-funded GULCS project. Through the project's engagement work it became clear that some form of centralised contract management and customer facing body was desirable, given the resource constraints boroughs are facing and the benefits a consistent approach might deliver. As an existing joint committee representing all of London's local highway authorities, London Councils TEC has agreed that it is a suitable body to undertake both the strategic oversight and operational management of such a "partnership".

The attached report sets out that these new TEC functions may not be necessary as part of the GULCS project, given the future funding uncertainties of the proposal. However, the GULCS project team is currently investigating the potential feasibility of such a delivery partnership being established. A business case will be developed following further consultation with each authority and other stakeholders and will be presented to TEC for approval before any partnership is established and the delegation of powers utilised. We are undertaking the feasibility and business case work in parallel to seeking the delegation of powers to save time in light of project programme constraints.

I would therefore be grateful if you could forward this to the relevant officer within your authority for them to consider and arrange for the delegation to be signed and returned by the end of October 2017.

If you have any questions about this proposal, please contact my colleague Owain Mortimer on Owain.Mortimer@londoncouncils.gov.uk or 020 7934 9832. To enable us to track progress, I would also be grateful if you could confirm receipt and provide contact details for the officer who will be leading on this matter for you.

Yours faithfully,



Spencer Palmer
Director, Transport and Mobility

To: London Councils
59 ½ Southwark Street
London
SE1 0AL

FAO: Katharina Winbeck

I.....[name and position of authorised person]

on behalf of..... [name of authority]

hereby confirm that my authority has resolved to delegate authority to London Councils' Transport and Environment Committee to exercise the following functions, in the following terms:

“(b)(i) The provision and operation of charging apparatus for electrically powered motor vehicles and/or the grant of permission to provide and operate charging apparatus for electrically powered motor vehicles under section 16 of the London Local Authorities and Transport for London Act 2013 PROVIDED THAT such provision and operation may only take place at locations first agreed by the Participating Council which is the highway authority for the affected road (or, where it is the highway authority for the affected road, TfL) AND PROVIDED FURTHER THAT Go Ultra Low City Scheme Section 31 Grant award shall be applied to any such provision and operation by LCTEC [which shall be at no cost or expense to the Participating Councils unless first agreed].

(b)(ii) The exercise of powers under Section 1 of the Localism Act 2011 for the purposes of giving effect to the joint exercise of powers under Section 16 of the London Local Authorities and Transport for London Act 2013 by LCTEC, or otherwise for the purposes of supporting and facilitating the Participating Councils and/or TfL in their exercise of those functions, including but not limited to oversight and management of the arrangements

(b)(iii) FOR THE AVOIDANCE OF DOUBT the functions referred to at (b)(i) and (b)(ii) above may be exercised directly by LCTEC or pursuant to a contract or Service Level Agreement between LCTEC and TfL (or between LCTEC and another appropriate body) or through such servant, agent or contractor as LCTEC may appoint.

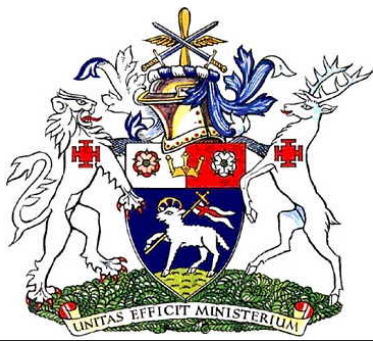
Signed

.....

Date

.....

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Full Council
12th December 2017

Title	London Business Rates Pooling Pilot
Report of	Director of Resources
Wards	All
Status	Public
Urgent	Yes – the anticipated deadline for confirming the Council’s participation is mid-January which is before the next scheduled Council meeting
Key	Yes
Enclosures	Appendix A (Memorandum of Understanding)
Officer Contact Details	Paul Clarke – Head of Finance, Commissioning Group 020 8359 2800 paul.clarke@barnet.gov.uk

Summary

The Government has confirmed its support for developing a 100% business rate retention pilot pool in London for 2018/19, subject to London establishing robust governance arrangements for dedicating a significant share of the additional resources to promoting future economic growth.

Initial modelling suggests there would be an immediate positive financial impact to the Council together with the goal of achieving long term London wide growth.

In order for the London Borough of Barnet to join the pool a series of resolutions are required. These are reflected in the recommendations that follow.

Officer Recommendations

- 1. That Council agree and accept the designation by the Secretary of State as an authority within London Business Rates Pilot Pool pursuant to 34(7)(1) of Schedule 7B Local Government Finance Act 1988;**
- 2. That Council participate in the London Business Rates Pilot Pool with effect from 1 April 2018 to 31 March 2019;**

3. That Council delegate the authority's administrative functions as a billing authority pursuant to the Non-Domestic Rating (Rates Retention) Regulations 2013 to the City of London Corporation ("COLC") acting as the Lead Authority;
4. That Council authorise the Lead Authority to sub-contract certain ancillary administrative functions (regarding the financial transactions such as payment of tariffs and top-ups within the Pool to the GLA as it considers expedient);

Entry into the Memorandum of Understanding

5. That Council agree to delegate authority to the Deputy Chief Executive, in consultation with the Chairman of the Policy and Resources Committee, to agree the operational details of the pooling arrangements with the participating authorities;
6. That Council agree to enter into such Memorandum of Understanding with the participating authorities as may be necessary to implement and/or regulate the pool and to delegate authority to the Deputy Chief Executive to negotiate, finalise and execute the same on behalf of Barnet council

Operation of the Pool

7. That Council authorise the Deputy Chief Executive to represent the authority in relation to consultations regarding the London Business Rates Pilot Pool as may be undertaken by the Lead Authority pursuant to the Memorandum of Understanding;
8. That Council delegate to Deputy Chief Executive the authority to consider such consultative reports as the Lead Authority may circulate and to respond on behalf of the authority with regard to any recommendations and in particular, proposals for projects to be approved for funding from the Strategic Investment Pot.
9. That Council delegate to the Lead Authority the functions of assessment, due consultation and approval of projects eligible for funding from the Pool's Strategic Investment Pot following consultation with the participating authorities (provided that at least two thirds of such participating London Boroughs are (including the City of London Corporation) in favour of the relevant recommendation as well as the Mayor of London, and that no entire sub-region is in disagreement with the decision) on such terms and conditions as shall ensure value for money and compliance with the law.

1. WHY THIS REPORT IS NEEDED

1.1 Background

- 1.1.1 The Government agreed on 22nd Nov 2017 to support for developing a 100% business rate retention pilot pool in London for 2018/19, subject to London establishing robust governance arrangements for dedicating a significant share of the additional resources to promoting future economic growth.
- 1.1.2 There are a number of legal decisions that need to be taken in order to join the London Business Rates Pooling Pilot. The deadline for all 34 London authorities (including the GLA) to have done this is anticipated to be mid-January 2018, no later than 28 days after the provisional Local Government Finance Settlement (expected to be mid-December).
- 1.1.3 As there are no further Council meetings between now and the deadline for agreement, several delegations are required in order to take decisions based on the final proposed details of the Pool.
- 1.1.4 London Councils have been seeking an agreement with Government that would cover the following areas:

Pool principles

- 1.1.5 The pool would be voluntary, but include all London authorities; London would retain a greater share of business rates in exchange for Revenue Support Grant; a “no detriment guarantee” would ensure that the pool could not be worse off than the participating authorities would have been collectively if they had not entered the pilot pool; no “new burdens” would be transferred to London and participation in the pilot would not affect the development or implementation of the Fair Funding review (currently anticipated in 2020/21).
- 1.1.6 The pool in 2018-19 would not bind boroughs or the Mayor indefinitely - the founding agreement includes notice provisions for authorities to withdraw provided notice is given by 31 August each year. Were the pool to continue beyond 2018/19, unanimous agreement would be required to reconfirm a pool from 2020/21 onwards.

Distribution

- 1.1.7 All authorities would receive at least as much from the pool as they would have under the existing 50% retention scheme. Any additional net benefits of the pool – currently estimated to be approximately £240 million in 2018/19 – would be distributed on the following basis:
 - 15% to reward growth
 - 35% to reflect population
 - 35% to reflect Settlement Funding Assessment
 - 15% set aside for a “Strategic Investment Pot” (see below)

The resources not top-sliced for the investment pot would be shared between the GLA and the boroughs in the ratio 36:64.

Governance of the strategic investment pot (SIP)

- 1.1.8 The pot would be dedicated to projects that contribute to the sustainable growth of London's economy, and which attract match funding from other private or public sources. Decisions regarding SIP projects will be made on the basis of three consultation tests:
- (i) the GLA and the London Boroughs agree;
 - (ii) London Boroughs' agreement will require two thirds support; and
 - (iii) support is subject to a sub-regional veto whereby, if all the London Boroughs in a sub-region were to oppose a proposal then it could not be agreed
- 1.1.9 The SIP projects will have been assessed by the Lead Authority against pre-agreed transparent and objective criteria.

Evaluation

- 1.1.10 Government has indicated that it would undertake a qualitative evaluation the progress of any pilot agreed, based on the current research programme for the existing business rate retention pilots, with additional focus on the governance and scale of resources dedicated to strategic investment.
- 1.1.11 If a final agreement is achieved, the Government would prepare a "designation order" establishing a London pilot pool and would reflect this in the Provisional Local Government Finance Settlement in December. If this happens, each authority is required to take the relevant decisions, through their own constitutional decision-making arrangements. Due to the timing of Council meetings this report is required, pre-empting this designation order being made.

1.2 Next Steps

Agree the designation by the Secretary of State

- 1.2.1 The Secretary of State has the power to designate two or more "relevant authorities" as a pool of authorities for the purposes of the provisions of Schedule 7B of the Local Government Finance Act 1988 (as amended by the Local Government Finance Act 2012).
- 1.2.2 Authorities can revoke the designation. If this was to happen the London Business Rates Pool would not come in to being in 2018/19. Recommendation 1 seeks Council's permission to agree and accept this designation.

Agreement of the Lead Authority

- 1.2.3 As part of the Memorandum of Understanding between the Secretary of State for Communities and Local Government, the Mayor of London, the Minister of London and London Council's, a lead authority must appoint a lead authority to exercise the following functions:

- To make and receive, on behalf of the Pilot pool members, payments in respect of any top ups and tariffs, levy and safety net and safety net on account payments to and from the Department.
- To make and receive payments between members of the Pilot pool as determined by the governance agreements.
- Administration (including the operation of the dissolution arrangements) of the Pilot pool, in accordance with the governance arrangements.

1.2.4 It is proposed that the Corporation of the City of London will be the Lead Authority. A resolution is also required in order to allow the Lead Authority to sub-contract ancillary administrative functions to other parties as appropriate.

Agreement of the Final Details

1.2.5 It is necessary for the Council to agree the final details of the Memorandum of Understanding (MOU) for the Pool. The draft document is attached as Appendix A.

1.2.6 The proposed MOU addresses:

- No additional or onerous rules or constraints will be placed on authorities
- No new burdens will be transferred as part of the move to a 100% pilot
- Calculations of levy and safety net payments will be unaffected
- 15% of the net financial benefit will be set aside for the Strategic Investment Pot (SIP)
- The remaining 85% will be split as per the agreement with London Councils (reflected in paragraph 1.3.4)
- The GLA share of net financial benefits from the Pool will be transferred directly to the SIP
- Decisions on the SIP will be taken by the Lead Authority in consultation with all member authorities
- The Government will undertake a qualitative review of the Pool focussing on governance and decision making
- The Pool will operate for one year

1.2.7 At the time of writing the final version of the MOU has not yet arrived and as the next Council meeting is on the 30th January 2018, it is not possible for Council to agree the final details prior to the deadline for all authorities to have signed up. It is therefore necessary to delegate responsibility to agree the final terms of the Pool to the Deputy Chief Executive in conjunction with the Chair of the Policy & Resources Committee. This is included as recommendations 5, and 6.

Operation of the Pool

1.2.8 In order to operate the Pool there is a requirement for the City of London to arrange financial transactions congruent with the effective dispensation of

their functions as Lead Authority. Recommendations 3 and 4 provide the Council's authority to undertake those.

1.2.9 In the operation of the SIP, the Council needs to delegate day to day decision making on proposed allocations to projects. This will involve receiving reports from the Lead Authority with recommendations as to the proposed allocations of the Strategic Investment Pot to projects and making a decision on how to respond with regard to the Lead Authority's recommendation. This is included within recommendations 7 and 8 of this report.

1.2.10 Following due consultation with all member authorities and provided that at least two thirds of such participating London Boroughs are in favour of the relevant recommendation as well as the Mayor of London, and that no entire sub-region is in disagreement with the decision, the Lead Authority will approve relevant projects within the SIP. The Council needs to approve the Lead Authority making those decisions on the Pool's behalf. This is included within the MOU and recommendation 9 seeks explicit authorisation for this to happen.

1.3 Timeline

1.3.1 Should all of the recommendations within this paper be agreed, the timeline to make the pool operational is as follows:

- Government to publish draft baseline figures in the provisional settlement (Mid-December).
- Boroughs to take formal decisions to participate in the pool and the framework for its operation within 28 days of the Provisional Settlement (by mid-January 2018).
- Final baselines published in final LGF Settlement (February 2018).
- Pool goes live (April 1 2018).

2. REASONS FOR RECOMMENDATIONS

2.1 These recommendations are required in order to ensure the appropriate legal requirements are satisfied in order for the London Borough of Barnet to be in the London Business Rates Pooling Pilot.

2.2 Failure of a single authority to agree the required resolutions would mean that the London Business Rates Pooling Pilot would not start in 2018/19.

3.0 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED.

- 3.1 This report sets out the Business Rates pooling for London arrangements. The alternative would be not to participate in the pooling arrangement.

4.0 POST DECISION IMPLEMENTATION

- 4.1 If a final agreement is achieved, the Government would prepare a “designation order” establishing a London pilot pool and would reflect this in the Provisional Local Government Finance Settlement in December. If any authority were then to decide to opt out within the following 28 days – that is, by mid-January – the pool would not proceed.
- 4.2 An agreement will be required between the boroughs, City of London and the Mayor of London by which London Government collectively decides how to operate the pool and distribute the financial benefits.

5.0 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 This supports the Council’s corporate priorities as expressed through the Corporate Plan for 2015-20 which sets out the vision and strategy for the next five years based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place::

- Fairness: by seeking to balance the needs of different groups of residents and providing wider choices in modes of transport that provide access to essential services, education and employment.
- Of opportunity where people can further their quality of life.
- Where people are helped to help themselves, recognising prevention is better than cure
- Where responsibility is shared fairly;
- Where services are delivered efficiently to get value for money for the taxpayer

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 The benefit of being part of the pool is that 100% business rates are retained and any growth London wide is shared by all London authorities.
- 5.2.2 The Medium Term Financial Strategy for 2018-20 was presented to the Policy and Resources Committee on the 5th of December 2017. This included an anticipated benefit of £3m. Should Council not decide to join the London Business Rates Pool Pilot, Policy and Resources Committee will need to consider alternative options in order to balance the MTFS.

5.3 Social Value

- 5.3.1 None applicable to this report, however the council has to take into account the requirements of the Public Services (Social Value) Act 2012 to try to

maximise the social and local economic value it derives from its service delivery

5.4 Legal and Constitutional References

In relation to this project legal advice has been obtained from Trower's and Hamlin's for London Council's

Powers to enter a MOU in relation to Business Rates Pooling

5.4.1 In relation to the project, the participating local authorities have implicit powers to enter into arrangements with each other for the purposes of fulfilling the requirements of Schedule 7B for obtaining an order of the Secretary of State authorising the establishment of a business rate pool. Article 8 of the Council's constitution states:

8.1 Joint Arrangements

The Council may establish joint arrangements with one or more Local Authorities. Such arrangements may involve the appointment of a Joint Committee with these other Local Authorities.

8.3 Delegation to and from other local authorities

(a) The Council may delegate functions to another Local Authority or, in certain circumstances, the Executive of another Local Authority.

(b) The decision whether or not to accept such a delegation from another Local Authority shall be reserved to the Council meeting.

5.4.2 A Memorandum of Understanding (**MOU**) is generally not contractually binding.

5.4.3 Local authorities have a power to enter into arrangements between them including under section 111 of the LGA 1972: "*Without prejudice to any powers exercisable apart from this section but subject to the provisions of this Act and any other enactment passed before or after this Act, a local authority shall have power to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions*". If the MOU is succeeded by a more detailed Inter Authority Agreement (**IAA**) this could be a legally binding contract. If so then the relevant power would be s111, LGA 1972 in conjunction with section 1(1) of the Local Government (Contracts) Act 1997 "*for the provision or making available of ... Services for the purposes of, or in connection with the discharge of the function of the local authority*". In the context of establishing a business rate pooling arrangement, the relevant "functions" are those of a billing authority or a major precepting authority.

Powers to enter a Pool

5.4.4 The Council has powers to enter into arrangements with other London Authorities for the purposes of fulfilling the requirements of Schedule 7B for

obtaining an order of the Secretary of State authorising the establishment of a business rate pool under Article 8 of the constitution.

- 5.4.5 Paragraph 45 (Interpretation) of Schedule 7B defines a "relevant authority" as a billing authority in England, or a major precepting authority in England. The list of billing authorities at Schedule 5, Part 1 of the Non-domestic Rating (Rates Retention) Regulations 2013/452 includes the GLA and the London Boroughs as billing authorities and the GLA is also a precepting authority pursuant to section 39 (1) of the Local Government Finance Act 1992.

Public Procurement Law

- 5.4.6 There are no Public Procurement Law considerations in the operation of the Pool. There is an exemption under Regulation 12 (7) of the Public Contracts Regulations 2015 for an MOU/IAA given that it is likely to comprise a contract which is concluded exclusively between two or more contracting authorities and which fulfils all of the following conditions:
- a) the contract establishes or implements the cooperation between the participating contracting authorities with the aim of ensuring that public services they have to perform are provided with a view to achieving objectives they have in common;
 - b) the implementation of that co-operation is governed solely by considerations relating to the public interest; and
 - c) the participating contracting authorities perform on the open market less than 20% of the activities concerned by the corporation the cooperation- not applicable.

- 5.4.7 However, any works, services or supply contract executed in order to implement the individual projects using the funds in the SIP may well need to be competitively tendered under public procurement law depending on the nature and value of the contract. It is understood that such compliance will be a condition of allocation/project approval.

State Aid Implications

- 5.4.8 State aid is prohibited by Article 107(1) of the TFEU, which sets out that "*save as otherwise provided in the Treaties, any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the internal market*", the pooling arrangement will not affect the amount of business rates that an undertaking will have to pay. However, any projects implemented through use of funds from the Strategic Investment Pot will need to comply with the then current principles of state aid which it is understood will be a condition of allocation/project approval.

Employment Law Implications

- 5.4.9 It is currently anticipated that only a minimal number of staff will need to service the administration of the business rates pooling arrangement within COLC, the lead authority who may sub-contract certain administrative

functions of the Pool to the GLA and who will be made available to COLC (as these are similar to activities the GLA already carries out as a precepting authority) to collect its share of retained rates from London Boroughs and the City of London Corporation subject to an arrangement under section 113 of the Local Government Act 1972.

5.4.10 On the basis of current estimates, in the order of one full-time equivalent member of staff is likely to be required to service the administration of the London business rates pooling arrangement within the City of London Corporation and the GLA.

5.5 Risk Management

5.5.1 Risk is defined as an uncertain event that, should it occur, will have an impact on the organisation's ability to achieve its objectives. A risk is measured by the likelihood of a perceived threat or opportunity occurring and the magnitude of its impact on the organisation's objectives.

5.5.2 The overarching aims of the council's risk management framework are to improve the organisation's ability to deliver its strategic objectives by managing risk; creating a risk culture that adds value to operational activities; and achieving sustained benefit across the portfolio of activities.

5.5.3 The risk management framework should help to ensure risk management is embedded throughout the organisation and involves all key stakeholders, including officers, senior managers, members and partners.

5.5.4 The Council has taken steps to improve its risk management processes by integrating the management of financial and other risks facing the organisation.

5.5.5 The Council will continue to monitor and evaluate the risks inherent of being within a Business Rates Pool. Initial risks of reduced funding have been eliminated through the 'no worse off' clause within the MOU. If the Pool was not to go ahead then the MTFs would be detrimented to the value of £3m. The mitigation for this would be the Policy and Resources committee making decisions to resolve that deficit.

5.6 Equalities and Diversity

5.7.1 A public sector equality impact assessment has not been undertaken as the public sector equality duty (PSED) has not been engaged. However, it is anticipated the PSED may be engaged on individual projects funded by the SIP where EIAs will be a condition of project approval/allocation.

5.7 Consultation and Engagement.

5.7.1 The legislation does not prescribe any public consultation and the pooling arrangement will not change the amounts that ratepayers will have to pay. It is therefore deemed that the Council does not need to consult more widely on its

decision whether or not to join the Pool.

5.8 **Insight**

5.8.1 Not applicable.

6.0 **BACKGROUND PAPERS**

6.1 Policy and Resources Committee, 5 December 2017, Business Planning:
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8739>

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Memorandum of Understanding on the London 100% business rates retention pilot 2018-19



Department for
Communities and
Local Government



MAYOR OF LONDON

.....

Rt Hon Sajid Javid MP
Secretary of State for Communities and
Local government

.....

Sadiq Khan
Mayor of London

.....

Rt Hon Greg Hands MP
Minister for London

.....

Cllr Claire Kober
Chair, London Councils



100% Business Rates Retention Pilot 2018-19 Agreement for London

Introduction

1. In the Spring Budget 2017, the London Devolution Memorandum of Understanding¹ included a commitment to exploring options for granting London government greater powers and flexibilities over the administration of business rates, including supporting the voluntary pooling of business rates within London, subject to appropriate governance structures being agreed.
2. This Memorandum of Understanding confirms the commitment by the Government, the Mayor of London and London local government to pilot the principles of 100% business rates retention in 2018-19 through a pan-London business rates pool. It sets out the terms by which the local authorities listed at **Annex A** will pilot 100% business rates retention.
3. This agreement comes into effect from 1 April 2018 and expires on 31 March 2019.

Pilot principles

4. The pilot pool will be voluntary, but will include all 32 London boroughs, the Corporation of the City of London and the Greater London Authority [“the London authorities”].
5. From 1 April 2018 the London authorities will retain 100% of their non-domestic rating income². They will also receive section 31 grants in respect of Government changes to the business rates system which reduce the level of business rates income. Section 31 grant will amount to 100% of the value of the lost income. Tariffs and top-ups will be adjusted to ensure cost neutrality.
6. In moving to 100% rates retention, the Department for Communities and Local Government will no longer pay Revenue Support Grant to the London authorities in 2018/19. The value of these grants in 2018/19 is set out in **Annex B**.
7. The London authorities will not be subject to more onerous rules or constraints under the 100% rates retention pilot, than they would have been if they had remained subject to the 67% scheme in place in 2017-18 reflecting the

¹ <https://www.gov.uk/government/publications/memorandum-of-understanding-on-further-devolution-to-london>

² As defined in the Non-Domestic Rating (Rates Retention) Regulations 2013 (SI2013/452) (as amended).

incremental impact of the Greater London Authority's partial pilot as a result of the rolling in of its revenue support grant and the Transport for London investment grant. No "new burdens" will be transferred to London and participation in the pilot will not affect the development or implementation of the Fair Funding Review.

8. Levy and safety net payments due from/to the London business rates pool will be calculated, in accordance with the Non-Domestic Rating (Levy and Safety Net) Regulations 2013 (SI 2013/737) (as amended), as if the London authorities were not 100% pilots, but instead were operating under the 50% rates retention scheme adjusted for the GLA's partial pilot for 2017-18 which is continuing as part of the pool and increased the locally retained share to 67%.
9. However, notwithstanding the calculation of levy and safety net payments under the Regulations, the Government will calculate levy and safety net payments due from/to the London business rates pool on the basis that it has a "zero" levy rate and "safety net threshold" of 97%, and that the London authorities will be retaining 100% of London's business rates income. The difference between any sums due under this calculation and the levy/safety net due under SI 2013/737 will be paid to the London business rates pool via a section 31 grant.
10. The piloted approach is to be without detriment to the resources that would have been available collectively to the 34 London authorities under the current local government finance regime, over the four year settlement period. This includes current 67% scheme growth retained under the retention pilot, and reflects Enterprise Zones and "designated areas" where the designations made by the Secretary of State came into force on or before 1 April 2018, along with other special arrangements, such as the statutory provision to reflect the unique circumstances of the City of London Corporation.

Distribution of any financial benefit

11. The 34 London authorities will prepare a framework agreement for the operation of a pilot pool in which:
 - each authority will receive at least as much from the pool as they would have individually under the existing 67% retention scheme;
 - 15% of any net financial benefit will be set aside as a "Strategic Investment Pot" (see paragraphs 13 and 14); and
 - the resources not top-sliced for the investment pot will be shared between the GLA and the 33 billing authorities (the 32 boroughs and the Corporation of London) in the ratio 36:64, in accordance with the principle previously

agreed by London Councils and the GLA in the joint business rate devolution proposals to Government in September 2016.

Strategic investment

12. The Mayor of London commits that the GLA's share of any additional net financial benefit from the pilot will be spent on strategic investment projects. Decisions on the allocation of the GLA's share will be made by the Mayor of London.
13. For this purpose, and for the separate joint strategic investment pot, "strategic investment" is defined as projects that will contribute to the sustainable growth of London's economy which lead to an increase in London's overall business rate income. Examples of the kinds of projects the Mayor will seek to support with the GLA's share include supporting the delivery of housing through infrastructure investment and the provision of skills and training to further support housing delivery.
14. The joint strategic investment pot will be spent on projects that meet each of the following requirements:
 - contribute to the sustainable growth of London's economy and an increase in business rates income either directly or as a result of the wider economic benefits anticipated;
 - leverage additional investment funding from other private or public sources; and
 - have broad support across London government in accordance with the proposed governance process (see paragraph 16).
15. It is anticipated that approximately 50% of net additional benefits arising from the pilot pool will be spent on strategic investment projects.

Governance

16. Decisions regarding the Strategic Investment Pot will be taken formally by the Corporation of the City of London - as the lead authority - in consultation with all member authorities, reflecting voting principles designed to protect Mayoral, borough and sub-regional interests, previously endorsed by Leaders and the Mayor in the London Finance Commission (both 2013 and 2017), and set out in London Government's detailed proposition on 100% business rates in September 2016. These are that:
 - both the Mayor and a clear majority of the boroughs would have to agree;

- a majority would be defined as two-thirds of the 33 billing authorities (the 32 boroughs and the Corporation of the City of London), subject to the caveat that where all boroughs in a given sub-region disagreed, the decision would not be approved;
- if no decisions on allocation can be reached, the available resources would be rolled forward within the pot for future consideration at the next decision making round.

17. It is envisaged that decisions will be taken bi-annually to coincide with meetings of the Congress of Leaders and the Mayor of London.

Evaluation

18. The Government will undertake a qualitative evaluation the progress of the pilot based on the current research programme for the existing business rate retention pilots, with additional focus on the governance mechanism and decision making process, and the scale of resources dedicated to strategic investment.

Next steps

19. As specified in paragraph 3, the pilot will operate for one year. The Government is committed to giving local government greater control over the revenues they raise. Subject to the evaluation of the pilot, the Government will work with London authorities to explore: the options for grants including, but not limited to, Public Health Grant and the Improved Better Care Fund; the potential for transferring properties on the central list in London to the local list where appropriate; and legislative changes needed to develop a Joint Committee model for future governance of a London pool.

20. The Government will prepare a “designation order” establishing a London pilot pool and reflect this in the Provisional Local Government Finance Settlement in December. If any authority decides to opt out within the following 28 days – that is, by 28 days after the Provisional Local Government Finance Settlement – the pool would not proceed.

21. London Government will draft a pooling agreement between the 34 London authorities by which London Government collectively decides how to operate the pool and distribute the financial benefits. Each authority will be required to take the relevant decisions through its own constitutional decision-making arrangements.

Annex A

Authorities in the London Pilot

Barking & Dagenham
Barnet
Bexley
Brent
Bromley
Camden
City of London
Croydon
Ealing
Enfield
Greenwich
Hackney
Hammersmith & Fulham
Haringey
Harrow
Havering
Hillingdon
Hounslow
Islington
Kensington & Chelsea
Kingston upon Thames
Lambeth
Lewisham
Merton
Newham
Redbridge
Richmond upon Thames
Southwark
Sutton
Tower Hamlets
Waltham Forest
Wandsworth
Westminster
Greater London Authority

Annex B

Grants

The amount of Revenue Support Grant (RSG) to be 'rolled-in' to 100% rates retention for 2018/19 for each authority is set out below. This is in addition to the sums rolled in in 2017-18 in respect of the Transport for London investment grant and the Greater London Authority's RSG under the GLA's partial pilot.

RSG	Amount (£m) for 2018/19
Barking & Dagenham	23.3
Barnet	14.9
Bexley	8.5
Brent	33.7
Bromley	4.3
Camden	31.9
City of London	7.5
Croydon	23.3
Ealing	26.2
Enfield	25.7
Greenwich	33.3
Hackney	45.0
Hammersmith & Fulham	23.4
Haringey	30.2
Harrow	7.3
Havering	6.8
Hillingdon	13.1
Hounslow	15.7
Islington	32.6
Kensington & Chelsea	16.3
Kingston upon Thames	1.5
Lambeth	42.8
Lewisham	36.9
Merton	10.1
Newham	46.4
Redbridge	16.8
Richmond upon Thames	0.0
Southwark	47.0
Sutton	11.8
Tower Hamlets	43.8
Waltham Forest	26.1
Wandsworth	30.2
Westminster	38.1

	<p>COUNCIL</p> <p>12 December 2017</p>
<p>Title</p>	<p>Report of Head of Governance</p>
<p>Report of</p>	<p>Head of Governance</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>Appendix A – Calendar of Meetings 2017-2019</p>
<p>Officer Contact Details</p>	<p>Andrew Charlwood, Head of Governance, 020 8359 2014, andrew.charlwood@barnet.gov.uk</p>

<p>Summary</p>
<p>This item presents various constitutional and administrative matters for Council’s agreement. Full details are as set out in the appended reports.</p>

<p>Recommendations</p>
<p>1. That the Council agree the Calendar of Meetings as set out in Appendix A</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The Head of Governance report seeks Council’s approval for various matters of business relating to the Council’s statutory and constitutional functions.
- 1.2 This report seeks Council approval on a new timetable for all committee meetings covering the period January 2018 – May 2019. The report is required as committee dates have not yet been set for the 2018/19 municipal year. It has also been identified that some committee dates previously agreed for early 2017 require rescheduling due to the impact of purdah on 27 March and the Local Elections on 3 May 2018. Extensive consultation on the proposed meeting dates set out in Appendix A has taken place, including all

Members, the council's senior management team and service delivery officer leads.

2. REASONS FOR RECOMMENDATIONS

2.1 As set out above.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 N/A.

4. POST DECISION IMPLEMENTATION

4.1 Council decisions will be minuted and implemented through the Head of Governance. Meeting dates will be updated on the council's website and included in the 2018-19 Member's Diary.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Council's [Corporate Plan 2015-20](#) sets out the council's 5 corporate priorities. Delivery of these priorities is supported by having robust forward planning and transparency regarding scheduled meetings.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 N/A

5.3 Legal and Constitutional References

5.3.1 Council Constitution, Full Council Procedure Rules – requires that Council "Agree the Council Calendar of meetings including for ordinary meetings of the Council".

5.4 Risk Management

5.4.1 None specifically arising from this report.

5.5 Equalities and Diversity

5.5.1 None specifically arising from this report.

5.6 Consultation and Engagement

5.6.1 None specifically arising from this report.

6. BACKGROUND PAPERS

6.1 None.

APPENDIX A - CALENDAR OF MEETINGS (DECEMBER 2017 – MAY 2019)

Key: *denotes a reserve meeting which could be cancelled if not needed. TBC – meetings requiring liaison with other authorities/ external agencies.

Committee	Dec	Jan 2018	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan 2019	Feb	Mar	Apr	May
Council	12 th	30 th		6 th		22 nd		31 st			30 th		18 th	29 th		5 th		21 st
Party Group	7 th (C)	25 th		1 st		17 th		26 th			25 th		13 th	24 th	28 th			16 th
Policy and Resources	5 th		13 th				11 th				3 rd	26 th				12 th		
Performance & Contract Management		16 th	27 th				7 th			18 th			3 rd			11 th		
Children Education Libraries & Safeguarding		16 th		7 th			6 th			12 th		29 th		*16 th		13 th		*8 th
Adults and Safeguarding		22 nd		5 th			4 th			20 th			11 th			18 th		
Environment		11 th		14 th			5 th				8 th		12 th			14 th		
Assets Regeneration & Growth				12 th			14 th			17 th		27 th		*28 th		25 th		*13 th
Housing			7 th				21 st				10 th			14 th		21 st		
Community Leadership				15 th			12 th				9 th					7 th		
Audit		31 st			19 th			17 th				22 nd		31 st			18 th	
Pension Fund			26 th			29 th		30 th			16 th			22 nd		26 th		
Local Pension Board			14 th		17 th					5 th		27 th			11 th		9 th	
General Functions	6 th	15 th		19 th			18 th				22 nd	12 th			19 th			
Health Overview & Scrutiny	4 th		5 th			24 th		12 th			18 th	21 st			21 st			15 th

Committee	Dec	Jan 2018	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan 2019	Feb	Mar	Apr	May
Finchley & Golders Green, Hendon and Chipping Barnet Resident Forums		23 rd		21 st				18 th			17 th			23 rd		27 th		
Finchley & Golders Green Area			15 th				13 th			6 th		7 th			4 th		4 th	
Hendon Area	4 th		28 th				27 th				10 th			15 th		20 th	30 th	
Chipping Barnet Area			5 th					4 th			4 th			9 th		6 th	17 th	
Planning	14 th	24 th	21 st	28 th	26 th		25 th	25 th		5 th	11 th	5 th & 28 th		7 th	4 th	4 th	8 th	15 th
F&GG, and Chipping Area Planning		18 th	20 th	26 th	25 th		20 th	23 rd		4 th	15 th	13 th		8 th	12 th	12 th	15 th	14 th
Hendon Area Planning		18 th	26 th	13 th	24 th		13 th	24 th		3 rd	16 th	29 th		10 th	18 th	28 th	16 th	16 th
Licensing								19 th				12 th						
Constitution Ethics and Probity				22 nd								15 th				19 th		
Health and Wellbeing Board (9am)		25 th		8 th				9 th		13 th		15 th		17 th		28 th		
Corporate Parenting Advisory Panel	13 th		6 th				19 th			13 th			17 th		13 th			9 th
Joint Health Overview & Scrutiny (10am)		26 th		23 rd								TBC		TBC		TBC		
Welsh Harp				13 th				TBC				TBC				TBC		
West London Economic Prosperity Board							TBC											
Barnet Partnership Board														TBC				
Safer Communities Partnership Board (10am)		26 th			27 th			27 th			26 th			25 th				12 th
Childrens Partnership Board								TBC		TBC					TBC			

Full Council, 12 December 2017

Administration Motion in the name of Cllr Gabriel Rozenberg

AGENDA ITEM 14.1

Electric cars must not bypass local democracy

Council welcomes the Government's announcement that it will ban sales of new petrol and diesel powered vehicles by 2040. In Barnet, Conservatives have encouraged the shift to electric to electric power by introducing free parking for electric vehicles, additional CPZ charges on diesel vehicles, and eight electric charging points — with a further 50 being installed from early 2018.

Council notes that, while addressing the Environment, Food and Rural Affairs committee of the House of Commons on 23 November 2017, the Mayor of London called for permitted development powers to “speed up [the introduction of] charging points without going to [local council planning] committees who refuse permission because residents complained about rapid charging points.”

Council is disappointed by this apparent lack of faith in local councillors and the residents they represent. Bypassing local planning committees, and ignoring local ward members, is not the way to achieve a smooth transition to electric vehicles. Council therefore calls on the Leader of the Council to write to Mayor Khan to express its concern.

[Under the relevant FCPR I request that my motion is voted on at the meeting.]

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Protect Barnet's family homes

Council recognises there is continued and strong demand for family sized homes in the London Borough of Barnet.

However the conversion of small and medium sized family homes into flats, defined as 130 m² or less in original built size, is already beginning to threaten character of many neighbourhoods in the borough. One of the environmental impacts of this is the loss of front garden space to accommodate forecourt parking. Further, the conversion of small to medium sized family houses which are usually terraced and semi-detached properties can often lead to problems of noise disturbance to neighbouring properties, particularly those adjoins. For instance, a living-room or kitchen may be introduced at first-floor level which adjoins a bedroom in an attached house. For this reason, we should not normally favour the conversion of terraced or semi-detached houses.

Such conversions are often difficult to resist in planning terms. Council therefore believes that, as a Local Planning Authority, Barnet requires powers enabling it to take decisions mindful of the impact of the conversion. Council therefore instructs Officers to produce an evidence-led amendment in our Local Plan to retain adequate stock of of family sized housing.

[Under the relevant FCPR I request that my motion is voted on at the meeting.]

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Opposition Motion in the name of Cllr Barry Rawlings

Preventing the proliferation and clustering of betting shops in Barnet

Council notes the recent planning application for a Paddy Power betting shop at The Edition development in Colindale, even though there is already another Paddy Power betting shop only a few minutes' walk away on the A5.

Council also notes the two recent planning application hearings for this betting shop which resulted in the application being refused both times.

Council further notes that an appeal may be lodged by Paddy Power to challenge the refusal.

Council is concerned that it is becoming increasingly difficult to prevent the proliferation and clustering of betting shops in the borough, despite the removal of permitted development rights for this type of business.

Council notes that in July 2016 the Local Government Association referred to research conducted by Geofutures for the Responsible Gambling Trust, which found that rates of "problem gambling" were higher in areas with clusters of betting shops:

- Analysis of betting shop loyalty card holders shows that 28 per cent of those living within 400 metres of a cluster of betting shops are problem gamblers, compared with 22 per cent of those who don't live near them.
- Those living in areas with a higher number of bookmakers were also more likely to be problem or at-risk gamblers compared with those in areas with fewer betting shops. However, the increased risk of being a problem or at-risk gambler was greater among those living near a cluster of betting shops.
- This suggests that clusters themselves may be associated with particular risks.

Council therefore supports the Local Government Association's call for Government to introduce a 'cumulative impacts test' to enable councils to reject applications for new betting shops where there are already existing clusters of shops, and is disappointed that the Government has ruled out such a test in its recently published 'Consultation on proposals for changes to Gaming Machines and Social Responsibility Measures'.

Council wishes to ensure the viability and vitality of Barnet's town centres, and supports local residents who oppose the proliferation and clustering of betting shops in our communities.

Council also notes the Government's intention to reduce the maximum stake for Fixed Odds Betting Terminals (FOBTs) - described as the 'cocaine of gambling' - from £100 to between £50 - £2, but believes this range does not go far enough.

Council continues to support the position that the maximum stake should be reduced to £2.

Council asks officers to respond to the Government's consultation on behalf of LB Barnet, setting out Council's support for the maximum stake for FOBTs to be reduced to £2, and for the introduction of a 'cumulative impacts test' as proposed by the LGA.

In the meantime, Council asks the relevant committee to ensure LB Barnet as a planning authority has an up-to-date plan with robust and detailed policies in place in respect of the number and location of betting shops in Barnet.

[Under the relevant FCPR I request that my motion is voted on at the meeting.]