

MEETING

RE CONTRACT REVIEW MEMBER WORKING GROUP

DATE AND TIME

MONDAY 26TH JUNE, 2017

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

TO: MEMBERS OF RE CONTRACT REVIEW MEMBER WORKING GROUP (Quorum 3)

Chairman: Councillor Anthony Finn

Members:

Councillor Geof Cooke

Councillor Sury Khatri

Councillor Kathy Levine

Councillor Peter Zinkin

Contact:

Michael Van-Yeboah 020 8359 5337, michael.vanyeboah@barnet.gov.uk

Note: This Member Working Group is an informal body and is therefore outside of the formal governance framework of the Council. Consequently Constitutional provisions do not apply and the Working Group has been able to define their own working arrangements. Findings from the Working Group will be reported to the Performance and Contract Management Committee.

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Welcome and Apologies	
2.	<p>Evidence Session</p> <p><i>The Chairman has indicated that approximately one hour will be allocated to allow the public to make verbal representation at the meeting on the operation of the RE contract. The amount of time allocated to each resident, trader or business representative to speak will depend on the number of people who have requested to speak at the meeting. The Chairman will announce the detailed arrangements at the start of the meeting. Members of the Working Group will have the opportunity to ask questions of members of the public making verbal representations at the meeting. The Group would like to hear representations from as many people as possible to inform their recommendations.</i></p>	
3.	<p>Consideration of Written Submissions</p> <p><i>The Working Group has requested that residents, traders and businesses make written submissions, if they are unable to attend the meeting. The Group will consider these submissions following the verbal evidence gathering session.</i></p>	5 - 100
4.	Discussion and Agreement of Actions	

FACILITIES FOR PEOPLE WITH DISABILITIES

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RE CONTRACT REVIEW MEMBER WORKING GROUP – MONDAY 26TH JUNE 2017 – Call for Evidence Submissions

Name	Statement
MB	<p><u>28 March 2017</u></p> <p>I am not happy with all of my Local Borough’s services being outsourced to Capita.</p> <p>I feel it is unethical to use a third party outsourcing Giant who does not have any affiliation to our area.</p> <p>Capita is a private company making a fortune, doing a lousy job (in many instances).</p> <p>Please can you log my dissatisfaction?</p>
SM	<p><u>28 March 2017</u></p> <p>I am also a resident of the Golders Green Estate and have been since 1980.</p> <p>I absolutely agree with MB regarding Capita and would request that you also note my dissatisfaction.</p>
<p>PJ</p> <p><i>Group would like to make verbal submissions</i></p>	<p><u>11 April 2017</u></p> <p>Following invitation by our local Cllrs Nagus & Gill, find attached our points for the forthcoming meeting of Tuesday 25th April 17.</p> <p>Please acknowledge receipt of this communication & attachment.</p> <p>Also, kindly notify us of the time this meeting will commence, so we may attend & where permitted, verbally present the issues raised.</p> <p>Trust the attached is sufficient & suitable to enable our attendance at this session.</p>

Name	Statement
	<p style="text-align: center;">Points Relative to Capita Contract Review [11th April 17]</p> <p>Having been requested & invited by our local Cllr Ms N. Narenthira to contribute and raise issues on this subject, we forward our observations & perceptions to convey where issues <u>do not</u> reside to our general acceptance.</p> <p>Anyone perusing this information is cautioned, we make these comments on behalf of the wider local community and without prejudice, frivolity or maliciousness, but from observing & having genuine concern for the overall services received and the noticeable shortfall being detected on a regular & consistent basis.</p> <p><u>Generally, we feel the services or value Barnet is receiving, permitting or accepting from Capita Business Services, for Colindale, Burnt Oak & West Hendon wards is far from acceptance & well below the minimum threshold.</u></p> <p>We highlight various examples to support this perception & comments.</p> <p>1.Highways & Pedestrian Safety on Highways [Unacceptable Footpath Safety]</p> <p>Raised by; JL, KP, PP, PJ & JM</p> <p><u>Services or stewardship to residents in the indicated wards in our opinion, is extremely poor & well below the expected minimum standards.</u></p> <p>Issues that were raised over 18.0 months ago directly with AT, have not been investigated or considered, neither have we received suitable explanations as to why things are delayed or even what is holding up a plausible response from being generated.</p> <p>Matter we refer, is “Dangerous Kerb Edgings” & “Protruding Tree Roots”, issues that were reported as far back as October 2015, then again around June of 2016 & finally in November 2016 at the Hendon Residents Forum.</p> <p>An explanation was provided to our query at that forum, but no noticeable remedial action has been observed to some of the worst or dangerous locations.</p>

Name	Statement
	<p data-bbox="555 272 1928 300">Trips & falls occur on a regular basis, but only some victims take the time or effort to report or claim compensation.</p> <p data-bbox="555 344 1944 408">We are aware of one such serious accident, where the victim needed repeated hospital treatment for a considerable duration before the injury could be eventually cured.</p> <p data-bbox="555 453 1995 517"><u>From such simple examples, one feels Capita Business Services are failing to provide value for money for the residents of Colindale, Burnt Oak & West Hendon.</u></p> <p data-bbox="555 561 1989 625">Furthermore, <u>Capita Business Services are failing to provide commensurate or expected “professional guidance” to their employer [Barnet Council] or the residents of the above stated wards.</u></p> <p data-bbox="555 740 1541 767">2. Planning & Regeneration [Unacceptable Gusting, Turbulence & Local Flooding]</p> <p data-bbox="555 812 902 839">Raised by; PJ, PP, KP, JL & JM</p> <p data-bbox="555 884 2033 983"><u>Looking at the services provided by Capita Business Services, we are of the opinion issues are failing to be interrogated thoroughly or rigorously enough, with insufficient attention to wider implications, thus resulting in services well short of the minimum standards.</u></p> <p data-bbox="555 1027 1966 1126">When assessing or approving large developments & complexes, one feels sufficient attention <u>has not</u> been afforded to “Safety Comfort in the Public Domain”, primarily <u>unacceptable levels of turbulence & gusting,</u> caused by the new developments particularly along the Edgware Road [A5] frontage.</p> <p data-bbox="555 1171 2033 1270">This matter was raised at the Hendon Residents Forum of 22nd March 17, further to which a “Document of Understanding” is currently being compiled to prompt the council to genuinely investigate this matter and where necessary take the commensurate correctional actions to calm this unacceptable phenomenon.</p> <p data-bbox="555 1315 1850 1342">We are also aware of another inconvenience caused by the lack of due diligence by Capita Business Services.</p>

Name	Statement
	<p data-bbox="555 236 2047 336">That issue being flooding & property damage caused to certain residential properties in [The Greenway-NW9] resulting from “Surface Water Run Offs”, flowing from some of the recent new developments due to the increased ground levels at those locations.</p> <p data-bbox="555 379 1783 411">Specific details can be obtained from residents affected & residing on “The Greenway” for that matter.</p> <p data-bbox="555 454 1995 518"><u>From such simple examples, one feels Capita Business Services are failing to provide value for money for the residents of Colindale, Burnt Oak & West Hendon.</u></p> <p data-bbox="555 561 1995 625">Furthermore, <u>Capita Business Services are failing to provide commensurate or expected “professional guidance” to their employer [Barnet Council] or the residents of the above stated wards.</u></p> <p data-bbox="555 742 1010 774">3. Parking Problems & Inconvenience</p> <p data-bbox="555 817 902 849">Raised by; JL, KP, PP, PJ & JM</p> <p data-bbox="555 892 1977 956"><u>Services or stewardship to residents in the indicated wards in our opinion, is extremely poor & well below the expected minimum standards.</u></p> <p data-bbox="555 999 2002 1062">Community is encountering serious problems with insufficient parking controls, primarily the effects of the new residents from the recently constructed developments.</p> <p data-bbox="555 1106 2033 1206">When planning was granted this matter should have automatically been addressed by “Locking In” in the developers to ensure the parking created on those sites was to be for the specific & exclusive use of those residents and not for sale, lease or rent to external parties.</p> <p data-bbox="555 1249 1989 1313">The situation we now have, residents of those developments are not parking there due to the <u>prohibitive costs</u> levied by those developers and using the roads & streets that are meant for the houses on those streets.</p> <p data-bbox="555 1356 1984 1388">Colindeep Lane, Colin Park Road, Manor Way & Court Way being streets most affected by this inconvenience & influx of</p>

Name	Statement
	<p>additional vehicles.</p> <p>Customers attending the Gym & Fitness Centre operating out of the “Zenith Complex”, create untold misery for the residents of those very same streets not only with increased vehicular numbers, but with noise, inconvenience & disruption caused during the quiet times, especially in the early morning or late evening periods.</p> <p>Parking problems on Rushgrove Avenue is yet another example.</p> <p>With the closure of the “Home Base site”, that has pushed commercial parking onto Rushgrove Avenue [PCO Rental situation] now creating parking mayhem on that street.</p> <p>This situation has resulted in complaints & petitions to resolve the problem, which speaks volumes on what or who has caused this situation, due to insufficient consultation, foresight or preparation.</p> <p>Over the years, parking has become a major issue in our locality, but no one is willing to investigate this in a holistic manner, least of all the department that is in place to address such issues-Barnet Planning which principally Capita Business Services.</p> <p>This problem is the tip of the proverbial “ice berg” we predicted, when we raised concerns relative to the various planning applications mooted under the “Colindale Re-generation Plan”, we told then & do so again now that parking, if not managed properly will cause a problem, but were soundly ignored by the council & planning department, namely Capita Business Services.</p> <p>Once the Peel Centre & Rookery Way development are completed and occupied, those vehicles will most certainly gravitate towards Colindeep Lane, Colin Crescent, Rushgrove Avenue & Sheaveshill Avenue and things will become even more impossible for residents in our part of Colindale, all caused, created, dismissed & presided by Capita Business Services.</p> <p><u>From these simple examples, one feels Capita Business Services are generally failing to fulfil their basic operational remit & thus failing to provide value for money.</u></p> <p><u>Furthermore, Capita Business Services are failing to provide commensurate or expected “professional guidance” to their employer [Barnet Council] or the residents of the above stated wards.</u></p>

Name	Statement
	<p data-bbox="555 308 1055 336">4. Planning Enforcements [ENF/1247/16]</p> <p data-bbox="555 379 902 408">Raised by; JL, KP, PP, PJ & JM</p> <p data-bbox="555 451 1977 515"><u>Services or stewardship to residents in the indicated wards in our opinion, is extremely poor & well below the expected minimum standards.</u></p> <p data-bbox="555 558 2018 622">Example quoted was reported in October of 2016 and a holding response received, but since then despite various inquiries for an update, last time in November 2016 & March 2017, nothing has been received to date.</p> <p data-bbox="555 665 1720 694">This is just one matter and we are aware of many other transgressions in the surrounding locality.</p> <p data-bbox="555 737 2045 801">Having reported blatant & overt transgressions or irregularities, if officials of the stated department are unwilling to consider or act expeditiously upon these prompts, what issues are they expending their time on?</p> <p data-bbox="555 844 1904 873">The council's "barnetfirst" issue 69 in March 2017, proudly proclaims that 1,600 cases were investigated in 2016.</p> <p data-bbox="555 916 1944 979">A more revealing or informative statistic would be to understand how many complaints were logged in the period of discussion & how many cases were positively resolved.</p> <p data-bbox="555 1023 1995 1086"><u>From such simple examples, one feels Capita Business Services are failing to provide value for money for the residents of Colindale, Burnt Oak & West Hendon.</u></p> <p data-bbox="555 1129 1989 1193"><u>Furthermore, Capita Business Services are failing to provide commensurate or expected "professional guidance" to their employer [Barnet Council] or the residents of the borough.</u></p> <p data-bbox="555 1278 1126 1307">Recommendations, Comments & Observations</p> <p data-bbox="555 1350 2040 1378">From the above, any reasonably minded individual can figure out, <u>residents of the less affluent wards are not receiving value</u></p>

Name	Statement
	<p>for money from Capita Business Services in the current format of engagement and issues need to be re-appraise to ensure better value is achieved for Burnt Oak, Colindale & West Hendon going forward.</p> <p>It is not unreasonable, to expect council officials in specific positions of authority or particularly those charged with defining & monitoring performance remits of external suppliers such as Capita, put in place credible and commensurate checks, balances & monitoring systems like the right KPI's, gateway assessments Etc, thereby ensuring the expected performance is being <u>delivered impartially, consistently & regularly for all the wards & residents of the borough.</u></p> <p>Furthermore, this expectation <u>must or cannot</u> vary from location to location, but explicitly be consistent throughout the entire borough, irrespective of ward localities or the perceived affluence of that ward-Meaning Burnt Oak, Colindale & West Hendon being afforded identical levels of attention, facilities & consideration as Whetstone, Totteridge or Finchley.</p> <p>From cursory observation, <u>one feels this is not the case</u> and that is why the various examples are provided to highlight this disparity of service or facilities.</p> <p>Take Burnt Oak or West Hendon localities which have been permitted to decline due to “General Disrepair & Lack of Maintenance or Up Keep” to such an extent, <u>one does not want to willing visit those areas.</u></p> <p>Colindale is fast approaching this level of decline & unacceptance.</p> <p>In our perception, the plush areas have the council's full resources allocated to maintain Whetstone, Totteridge, & Finchley wards looking pristine, well maintained & acceptable, whilst others are struggling to achieve a minimum acceptable standard.</p> <p><u>This noticeable disparity of service must not be permitted to continue.</u></p>
AS	<p><u>12 April 2017</u></p> <p>I have been asked to submit my views on the above contract with Re.</p> <p>I have been consulted on a number of planning applications.</p>

Name	Statement
	<p>Barnet planning has been inconsistent in planning procedure. Changing procedure mid way though application process.</p> <p>Barnet planning has made serious errors in consultation process. Consultation processes have been flawed.</p> <p>Barnet planning has not been aware of serious errors and has had to rely on Barnet residents to inform them of errors and flaws in procedure.</p> <p>Residents have, with good reason, no confidence in the competence of Barnet Council to consult correctly on planning applications.</p> <p>Residents have, with good reason, no confidence in the competence of Barnet Council to enforce planning conditions attached to approved planning applications.</p> <p>Barnet planning has failed on numerous occasions to consult correctly.</p> <p>Barnet planning as failed on numerous occasions to enforce planning conditions and has breached its own planning conditions.</p> <p>Barnet Council is currently under investigation for breaching its own planning conditions.</p> <p>Barnet planning has demonstrated a complete lack of competence and in carrying out its duties and responsibilities in planning procedures.</p> <p>All the above statements are true and correct and can be supported with evidence from recent planning applications, where correct procedure has not been followed and planning conditions breached.</p> <p>Examples</p> <p>Ref: 16/6579/FUL 931 High Road N12 Block of 6 flats built in Highwood Avenue N12 without proper consultation. Site address on application shown as 931 High Road and not Highwood Avenue.</p>

Name	Statement
	<p>Breach in planning conditions - including an illegal bay window - planning permission then granted retrospectively. Agreed landscaping plans - condition of mature ever green trees to be planted at boundary - breached. Health and safety breach closing off pavements for months with no pedestrian walk way - endangering pedestrians lives. Incorrect markings on pedestrian crossing potentially endangering lives. Council notified but left incorrect markings in place for approx a year, knowingly endangering pedestrians. The council allowing the developer to breach health and safety by allowing an approx 20 metre high 'mountain' of rubble to be dumped along the garden boundary of Highwood Avenue for over a year. Breaching health and safety. Reported to Environmental Health but no action taken. Breaching planning condition by erroneously issuing parking permits to residents of this development then continuing to issue permits after being aware of the error in knowing breach of condition. The Council is currently under investigation for this particular breach in planning condition. This investigation has been ongoing for approximately 16 months yet the Council has still not started withdrawing permits - demonstrating lack of competence.</p> <p>There is written and photographic evidence supporting all the above.</p> <p>Here are some further examples relating to other planning applications.</p> <p>16/4787/PNO Solar House North Wing Only a few neighbours consulted with on this change of use application from office to residential. Period for consultation closed on 25 August 2016 but notified of approval on the morning of 26 August 2016. Therefore demonstrating that approval had already been given. In my opinion, the consultation was a sham as approval had already been given.</p> <p>16/5639/FUL Solar House South wing</p> <p>Only consulting within 50m radius of site in error. Changing rules relating to disclosure of public comments without notifying residents - this contradicted the application notice letters sent to residents on 25/1/17. Incorrect information relating to number of speakers allowed at planning committee. Planning officer stated incorrectly that residents could not have an objector plus a Councillor speaking on their behalf at committee meeting which was incorrect.</p>

Name	Statement
	<p>Leaving little time for objectors to prepare for the committee meeting. These are just a few examples there are many more errors on this application.</p> <p>Safari club ref 16/6579/FUL A minor application which was consulted on further than major applications. Council acknowledged that planning officer used incorrect data and therefore consultation area was wider than it should have been - wider than the Solar House (major application) above.</p> <p>17/0947/HSE Single storey rear extension (Amended Site Plan) 939 High Road London N12 8QR</p> <p>Incorrect location plan document uploaded Application breaches agreement on previous application on this development which prohibits any further development on these properties.</p> <p>These are just a few examples of errors and breaches by Barnet Council. There are many more. In each case, it has been residents who have informed the Council of its error/breach otherwise these would have gone unnoticed. There is written evidence to support all the above.</p> <p><u>Please see Appendix A for photographic submissions</u></p>
RL	<p><u>17 April 2017</u></p> <p>I have concerns regarding the Re Contract as it presently stands. My concerns are:</p> <p>1: There is a particular problem with Planning Enforcement, specifically where some developers appear to be able to demolish sites that have been previously listed. The council's planning team's performance at a recent public enquiry into the Milesplit Hill cemetery proposals was reportedly so shambolic that the council gave in and allowed the enquiry to find against the council. This is disgraceful, especially since there are now very serious consequences locally to Mill Hill's conservation area as a result.</p> <p>2: The borough no longer has its own legal team and now shares the Harrow Borough legal team.</p>

Name	Statement
	<p>3: Much of the work of the Performance and Contract Management Committee is done in private so it is not generally possible to know what if any challenges are being made by the committee to Re and Capita.</p> <p>4: Motions to bring more transparency to the work of the committee have been regularly defeated, presumably on party political lines.</p> <p>5: JD, as an interested member of the public, appears to place Capita and Re under far more scrutiny than the committee appear to.</p> <p>6: What steps will the council take to restore lost public confidence in its ability to hold Capita and Re to account?</p>
GD	<p><u>18 April 2017</u></p> <p>My views relate to planning and resource issues in particular but also perhaps have a wider relevance. I am concerned about conflicts of interest in the outsourced activities. It seems to me, from that the outsourcing process means that the very officers conducting business on behalf of residents and the council are very likely in fact to be associated or even employed by the self-same company or company sub-divisions that are likely to benefit from the work that is being generated, and at Barnet residents expense. This type of situation seems wide open to potential misuse and abuse.</p> <p>For example in the new evaluation of our garden allotments rents have been increased by a huge amount and we are being charged exorbitant surveyors fees which no doubt are being drawn by Capita. Also, for planning reviews, individuals may be virtually working on both side, like poacher and gamekeeper at the same time.</p> <p>So there is clearly potential here for conflicts of interest:</p> <ul style="list-style-type: none"> - By officers supposedly working on our behalf, by also taking advantage to generate revenue for the parent company. - By officers reviewing planning applications in which the parent company or colleagues may have a financial, professional or advisory interest. - By officers conducting and reviewing “internally” the performance of other divisions of the parent company. <p>In brief, I would like to be 100% convinced that Barnet Council activities are working entirely and only for the benefit of all residents, and there not to be the conflict of contracted organisations with their own internal financial agendas.</p>

Name	Statement
	I would be grateful if these views could be made known to the relevant committee members, and taken into account at the meeting and in the review.
<p>ND</p> <p><i>Would like to make a verbal submission</i></p>	<p><u>18 April 2017</u></p> <p><u>Summary</u> Resident views raised include:</p> <ul style="list-style-type: none"> • Barnet planning staff / CAF Team • Discrepancies in planning applications from the public • Counter fraud • Planning audits • Views on service improvements <p>Please see Appendix B for the resident’s full submission. <i>(It could not be copied into this schedule due to the format it was submitted in).</i></p>
<p>JD</p> <p><i>Would like to make a verbal submission</i></p>	<p><u>18 April 2017</u></p> <p><u>Summary</u> Resident views raised include:</p> <ul style="list-style-type: none"> • Transparency • Output specifications • Commitments • Performance • People • Conflicts of interest • Finance • Summary / Views on service improvements

Name	Statement
	<ul style="list-style-type: none"> • Service Commitment Comments <p>Please see Appendix C for the resident’s full submission. <i>(It could not be copied into this schedule due to the format it was submitted in).was submitted in).</i></p>
Name Supplied	<p><u>18 April 2017</u></p> <p>We find it very difficult to state which part of the Council our comments should be aimed at. The difficulties described in more detail below could be the fault of The Council, Capita or Re and we see accountability being confused, with most staff we deal with not knowing their authority or indeed who they need to get in touch with to resolve problems that often go across the silos. Again some of the comments below are our perception, but perception is our reality. Maybe they are instructed to make the whole process as difficult as possible to save the Council having to perform. We trust that you will not simply cast aside these comments which are sincerely meant to be constructive in the interests of helping the Council to equip itself to better serve the people in the Borough.</p> <p>Above all the Council and its staff (whether its own or those of your outsourcing partners) needs to adopt a “can do attitude” throughout. Too often we feel that we are treated by people who will do the bare minimum to get by. Rarely do we see a pro-active response when we initiate an issue that requires action. We have a “Focus Group” which the council could pro-actively use to discuss its ideas, but no Council initiatives have been brought to us. In fact our communications have been all one way. If we know the questions to ask, we may get answers if we chase you hard for responses. In any business I have worked for it has been a basic courtesy to respond to requests from clients within a defined timescale and to send at least a holding response, within say 48 hours of receipt of a written communication. In some instances the Council does send an automatic response but this is rarely followed up with a valuable statement that the problem is being addressed and what action will be taken by whom and by when. The standard e-mails sent from for example Planning do not reference the Planning Application number in the subject line; they simply say “udm13 or udm71” which if you are only interested in 1 particular planning application is not perhaps a problem but when you are dealing with 10s if not 100s as we do, it is not helpful.</p> <p>There should be a publicly available list of projects by ward with the status updated regularly and we would happily display this so residents could see that you are taking action on matters that concern them and that their issues have not fallen</p>

Name	Statement
	<p>down into some very deep hole. With technology today, it would be very simple to deliver such information on-line and this would improve your citizen satisfaction ratings immeasurably and save Councillors, Officers and members of the Public, hours and hours of time chasing around to find out the progress on resolving issues and thus freeing time to deliver results.</p> <p>An example of an apparently dysfunctional Council is from last summer when we wanted to take over a piece of the Highway just off the Broadway. We had to get a street licence, a Temporary Events Licence, “stop-up” the road, suspend several parking bays but none of the individual departments we spoke to in the Council, knew who their counterparts were for us to talk to or the process for us to follow to solve our issues holistically as without one of the entities happening none of the other actions were worthwhile and the event could not be run. It was like pulling teeth but fortunately we are very resilient not to say determined. In another example we know of a lady who wished to establish Farmers Markets in the Council owned Bunns Lane Car Park on every other Sunday morning when said Car Park is empty. She tried so hard to get the relevant people in the Council to talk to her and tell her what she needed to do, that she gave up, which is actually a shame because it has denied local residents a useful amenity and the Council some extra revenue.</p> <p>The same piece of Highway is where we wish to establish our ‘Town Square’ and although we have funds it has taken 2 years from concept to now, where we hope the recent consultation exercise initiated by the Council can give us the green-light to finally deliver the project. Getting the right people in the Council to engage with us has been to say the least stressful and some funding has nearly been withdraw as the project has appeared to stall.</p> <p>In fact we do not think that many officers (including Commissioners, Capita & Re staff) actually understand the role of community groups. Variously we feel that they think of us as a nuisance and definitely not on the same side, perhaps even bruising their professional egos. We see that your Contract Review covers Strategic Planning and in this regard we can say that nobody from the Council has approached the us to discuss what we feel is Strategic within our designated area. This is woeful.</p> <p>Your Highways team do not consider us as a statutory consultee (which we are on Planning Applications) and we could provide well considered input on any highways changes they may be considering but we are not consulted.</p> <p>In terms of Planning and Development Management we have seen many serious performance issues the worst of which is probably the handling of the application 14/8161/FUL at Milespit Cemetery where the original reasons for refusal where not appropriate and gave rise to an appeal, which the Council was totally incompetent in defending. You will have a copy of the Appellants 17 page letter highlighting errors in the procedures followed by Barnet Council, thus opening the door for the</p>

Name	Statement
	<p>appeal to succeed. This debacle has significant consequences for the future of other Green Belt sites in the Borough and beyond. We trust that the Council will take adequate measures to ensure that such errors cannot happen again.</p> <p>While on Planning we see the following recent issues:</p> <ul style="list-style-type: none"> . We are expected to review Major Applications often with hundreds of documents within a 3-4 week period. The individual documents are often poorly described in the index to the Application on your planning portal! o The date for submission of comments on the Hasmorean Application 16/ 6662/FUL, was originally 6th December and we worked hard to provide our response by this due date. We heard by rumour that it had been extended to 6th January and it remained open until end January, allowing many largely irrelevant (in planning terms) responses from people not living in the area. o We all need to be clear on the timelines for minor & major applications (there must be a difference that acknowledges the relative size of the application that needs to be reviewed) and at the moment it seems as though no particular pattern is being followed. . We know of at least one applicant who paid for the “fast-track” service but his application was not reviewed for over 2 months from registration and it was a trivial application for a chimney flue at A3 premises. This nearly resulted in this business abandoning his plans to open his restaurant in the area. 16/6529/FUL refers. . Enforcement seems to be very poor and hit or miss. Here I use a personal example where following much chasing the Council quite arbitrarily decided not to perform the enforcement prescribed by the Planning Inspectorate at No 93 Milespit Hill. As a result the overlarge summer house is still in situ and we are overlooked by the neighbouring property as they have only a thin opaque film applied to the roof-light and it can be opened freely as it is not screwed down as prescribed by the Inspector. H/01516/09 refers Appeal Reference APP/N5090/A/11/2148739 <p>Enforcement also generally seems to be poor in terms of pavement parking (where no spaces are specifically designated) and for example where bins are left on the street on days other than those prescribed as collection times. We have been in dialogue now for over a year with your Street-Scene team about the state of our Town Centre and while a new waste collection process is to be implemented (timed bag collections rather than bins and the introduction of commercial recycling) it is taking a very long time to be implemented and this is not helped by constant changes of staff.</p> <p>An alleyway behind Boots the Chemist in the Broadway was deemed many months ago to require attention by your Environmental Health team, but no improvements have been made and the site is still a health & fire risk hazard. We understand that this is private property but you have to have the means to clear it and require payment for your efforts from the landowner and that he/she provides a permanent solution (a locked gate across the alleyway for example) to stop it</p>

Name	Statement
	<p>being used for anti-social behaviour in future . Doing nothing and not communicating with interested parties is not acceptable; this problem will not simply go away.</p> <p>I have to also comment here on our dealings with the Council over the 80 Daws Lane Site. It was declared a Community Asset with your consent in 2013. An Asset Transfer was requested but you kindly said you would work in partnership with the community to build the new facility. Project personnel and an architect were duly appointed and surveys commissioned. Well the first two architects were removed from the project as they failed to listen to the brief for the new building and when they did attend meetings from Cardiff they clearly had done little/nothing to move the project forward on their actions from the previous meeting. The third architect (from Liverpool we understand) was more professional and did listen but during the period of nearly 2 years your project team had almost doubled the cost of the building with over-priced features, contingency on top of contingency plus inflation expectations without any regard as to how the funding could possibly be raised to meet these new costs. It was as if the costs were not relevant and maybe that is normally their modus operandi, but in this project the lion's share of the costs are ours to find and we could not allow them to escalate! Frankly we wondered what their agenda was as it certainly was not working in partnership to deliver a great outcome. We called a halt to the project having taken external professional advice as to what the reasonable costs should be for a 10,000 square foot building, which were still in line with our original expectations. We have now agreed that the site will be transferred to us under a 125 year lease as approved by the ARG Committee in December 2017, but actually we have lost nearly 2 years in this project. We trust that the Council did not pay for the poor efforts delivered.</p> <p>During the above discussions the Council tendered for partners to run the local Library. We were successful in our bid and were declared as the Council's preferred partner in early December 2016. We opened as the Library operator on 6th April, but we did so, on a "Tenancy at Will" agreement hurriedly put in place to allow us to take over the site as the Council had failed to commission the drawing up of the appropriate lease. Further an interest-free loan offered as part of the tendering process for £8000 over 8 years has resulted in a 16 page loan agreement needing to be negotiated. Between your lawyers and ours and adding in our personal time to review this document and presumably considerable effort from your own project team in reading the succession of drafts it has definitely cost much more than £8000 to write this agreement! Although we are open, the Council's failure to present appropriate legal documents to us in February as promised has meant that we have not been able to commit to procuring all of the additional items we need to offer the added-value services and activities we put into our business plan for this operation and accordingly are having to run fast to catch up and really should we be committing ourselves to considerable expenses before all of the t's are crossed and the i's dotted. You talk about a "partnership" but we are sceptical in our belief that as a Council you really know how to behave, throughout the organisation, in such an arrangement.</p>

Name	Statement
	<p>I said at the start of this missive that I could not readily ascribe blame to any part of the Council, but overall responsibility and accountability must remain with the Council.</p> <p>Can I remind you that at this end we are all volunteers and we are trying hard to help you deliver the very best services to the residents. Your staff need to respect that everyone's time is valuable even if it is donated to the cause.</p> <p>Please take one message from this document and that is that you need a significant culture-change in the staff employed by the Council and in those who work for you through the variety of partner organisations. They all need a positive attitude and a strong understanding that they are here to serve the public. Culturally let alone contractually this is more difficult for private sector employees to adhere to! You also need continuity in your staffing not revolving doors as is evidently a current issue and whoever is doing the job needs to know the local area well and understand the local issues. They need to engage more in face to face two-way dialogue with local people rather than being seen as a faceless entity that doesn't communicate with its public on local issues which might seem minor but to those concerned they are of significant importance.</p> <p>I trust that my comments will be taken as constructive and result in improvements in Council services not retribution. Doing it right, first time will save millions!</p>
DG	<p><u>19 April 2017</u></p> <p>As a resident of Hendon, I have had concerns regarding planning activities in the area...</p> <p>Developers locally have misrepresented plans and built beyond what they have been permitted. Even when these issues are highlighted by residents who are suffering harm the council has not adequately enforced. In one example in Edgeworth Avenue, a developer working on a building opposite took the council's decision to the planning inspectorate and "won" subject to conditions which have not been met. When I contacted the inspectorate they said it was Hendon Planning responsibility to chase and enforce. When I spoke to Hendon planning they said it was not their responsibility unless someone brought to their attention inspectorate decision and the case as far as they were concerned was closed. This is not joined up at all....</p>

Name	Statement
	<p>The general impression is that Barnet are too stretched to cope with planning applications, let alone enforcement and developers feel they can get away with anything, for example demolition without an order as in Station Road Hendon and Vaughan Ave recently. Also building work going on all day on Saturdays.</p> <p>At a recent town hall council meeting, the council leader said that data collected by the council indicates that there are no issues with planning. Residents who care about their area would beg to differ.</p> <p>Regarding Highways, the A41 junction has been a nuisance with tailbacks down station road since phasing changed, TFL have not done anything despite complains...</p> <p>Please would you take these matters into account.</p>
<p>MMS</p> <p><i>Would like to make a verbal submission</i></p>	<p><u>20 April 2017</u></p> <p><u>Summary</u></p> <p>Resident views raised include:</p> <ul style="list-style-type: none"> • Contact with the Planning Service • Views and experience with the Planning Service, including: <ul style="list-style-type: none"> ○ Telephone service; ○ Barnet House; ○ Planning officers; ○ Email contact, and, ○ Access to Planning Service • Enforcement • Views on service improvements <p>Please see Appendix D for the resident's full submission.</p>
<p>MM</p>	<p><u>20 April 2017</u></p>

Name	Statement
	<p data-bbox="555 236 1547 272">Views and Comments for Member Working Group 25 April 2017</p> <p data-bbox="555 317 976 352"><u>Area of Concern: Planning (Re Ltd)</u></p> <p data-bbox="555 392 1879 427">I have used the planning Service since November 2014 to comment on applications on properties on my street.</p> <p data-bbox="555 467 1682 502">I have also attended planning committee meetings on four occasions to make representations.</p> <p data-bbox="555 542 1991 608">I write on behalf of the Vivian Avenue Residents Group who have made several objections to proposals for development along Vivian Avenue.</p> <p data-bbox="555 647 898 683"><u>71 Vivian Avenue NW4 3XE:</u></p> <p data-bbox="555 722 2045 863">The planning applications that I have had to deal with were from a professional developer who took steps to apply for extensions piecemeal and in my view, gave case officers, presenting officers at planning committee meetings and committee members the impression that what was proposed was not going to cause harm to the outlook and amenities of neighbours nor increase the density of the site to a distressing level.</p> <p data-bbox="555 903 1995 968">My dissatisfaction with the planning service centres around the lack of consideration for the objections of local residents who live on Vivian Avenue and the immediate surrounding roads.</p> <p data-bbox="555 1008 1800 1043">Much weight in the case officer report was given to the high number of supporters for the development.</p> <p data-bbox="555 1083 2009 1189">Many of my neighbours, some elderly and having lived in their properties for as long as my family has, were visibly shaken that the views of people who are connected to the applicant personally or professionally over-rode the views of residents who have to live next to the crowded development being built.</p> <p data-bbox="555 1228 2024 1369">We were also subjected to workmanship that was less than impeccable and my home was put at risk from an un-notified demolition. This demolition was claimed to be necessary but it is obvious to all the neighbours that the development might never have received planning permission if planners knew that a demolition was intended. This demolition also put the public at risk as there were no health and safety checks in regard to the presence of asbestos. We were also not protected</p>

Name	Statement
	<p>from the dust and debris while the demolition was in progress.</p> <p>The only thing that enforcement investigation did was to ask the developer to put in a retrospective application for a demolition and new build.</p> <p>Basically I was left to fend for myself and my property without any council intervention to check that proper permissions were in place and conditions discharged before building works were started.</p> <p>I am very disappointed with the planning service. This one experience with this development has exposed so many deficiencies in the planning service.</p> <ol style="list-style-type: none"> 1. A less than proficient assessment of the proposal, allowing conditions applied to previous approvals meant to protect the development from being used as a multiple occupancy building, to be cast aside. 2. Debate at planning committee meetings were superficial and did not address all objections raised. Precedents regarding other properties that were not allowed development were also not considered; neither was the presence of questionable support for these proposals. 3. There is no clear indication whether building control is checking the building that is progressing without planning permission. 4. There is no assurance from enforcement that the building is properly executed. 5. The developer is able to carry on building (at his own risk apparently) but it is peculiar that he has such confidence to continue bearing such huge costs; he must know he cannot be stopped? 6. The paperwork of the building and planning control processes appear not to be in place. The past history of the developer and his previous tactics to develop other properties was not heeded and the lack of consideration to this has led to some unusual lapses in the order of things. Build first without discharging conditions and despite voiding previous approvals; ask for permission later. 7. Communications with planning and enforcement officers was sparse; no one knows what is happening as regard to this application especially now that the application has been withdrawn from planning committee meeting for further investigation/consideration of new material facts. 8. Planning has not further responded in writing within 20 days to questions put to Residents Forum in 24 January 2017. A reminder sent on 23 March 2017 has still not produced any results. 9. Lack of protection of neighbouring residents to unauthorised building from the enforcement department.

Name	Statement
	<p data-bbox="555 236 1406 264">This case makes a mockery of the rules and regulations of planning law.</p> <p data-bbox="555 312 1928 373">That a lovely suburban house was allowed to be destroyed without warning and that an entirely new build is being constructed without requisite planning consent shows that something is seriously wrong with the system in Barnet.</p> <p data-bbox="555 421 896 450"><u>76 Vivian Avenue NW4 3XG</u></p> <p data-bbox="555 497 2033 558">This property has nine breaches that require investigation. Reported in June 2016 and up to today, there has been no action of any sort.</p> <p data-bbox="555 606 2040 772">The waste bins sit on the pavement and the car parking provision on the front forecourt has not been built. The flats were built (not according to approved plans) without discharging various conditions and this reveals the state and quality of enforcement here in Barnet. This should be a clear cut case. Contact the developer/owner and get the conditions discharged and the facilities built to ensure the public and the neighbour residents are not put at risk or inconvenienced by the development. The interest here for the developing company is to build and sell or rent out the flats.</p> <p data-bbox="555 820 1738 849">It is disgraceful that Barnet planning is failing and is not serving the residents of Vivian Avenue well.</p> <p data-bbox="555 896 1375 925"><u>We require consideration from the Working Group for Re planning:</u></p> <ul data-bbox="680 970 2040 1383" style="list-style-type: none"> <li data-bbox="680 970 2040 1136">• Strict assessments of what developers and applicants are allowed to do. Planners must be aware of the intended goals for properties. If applications appear in rapid succession for a property, then it makes sense to question how extensive the development will be at end stage. It is disingenuous to say that the envelope of the building has been properly acquired when at each stage, the harm to the neighbours and locality is slowly but surely increasing. <li data-bbox="680 1184 2040 1315">• Scrutiny of supporting and objection comments for any development. It was very apparent for some proposals that the support for proposals was from persons who were personally or professionally connected to the applicant or his team. These are people with vested financial interests in the development and they do not live in the area. <li data-bbox="680 1362 2040 1383">• Strict adherence to conditions of approved applications when assessing new applications, especially if they are

Name	Statement
	<p>of the piece-meal variety.</p> <ul style="list-style-type: none"> • Strict enforcement measures to deter people from breaching planning laws in the first instance. Currently, enforcement cannot protect the neighbours from harm from retrospective applications nor can it prevent planning breaches in the future. • Close any loopholes allowing developers/applicants to exploit the planning service for their own profit (leaving walls standing after un-notified demolition in order to save on notifications to relevant health and safety organisations or building control or own surveys to check for asbestos and for hoarding and defences to protect neighbours and the public). • Better communication from planning officers with the residents whose lives are being affected by untoward development. • Development that is balanced for all concerned – residents and developers. So much strife and problems can be avoided if the process is fair and transparent. The concessions made to neighbours are tiny (the most minor of amendments to roofs and extensions) whilst the benefit to the developer is maximum profit at the expense of the neighbours and locality. Garden grabbing and loss of our wildlife corridors are common features in every application now. • Planning committee members who declare connections to the applicants or their agents should not decide on applications as there is a serious conflict of interest. There is no method to address this issue as it is human nature to help an associate. It will be seen as an unfair advantage to the applicant. Please find a fair solution to this common scenario at every planning meeting. • More staff and better trained officers
PH	<p><u>20 April 2017</u></p> <p>I have previously raised this concern with the Highways department.</p>

Name	Statement
	<p>I would like Re. to look at the 'report a Problem' on the Barnet website to make sure that it is fully user friendly and provides a copy of the completed report which can be saved by the sender.</p> <p>When Re. respond to the receipt of the report, updating and reporting back to the sender, a copy of the report or at least a short description should accompany the reference number.</p>
AT	<p><u>21 April 2017</u></p> <p>I live in Southway N20 and have personally made representations over the last few years to Cllr. Cornelius about the poor and indeed dangerous condition of the street pavements; he came to have a look in 2014 and agreed they were in urgent need of attention, saying they were the second worst in the area. However despite a number of emails to him since (many unanswered), nothing has been done.</p> <p>More recently other Southway residents on making similar representations to the council, have had either no response or ultimately an unsatisfactory response.</p> <p>I became aware quite some time ago of the large sum of money that was allocated to Barnet for street improvements and have observed a number of local streets, whose pavements were in a far less parlous state than ours, where work was carried out and it thus remains a mystery as to why ours have not been repaired.</p>
CR	<p><u>21 April 2017</u></p> <p>From my experience services in Barnet have completely deteriorated since they have been privatised. The services are also of a very low standard compared to other boroughs., As you will see in my letter regarding trees I got no answer to a query for 3 months, and the letter re paving is self explanatory.</p> <p>Whilst writing I might add I am completely disgusted that Barnet Council are selling off part of the library in Chipping Barnet to a private company. The library was paid for by local people's council tax and central government taxes. The Council has no legal right to sell part of the library to a private contractor.</p> <p>The reason I have been delayed in sending these letters to you is that I had to visit my doctor and then the hospital today due to the injuries I sustained from the broken pavement mentioned in my letter. So the incompetence of Barnet Council is also costing the NHS more money.</p>

Name	Statement
	<p>Shame on you all and the councillors and the MP.</p> <p>Please see Appendix E(i) and (ii) for the resident's letters.</p>
SM	<p><u>22 April 2017</u></p> <p>I am writing to you after seeing the article in the local paper regarding the surfacing of roads in London Borough of Barnet and my disappointment that the deadline for submitting any questions had already passed!</p> <p>I am a resident on Southway, N20 and would like to particularly know why our road has fallen under the radar for any road resurfacing and new pavements unlike all the surrounding streets; Greenway Close, Lynton Mead and Ventnor Drive to name a few?</p> <p>Constant requests and empty promises have been received and I know that about two years ago Cllr Cornellius stated these works would be done as a matter of priority.</p> <p>Just to give an example the road directly outside my house between number 64 and 75 looks like a patchwork quilt of filled in potholes, we had to wait months yet again for a lorry to come and just dump some tarmac in a shoddy fashion (leaving large stones on the road). It's just not acceptable especially when we have just had a rise in the council tax we pay.</p>
FM	<p><u>22 April 2017</u></p> <p><u>Summary</u> Resident views raised include:</p> <ul style="list-style-type: none"> • Contact with Re services • Councillor contact with Re services • Neighbourhood experiences with Re services <p>Please see Appendix F for the resident's full submission.</p>

Name	Statement
<p>PA</p> <p><i>Would like to make a verbal submission</i></p>	<p><u>19 June 2017</u></p> <p>Letter received from resident</p> <p><u>Summary</u> Resident views raised include:</p> <ul style="list-style-type: none"> • Re accountability • Client and Contractor relationship • Planning Officer Communications • Two examples of planning concerns <p>Please see Appendix G for the resident's full submission.</p>
<p>RG</p>	<p><u>20 June 2017</u></p> <p>I am forwarding my response to Mike Freer regarding a trailer in my neighbour's back garden. Permission was granted under a consent certificate 192 for a small caravan to be parked in the west corner of the garden.</p> <p>I am sending a separate photo. You can see from the photo for yourselves that this structure bears no relation to the consent given.</p> <p>Many letters between Mike Freer MP, Councillor's and Enforcement have done nothing about breaches incurred or about false statements made on application forms. The whole exercise to actually to get certain issues to Planning has been a total waste of time and energy on my part.</p> <p>Dear Mr.</p> <p>Thank you for sending the e.mail addressed to you by Mr.</p> <p>It is tiresome to have some of the questions answered and some evaded.</p> <p>No mention has been made of the application forms submitted by our neighbour prior to his consent being granted.</p> <p>We have raised this issue several times and the response to my latest e.mail raising the issue again was replied to by</p>

Name	Statement
	<p>He threatened to invoke the nuisance clause against me if I continued to write personally to Officers. Whatever happened to democracy? Whatever happened to Officers working for the public? Intimidating residents who are at their wits end over Officers compliance has to be highlighted. Barnet's reputation is suffering with every resident who is being steamrolled in the name of development. That is why I am writing to you in the hope that you will understand what it means to have to fight Officers in order to get some justice. It feels as if one is tilting at windmills. Hopeless!</p> <p>Mr. stated that there would be no earthworks. There were in fact two months of earthworks. He stated that this would not affect neighbours. 8 properties now look out onto the Structure. Everyone who walks past in WOS is affected. They can see the screen and part of the very high structure every time they pass by. We have endured 3 months of work (and it is still not finished) for a Trailer/ secondary home/ back garden development. He stated that there were no trees in the vicinity! His property borders on WOS. The Oak Tree with the TPO borders his fence. The Back garden development that now has paving, lighting and a separate entrance is for his mother. She has been dead for several years. If not for her then what is its real purpose? He has put up so much security around this structure including the 4m. High Fence that we are wondering what the true purpose really is? No one will be able to see it for trees when they reach maturity and anyone looking at it from the road will be seen. There are 4 cctv cameras under the eaves that have not been registered and there is no notice to inform people that they are there.</p> <p>We have no rights to privacy as the windows are clear glass and facing our property.</p> <p>This is a residential unit. It could be used by Mr. to bring in a second income. The Benefit to Mr. is that Barnet cannot even collect rates as it is supposedly a temporary structure !</p> <p>How clever Officers have been in utilising loophole after loophole to get it up and ready for use. Every response is that It is a caravan and comes under lawful development.</p>

Name	Statement
	<p>To submit forms that mislead is a criminal offence and may result in a fine or a prison sentence. The officers have not replied to these questions in all the correspondence about How they have been misled. They have chosen to ignore this. Anyone may fill in an application form and write whatever they like. No Barnet planning Officer will challenge them as demonstrated by Mr.....</p> <p>The base should have gone to Planning for consent as it had foundations and footings. It was constructed higher than his permission allowed. We have photographic evidence to prove this.</p> <p>The Oak Tree has concrete over its roots from the posts of the screen. It now has the weight of the trailer, paving and hardcore to contend with. All saplings and shrubs were removed from WOS in the construction of the screen. I watched the men hack everything in their way. I have photographic evidence to prove this. As it stands in the boundary, reducing branches to 4m away from the property and reducing the crown will destroy the tree. There will be nothing left!</p> <p>If officers had done a site visit before helping Mr... to complete his form in order to obtain consent they might have understood that a huge structure in a back garden bordering on WOS and at its very entrance would not be a suitable site. They take no responsibility for having masterminded this whole operation.</p> <p>The Planning Officer accepted misleading evidence from Mr. and we have had to accept something that should never have been allowed in a suburban back garden. It looks like a trailer park and diminishes the neighbourhood. It has reduced the value of our property (we have been badly affected). Who will compensate us for our loss?</p> <p>Officers can use planning regulations to justify what they have done but the truth is that it should never have got consent in the first place.</p> <p>This is exactly the response that I expected from Officers who have no regard for the impact that developments may have on neighbouring properties. They follow regulations blindly using them as a shield for protection against residents like me. A 12m. Trailer has an impact! Barnet is now exploited by developers because they know that no Enforcement Officers will challenge them. They will</p>

Name	Statement
	<p>answer enquiries by Councillors and yourself making every argument plausible for you to accept. They omit certain elements of the correspondence as demonstrated here.</p> <p>They highlight the inadequacy of planning laws and do not support local residents against unscrupulous developers- support is non- existent. We are losing Barnet day by day. The developers rule.</p> <p>The truth stands in next door's garden. My neighbour got away with it with support from Barnet's Planning Dept.</p> <p>Barnet are the upholders of the covenants and according to the covenants no temporary buildings are allowed in the back gardens of the Estate - Only workshops and sheds with pitched roofs.</p> <p>Please could you consult the legal team about this because this should not be legally allowed to stay.</p> <p>Please see Appendix H for photographic submissions</p>
GB	<p><u>21 June 2017</u></p> <p>I am a Barnet resident who lives next to a building that is about to be demolished to make way for luxury flats. Over a period of a year this community has tried unsuccessfully to object to this development. The planning office run now by Re have worked hand in glove with these developers aiding them to push through their plans and have failed to remain neutral or to offer objectors any help or advice. The planning office clearly despises Barnet residents treating us with contempt. Working with Barnet and the developers but always against local residents to pull down as many buildings as they can and to sweep all objections under the carpet. I consider this conflict of interest a scandal which hopefully before long will be picked up by MSM.</p> <p>How can it benefit a borough to knock down serviceable buildings and to replace them with square boxes, or as in our case agree to 9 cars running up and down a back garden? Riding roughshod over genuine objections presumably because at some point Re will make a financial gain from these developers. Residents who pay these peoples' wages should know exactly the sums involved.</p> <p>The planning office in any borough should be neutral, there to advise and help both parties. Re is only interested in helping property organisations that operate entirely for financial gain. Luxury flats are not needed here. We have enough of them.</p>

Name	Statement
	<p>The way that Re operate, always promoting the interests of the developer and dismissing any and all objections by residents is partisan to say the least and should be challenged. I would like to see Re disbanded and a decent and honest Planning department take its place. I also object to being treated with such contempt by these people who pay lip service to "consultation" but who continue to ignore the opinions of local communities as a matter of course.</p>
<p>MO</p> <p><i>Will send a representative to make a verbal submission</i></p>	<p><u>21 June 2017</u></p> <p><u>Summary</u> Resident views raised include:</p> <ul style="list-style-type: none"> • Dollis Valley Greenwalk • Trees and the infrastructure for residents • Barnet Cophall • Barnet Cophall/Allianz Stadium planning application <p>Please see Appendix I and Appendix J (i) and (ii) for the resident's full submission.</p>
<p>MH</p>	<p><u>21 June 2017</u></p> <p>Comments on the contract review for Re services. My experience has fallen into two specific areas and specifically 2 particular cases.</p> <p>1) Planning Services: as a member of the Finchley Society Planning Committee it is my remit to scrutinise all applications for East Finchley and I do this through the Planning Website. In particular I have been dealing with the application for 12-18 High Road, N2. A large number of drawings are posted on the website and this is the opportunity for the public to see and comment on the proposals. It is very difficult to find out which drawing is which as they either have inadequate, none or even wrong titles. The only way therefore to find a drawing is to open them all and then check. Currently there are 334 documents listed for this application. This becomes extremely important when trying to match the drawings listed on line to those listed as 'approved plans' in the officer's report to committee. It makes the whole process very difficult and obstructive.</p> <p>2) Highways Services: as a member of the working group of residents who met regularly with Oak Lodge School during the</p>

Name	Statement
	<p>recent construction of their new extension we have been concerned at the damage to the pavement and highway ongoing. We have tried to get some coordination between the new works required (crossovers to the school) services connections across the road, broken and dangerous pavement and damaged road surface. It is almost impossible to find out who might be contacted to discuss this. The highways department will only deal with a single numbered incident and their staff will not allow contact with the Highways officers. We managed finally to get a meeting with a representative from the Department to discuss a strategic approach to all our concerns. We have been denied contact with the representative ever since (emails not responded to; blocking of the telephone; etc) It is very clear that those left in the Highways department are themselves extremely frustrated at the lack of contact with the public. Additionally the fact that there is no overall strategic approach, with each separate element not coordinated together means that money is wasted with work being done in bits and pieces, then undone and done again, the work is done poorly and no-one appears to supervise any work done.</p>

Appendix A

Sent: 12 April 2017 09:29

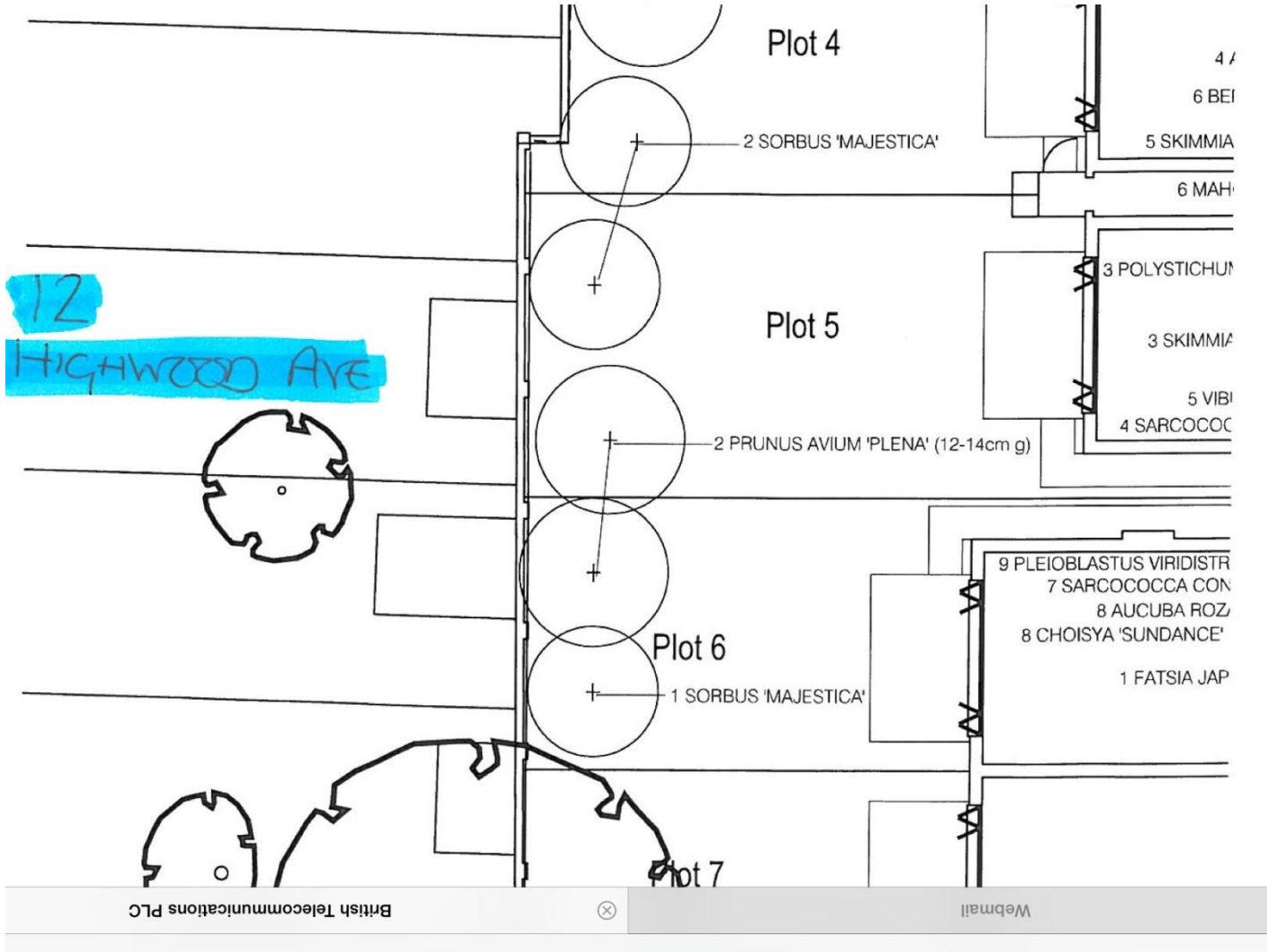
Further to my earlier email, I am forwarding for your information photographs which support some of the planning condition breaches and health and safety breaches that I have referred to in my email.

This mountain of rubble was dumped at the boundary of the properties in Highwood Avenue despite condition that this would be kept as far away as possible from residential properties - it could not have been any closer. The 'dust' generated was unbearable and we were unable to use our garden or open our windows because the air quality was so bad. The developer breached a condition to damp down the pile of rubble on a daily basis and only did this once or twice in almost a year. This breach was reported to the council planning department but no action was taken.



untitled







Sent: 12 April 2017 09:29

Following are further photographs confirming breaches in planning condition which Barnet Planning not only neglected to act on but the Council supported the developer in these breaches against local residents.

The developer blocked off the public Highway pavement for 2-3 months and provided no pedestrian walk way - endangering lives. The council planning department first stated that the developer had no planning licence and would have to remove the hoardings but then stated the developer retrospectively paid to have these hoardings in position. The council refused to instruct the developer to remove these hoardings so knowingly put the public at risk. It was only by involvement of a Councillor that the hoardings were eventually removed - otherwise the Council would have allowed them to stay in place for the duration of the 3 year build.

We lost the use of these much needed parking spaces during this time as you could not exit your vehicle onto the pavement. No one would walk this stretch of pavement and had to walk in the road of this very busy junction with the high road.







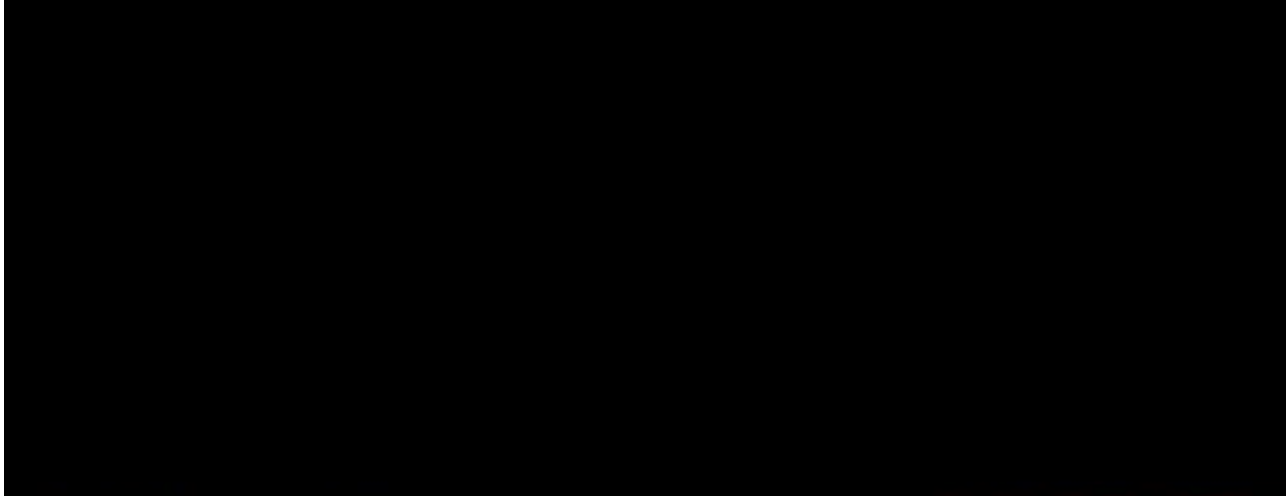
Sent: 12 April 2017 09:49

Here is an example of the latest breach of planning condition supported by Barnet Council Planning. There are two construction sites either side of the junction of Mayfield Avenue N12 and the High Road N12 (Furnitureland and Sheldon House developments).

Here again this dangerous breach to health and safety was reported to the council but the council stated that there was no breach and allowed this to continue.

The developers blocked the pavement on both sides of Mayfield Avenue forcing pedestrians to walk in the road. This situation is dangerous for pedestrians and drivers alike but Barnet planning stated that this was not a breach of planning condition and knowingly allowed this dangerous condition to continue. The Furnitureland barriers have only recently been removed but only because the building work is complete.





Submission to the Working Group for the Re Contract Review 20/4/17

Submission concerns the contract for Re Planning.

In Barnet, if you try to sneak your child into a particular school, by lying on the admissions form, or use Grandad's Blue Badge to park where you want, you could very well find yourself investigated by the Council's Corporate Anti-Fraud Team and prosecuted. Curiously, if you ^{are dishonest} on a planning application this is not likely to happen. In the words of the Chair of the Audit Committee, "a suspicious planning application is not fraud against the council and would not be escalated on the fraud system." (30/1/17).

It is worth asking yourselves, what is most damaging to residents and this area, dishonesty in the school admissions system, blue badge mis-use or dishonesty in the planning system?

I have been involved in lengthy interaction with Barnet Council and Re/Planning since 2015, as a private citizen, and have a considerable amount of correspondence from senior management and senior planning personnel. It is all available to whoever wishes to see it, indeed Barnet Council management have most of it. An important strand through all of this is that Barnet Planning personnel do not necessarily have to follow the council wide, clear, robust Fraud Policy, even though they are clearly included in its wide scope: "full time employees, part-time employees, partners, contractors," right through to even "volunteers."

This is something which has come about quietly, because at no point have residents ever been told that planning officers are or can be exempt. Residents would have been, and should be now, horrified to discover that their protection from fraud/ dishonesty/ wrongdoing in the planning system does not exist. But, they are given every impression, upon reading the Fraud Policy, that it does. Planning staff appear to be the only staff who can side step this policy, despite planning's immense vulnerability to fraud, dishonesty and wrong doing. This just does not make sense. Residents have been deceived. When I asked the Chair of the Audit Committee about this, I was refused a response.

Vitality, it also demands that officers act within the LETTER and SPIRIT of the laws and regulations with which they are concerned. If you are not necessarily subject to the Fraud Policy, you do not necessarily have to do this.

What are the consequences of all this?

1 Instead of a specified system of internal control, officers use their discretion to choose how to check suspicious applications, on a case by case basis. But, officer discretion is phenomenally dangerous. Quite unacceptably, it lays officers wide open to internal and external pressures, which have nothing to do with good planning service for the community and area. Externally: [REDACTED] Internally: pressures of time, staffing, resources, needs to meet silly statistics or matters of money and profit.

Officer discretion, where the system does not compel him/her to do certain things or take certain steps, is wide open to fraud and terrible inconsistency. My document, provided to the Chair of the Audit Committee, "Barnet Planning...a bespoke planning system," demonstrates how the planning system has been manipulated in a variety of ways, to allow applications, [REDACTED] [REDACTED] to easily move through the process.

Further, whilst some of an officer's discretionary checks are robust, some are incredibly weak. The most commonly described one to me, is simply asking the applicant again! Even where the consultation has thrown deep suspicion over that applicant. It tends to be phrased as "... the application is queried with the applicant.." or "...the applicant was asked for confirmation.." and is described as "normal procedure." In other words, whilst initially in planning, the application is taken in "good faith," here in Barnet, where the consultation throws suspicion over the applicant, their word is taken in "good faith" again. This is nonsense, puts all the power in the hands of the applicant and disregards any information provided by the consultees, who will generally be ordinary concerned or harmed residents. Imagine the situation if a developer is allowed to benefit from this method of check.

To this day, it remains one of the officers' methods of check and is extraordinarily dangerous. It should be abolished now, but why no senior manager, on their six figure salary, has not suggested a simple tweak, of compelling the applicant to provide proof if asked again, remains a mystery.

That would turn an appallingly weak check into a robust one. Maybe Planning /Re want at least one weak check on their menu, for convenience.

2 If the CAF Team are not involved, then robust checking is not guaranteed and, as the only body able to investigate fraud ,planning officers can convince themselves that inaccuracies on planning applications are innocent "errors" or "omissions," words used many times in correspondence to me. These "errors" or "omissions" must be verified with the applicant, of course, to ensure accuracy. Now, no-one is looking for fraud, dishonesty or wrongdoing. In the real world where you and I live, "errors" and "omissions" on planning applications are most likely to be deliberate, to cheat others or the council. If you are not looking for fraud or wrongdoing, you won't find it! Normal, honest people fill planning applications out very, very carefully. An expensive agent would not make a mistake.

An FOI request of July 2016 revealed that no fraudulent planning applications were exposed between July 2011 and July 2016..None!!

"We know of no case where it was determined that inaccuracies in submissions on planning applications were determined to be due to fraud, as opposed to omissions or mistakes."

In the last five years, no-one has lied on a planning application in Barnet!!

3 If you aren't tied to the Fraud Policy, you don't have to necessarily act within the LETTER and SPIRIT of the laws and regulations with which you are involved. This paves the way for loopholes and bends in the rules to be permitted. The classic situation here, and the cause of the horrendous enforcement figures in this borough, certainly among the highest in London, possibly the highest, are retrospective applications. Quite rightly, there are restrictions on people who break the rules and build without permission. They have " ..ONLY one opportunity to obtain planning permission after the event. This can EITHER be by means of A retrospective planning application or by means of AN appeal against AN enforcement notice." One opportunity, either /or. In Barnet, the then Head of Planning (to 2016) maintains that if you lie on a retrospective application, you could just do a new one!! Lying on a planning application is an offence and renders the application invalid. It cannot be determined.

Equally, if you build unlawfully on someone else's land, or co-owned land, without giving the other owners proper requisite notice, you can just give them requisite notice retrospectively, ie when it is completely useless to them, because given properly, how the regulations intended it to be, requisite notice acts as a warning as to someone's intention to build. [REDACTED]

[REDACTED] It is not within the spirit of the rules at all and so is outlawed by the Fraud Policy, but not if you don't have to follow that policy. It could be used as a convenient way to avoid additional action, but at the further expense of the innocent residents involved, who have already been harmed previously.

To summarise, measures to counter fraud, dishonesty and wrongdoing within the planning system seem to have been quietly watered down around 2011, to better enable Barnet Planning to focus on major projects and knock less important (to them, not residents) minor development through, quickly and hassle free. [REDACTED]

Hence, Special Measures is avoided and Capita would be much more inclined to take on Planning. Does this suggest that Capita was planned and prepared for two years in advance? If so, by whom and why?

Planning may as well have been giftwrapped, because not only did it come Special Measures free, [REDACTED] which would allow Capita also to focus on major projects, where the money is, and knock pesky little residential stuff through hassle free. They could, therefore, concentrate on major development, and input a bare minimum of staffing, time and resources on other, smaller residential work. Minimum input, maximum profit... [REDACTED]

[REDACTED] - something I believe Barnet had previously struggled with.

This is a situation that Re/ Capita would have no interest in changing, and have not done so. So, for the last seven years at least, we have had a system that [REDACTED] - prioritise (a) Capita/ Re, to maximise profit, and (b) officers to reduce workload, allowing them to focus on major projects, with

minimum effort expended on small scale stuff, particularly enforcement. And, (c) by default, wrongdoers.

At the bottom of the priority hierarchy lie residents and the beautiful area, and the evidence that this is the case is all around you – the Victoria Lodge fiasco, the £3 West Hendon development, the unacceptable level of public disgust, the unacceptable, out-of-control enforcement figures for the last two years, the profusion of illegal “beds in sheds” and, standing as a grotesque metaphor for the [redacted] broken planning system in Barnet, right in front of the Town Hall, the savagely demolished White Bear – once a seat of justice, in the 1700s, in Hendon!!

We residents have quite simply been cheated. We pay for this planning system, and should be at the centre of all it does, but we have been quietly, subtly shifted to the bottom, because Capita has to make money. This is NOT what public services are about.

Barnet Planning / Re is not “Putting the Community First” and Barnet Council is not, in terms of planning, maintaining “peace, order and good governance of the municipal district.”(Local Government Act 1989).

How has the council responded to public anger and protest?

In the last six months or so, public anger and protest have brought about a partial audit and revealed the appalling enforcement figures.

[redacted]
[redacted]
[redacted]

Under pressure from residents, the audit decided to declare, [redacted] that enforcement should be “high risk,” but not because there isn’t any or because Re/ Planning bends over backwards not to have to do any, nor because 80% plus of all enforcement cases end with “no further action” or the sickening idea to “authorise the breach.” But, because many files were not complete and some enforcement cases were not dealt with in a timely manner. Two months down the line, that is now all resolved. The files will be completed and future cases will be dealt with quicker. So, thats ok then. It’s easy to say we will do better from now on!

Hidden in smaller print were issues with planning applications. There is apparently a lack of clarity within the planning department about fraud indicators, who to refer suspicions to, when, and when to involve the CAF Team. One proposed action was to make staff aware of the very existence of the CAF Team! In other words, the very, very basics were unclear and this is a full three years after the commissioning out of the service! And a full ten or more years after the formation of the CAF Team. The Risk Management Framework of the time was clear:

“The council’s primary responsibilities when commissioning services and working in partnerships is to ensure that the partnership has effective risk management procedures and to provide assurance that the risks associated with working in partnership have been identified, prioritised and are being appropriately managed.”

[REDACTED]

You cannot ask residents to believe that this is due to accident and slack work.

[REDACTED]

[REDACTED]

As to the planning applications, and remember, they are the cause of the terrible enforcement problems, with enforcement itself only the symptom, it is all ok now because: Re and Barnet Council’s anti-fraud training manuals have been “aligned” and there is to be co-operation between the CAF Team and Re! How come they weren’t in tune three years ago? At the disinterested, thoughtless, ruthless tick of some silly box, the issues are declared “implemented” or “no longer applicable.”

This partial audit was [REDACTED] designed to appease residents and, at the same time, say nothing and do nothing.

[REDACTED]

[REDACTED] I wonder why.

Equally, at the recent Extraordinary Council Meeting, [REDACTED] 60% of the enforcement cases ^{were described} as “insignificant.” They are not insignificant to the harmed residents who reported them, they would not be insignificant if they affected his property and 1900 insignificancies ARE significant.

It seems that officers and the controlling administration are working together, to ensure that the planning system stays exactly the same as it is now. But, why on earth would anyone wish to do that?

[REDACTED]

If a structure is erected "prior to the submission of inaccurate information" then that information does not "enable or lead" to the structure being erected." It does not, therefore, "contribute to a physical gain" and the council "does not suffer loss."

In Barnet, in such a situation, you will not be prosecuted or otherwise sanctioned, if you [REDACTED] are exposed. (But, remember, if you mis-use grandad's Blue Badge, you will be.) and you will benefit from those [REDACTED]

The reader can work out what precedent that sets, but you cannot work out where the information came from: [REDACTED]

[REDACTED] And that is what residents encounter time and time and time again, and that is why there is such anger and distrust.

Barnet is the borough where it is well known that you MUST build first and worry about permissions, consents, rules later, if you have to. You know you will most likely get away with your wrongdoing, despite any detrimental effects on others and/ or the area. [REDACTED]

How can the service/ system be improved?

[REDACTED]


[REDACTED] The wrongdoing feeds off itself, is not enforced

and goes on increasing. That pernicious cycle must be broken and could be, if the council has the appetite to do so.

Where does this wrongdoing come from?

- Complete and utter lack of enforcement
- A failure to check suspicious planning applications properly
- A failure to follow the planning rules and regulations properly, in order and strictly. This is particularly the case with retrospective applications.
- And, most importantly, a failure to place residents and the welfare of the area at the very centre of the planning system, bearing in mind that the residents pay for that system.

There are many ways in which the service could be improved, but "improved" is not the right word to use, because the ways in which the service could be "improved" are simply the standard ways in which it should have been run over the last many, many years, including, of course, the years where Capita/Re has run it.

- The Nolan Principles should be central to it: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership
- The Constitution, Ethics and Probity committee should be involved to ensure that the conduct of Re/ Planning is ethical.
- Planning Officers should be compelled to follow the Fraud Policy, strictly, and planning applications which may be inaccurate/ wrong/ suspicious must be checked robustly.
- Officer discretion in this is absolutely unacceptable and officers must be compelled to check robustly, through strict, anti-fraud guidelines
- Checking a suspicious application by simply asking the applicant again is utterly dangerous and unacceptable. It must be abolished as a form of check immediately. If applicants are asked again, they must be compelled to provide irrefutable proof of their "word."
- Inaccuracies/ suspected inaccuracies on planning applications must be regarded as suspicious and deliberate, until proved otherwise
- There must be strict application of planning rules and enforcement for breaches of those rules. 

- Officers must act within the LETTER and SPIRIT of the laws and regulations with which they deal, as per the Fraud Policy, and outlaw the use of any rule bending or breaches or loopholes, from which wrongdoers can benefit.
- Wrongdoers should never, ever be allowed to benefit from cheating the council or others through the planning system. There is now case law to support the council in this.
- Officers should [REDACTED] their care of residents and their unique position as guardians of this borough. They should never allow themselves to be fooled by dishonest residents or greedy developers. They should be at the top of their game to ensure that everything is done properly, honestly and to the rules.
- There should be more of them, paid for by Capita as compensation for the immense harm done on Capita/ Re's watch.
- Specifically, the abhorrent scam of building first and giving others requisite notice retrospectively should be recognised for the scam it is, and outlawed immediately. Wrongdoers should NEVER be able to gain from cheating others or the council and/or causing harm. No council should allow or condone scams. It is unacceptable and unethical.
- Innocent residents' rights within the planning system should NEVER be brushed aside in favour of a wrongdoer.
- There should be much more resourcing of planning and enforcement, funded by Capita, to make up for the harm they have caused and to pay for remedying it.
- Developers could be compelled to contribute to this, in return for being allowed to build in Barnet, properly and ethically of course.

There are a lot of bullet points here, but they should be easy to implement, for one simple reason: they are basic, they are how any reputable planning system should be run and they are how any ordinary resident would expect the planning system to be run. They should not constitute "improvement" because they should be, and are, standard.

[REDACTED]

[REDACTED]

17/4/17

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Re Contract Review

April 2017

Key Points

- Transparency
- Output specifications
- Commitments
- Performance
- People
- Conflicts of interest
- Finance
- Summary
- Appendix 1 – Service Commitment Comments

Transparency

Council

- Contract documents still heavily redacted.
- Contract and key documents such as commitments and output specifications are still PDF'd as images making them difficult to download and almost impossible to read.
- All of the output specifications are consolidated into two documents over 600 pages which cannot be searched.
- The commitment documents are illegible.
- Commercial development plan (schedule 37) is so heavily redacted as to render it useless in terms of resident engagement.
- Performance information is very limited.
- This process is being held in secret – there is no involvement in the review, simply submission of evidence.

Re

- Who are Re?
- No management structure is available or published.
- No named individuals or contact details.
- That makes it impossible for residents to hold individuals accountable.
- As a JV 49% owned by the Council there should be much greater openness as to what they do and who they are.

The council should review the level of redaction and publish all contract documents in an electronic format that can be searched and is legible.

Re should publish on the council website an organisational chart with heads of department and contact details.

57 Further review meetings should be held in public.

Output Specifications & Role Conflicts

- All output specifications are consolidated into 2 documents totalling 629 pages which are not searchable and difficult to read.
- Residents have no knowledge of what they should expect from the service.
- Key concern is that in a number of the output specifications it draws the distinction between Re employees and Authority employees. For example only, Authority employees can serve a planning enforcement notice. There is no data about how that transition is working and if that handover is causing a problem such as in planning enforcement.
- There is a concern about the conflict of interest between activities which do not generate income and activities which do. For example, if there is a large volume of planning applications, will more staff be allocated to registering and assessing applications? These have a large number of KPI's and generate income. Is this prioritised over enforcement which generates no income and has only two very weakly drawn KPI's.
- Has anyone reviewed the KPI's and assessed whether they are adequate to ensure the service is delivered appropriately? Evidence suggests that some KPI's are not aligned with the Authority's requirements, which means the Council may be paying for services they don't want or are inadequate.
- There is a very strong incentive to create more work as that generates additional fees. It is not clear who controls the budget for additional work and who challenges the activity and the fees charged.

Each department should have a readable output specification shown on the website listed under "What you should expect". That would then give residents a clear expectation of what the service does and doesn't deliver. KPI's should be reviewed as a matter of urgency and where necessary amended or updated. This process should be done in public. There should be more accountability for additional works outside the contracted sum.

Commitments

- There are a large number of commitments but the quarterly performance reports mention only two or three.
- There are significant financial and manpower commitments but there is no evidence they have been delivered or the money invested.
- 31 of the tier 1-4 commitments are redacted in part or full so it is impossible to understand if they have been fulfilled.
- All 5 TS commitments are redacted
- 6 of the 8 EH commitments are redacted
- 6 of the 13 C&C commitments are redacted
- 4 of the 6 BC commitments are redacted
- 2 of the 3 PDM commitments are redacted

- I have set out comments at Appendix 1 on all 133 Tier 1-3 commitments albeit they make up less than half of all the commitments.

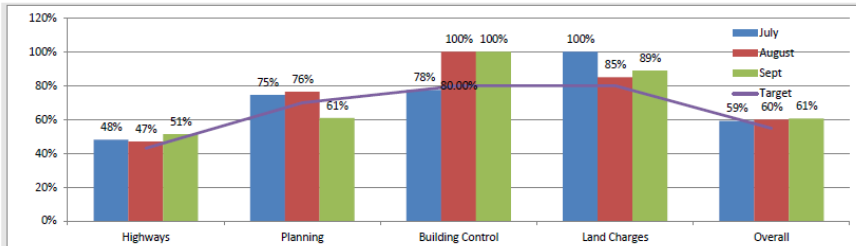
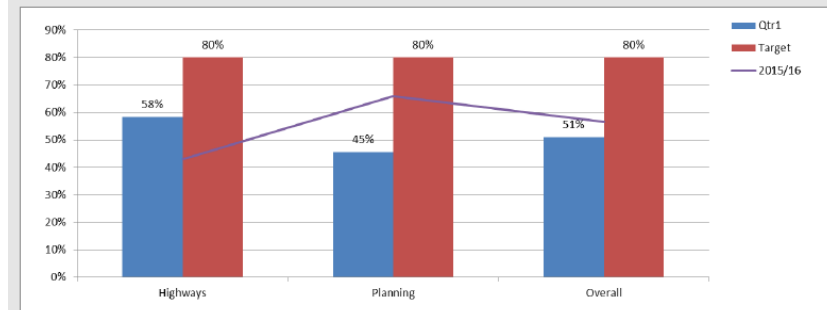
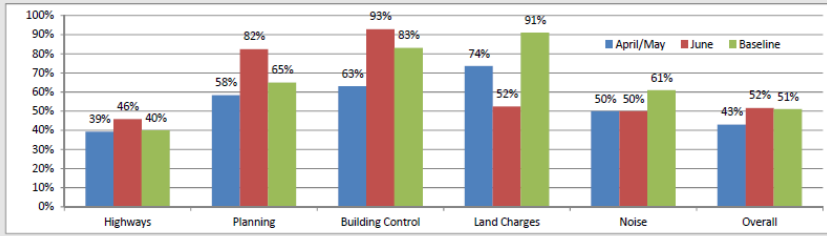
All redacted commitments should be reviewed to assess whether their redaction is still necessary. There should be a checklist to indicate which commitments have been achieved, along with the evidence source and an action plan with deadlines for commitments which are overdue. Overdue commitments should be reported in each quarterly performance report.

Performance Measurement & Management

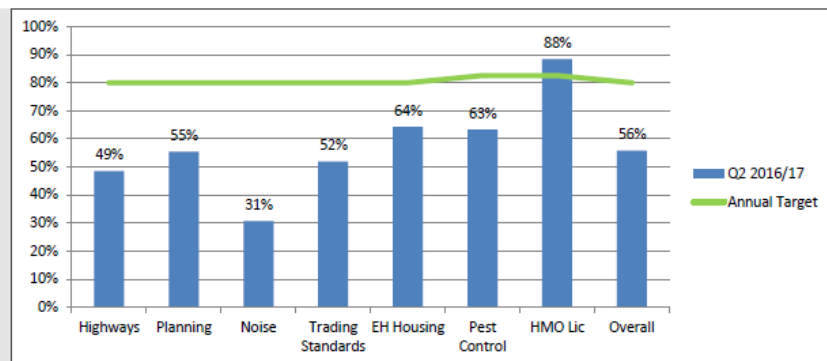
- Performance data is inconsistently reported, making it much harder to track trends - see the next page of customer satisfaction charts from each of the last 7 performance reports which are all different, making comparison and trend analysis almost impossible. There are also contradictions on targets. As such, it is unclear how performance can be monitored.
- There is evidence that some KPI's provided by contractors are not validated so there is no basis to judge whether the KPI has actually been achieved.
- There is evidence that, even when poor performance is identified through KPI's, no appropriate action is taken.
- KPI's are not regularly reviewed and, as such, KPI's set out in the contract may no longer be appropriate or useful.
- A large volume of work is let outside the main contract through the special projects route. It is not clear how performance of those projects is monitored and assessed.
- No action is taken when performance targets are missed. For example, customer satisfaction consistently missed targets by some margin in the last 7 quarters but no effective action has been taken to address the issue.
- Performance reports regularly state the SLA for Members Enquiries but not the actual score achieved.
- Quarterly Performance & Contract Management have such a congested agenda that the opportunity to scrutinise and evaluate all the KPI's is almost impossible. 315 KPI's were reported at the most recent meeting .

There should be a schedule of which council staff are responsible for monitoring specific contract elements and they should report at the Performance & Contract Management committee meetings. There should be a standard reporting format for performance data with trend analysis. This should include all instances of under performance with an action plan for remedy. There should be an immediate review of all KPI's to test whether they are aligned with the authority's objectives and that they are relevant. As part of the performance and contract management committee there should be a KPI working group to regularly review KPI relevance. There should be additional meetings of the Performance & Contract Management Committee to devote sufficient time to adequately reviewing Re contract performance.

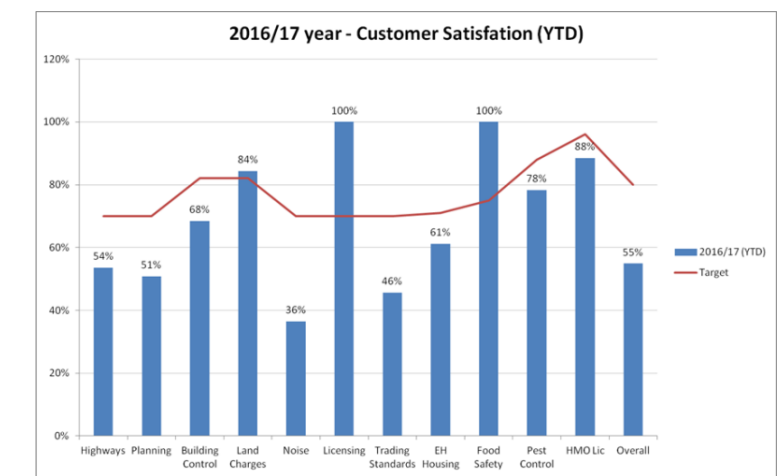
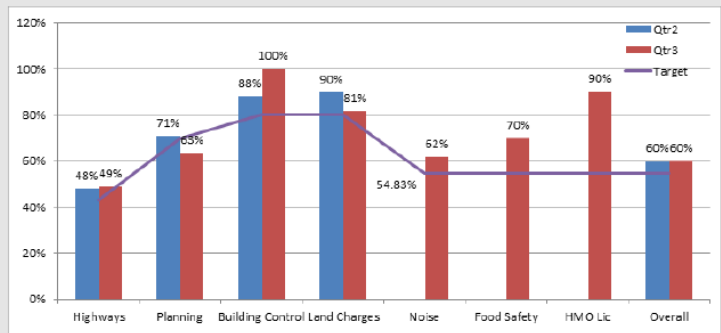
Customer Satisfaction -% of customers scoring the service a 4 or 5 (on a scale of 1 to 5)



The graph above shows the data for customer satisfaction for the quarter. Quarter 2 saw a particularly pleasing uptum in overall customer satisfaction for Re

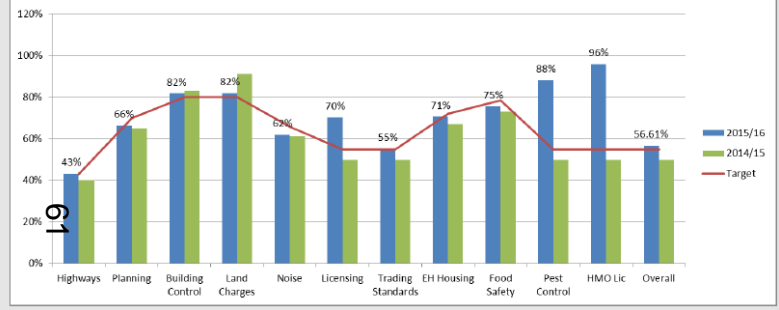


Customer Satisfaction -% of customers scoring the service a 4 or 5 (on a scale of 1 to 5)



Customer Satisfaction -% of customers scoring the service a 4 or 5 (on a scale of 1 to 5)

2015/16 year - Customer Satisfaction



People

- So many of the Re services are dependent on the skills of individual staff members rather than systems or technology. For example, EHO's have to go out and inspect premises, Building Control have to attend and inspect building sites, Trading Standards have to investigate and piece together information.
- As such, that makes the issue of staff morale, staff satisfaction and staff turnover, of very serious importance to the success of this contract. However, if there is no staff survey evidence, no statistics on staff turnover or staff absence or how many posts are vacant/filled by temporary staff, then how can this be assessed?
- Staff calibre/qualifications/experience needs to be measured to ensure posts are not be filled by unskilled/unqualified staff.
- Surely, with staff being so fundamental to the success of the service, these are measures that should be measured and monitored as part of this review process. It will also help to identify areas which may become problematic in the future if remedial action is not taken.

There should be an annual, Re specific, staff survey to assess morale and staff satisfaction. As part of the quarterly performance reporting, it should include staff turnover and staff absence. The number of vacant posts, agency, interim and unqualified staff should be reported.

Conflicts of Interest

- There is significant concern regarding conflicts of interest whether real or perceived.
- NLBP – Hindale paid Re £105,364 to prepare a **site development brief** and to provide pre application advice to inform the preparation of the planning application for the site. The scheme will be assessed by planning officers who are also employed by Re. This scheme does not reflect what the community wants. While pre application advice is fine, the site development brief creates a clear perceived conflict.
- Licensing application – A recent licensing application was submitted by Re Consultancy on behalf of an applicant. However, Environmental Health, which is also part of Re, opposed the application due to previous noise complaints.
- GL Hearn have been offering property advice on the Brent Cross development but they are 100% owned by Capita whose Re staff will be assessing the scheme.
- By offering both consultancy to an applicant and then assessing the applicant's submission this will inevitably create the perception of a conflict.
- Offering consultancy advice for schemes outside the borough does not seem unreasonable and is a way of generating revenue but for schemes within the borough this represents a major potential for conflict.
- There is a blurring of responsibility of the Leader and the Chief Executive who are also Board members of Re. They have two very different sets of responsibilities which inevitably creates the potential for conflicts of interest. As such I believe there is a conflict of interest in the chairmanship of this review.

An independent person should review the potential conflicts of interest that arise by providing consultancy advice within the borough on activities that Re also enact on behalf of the council such as planning, licensing and environmental health. Bring in an independent chair person who has no direct connection with the council similar to the independent members who sit on the Audit Committee.

Finance

- Most of the numbers in the commercial development plan have been redacted but commitment T4-1 states that that Re will deliver £33.7m of additional income for Barnet.
- There is no evidence as to whether, at year 4, that target is on track. Indeed, the evidence suggests it is significantly off track.
- Annual accounts suggest Barnet Council's share of the net profit to 31 December 2015 is £2,463,177. How does this reflect against the £33.7 million target?
- I note that the Re have paid £1.359 million in corporation tax. That means that Barnet residents have paid additional charges which simply go in tax and which would not have been the case for an in-house team.
- There is a real concern that the management charges have been significantly higher than forecast due to the amount of additional work being carried out by Capita. In quarter 3 of 2016/17 it was overspent by £510,000.
- To date the Re contract is overspent by £19.83 million so what certainty is there of achieving the £33.7 million additional income target?

Re	2013-14	2014-15	2015-16	2016-17 YTD	Total
Contracted (£m)	8.61	14.85	15.08	15.31	53.85
Actual YTD (£m)	8.61	14.76	24.45	25.86	73.68
Difference (£m)	0	-0.09	9.37	10.55	19.83

There needs to a very clear report on the current financial performance and in particular how much additional revenue has been generated and if the £33.7m target is on track. There needs to be a clear explanation of the additional £19.83 million paid to Re.

Summary Views

Set out below is a summary of the points raised under each topic:

- The council should review the level of redaction and publish all contract documents in an electronic format that can be searched and which is legible.
- Re should publish on the website an organisational chart with heads of department and contact details
- Further review meetings should be held in public.
- Each department should have a readable output specification shown on the website listed under “What you should expect”. That would then give residents a clear expectation of what the service does and doesn’t deliver.
- KPI’s should be reviewed as a matter of urgency and where necessary amended or updated. This process should be done in public.
- There should be more accountability for additional works outside the contracted sum.
- All redacted commitments should be reviewed to assess whether their redaction is still necessary.
- There should be a checklist to indicate which commitments have been achieved along with the evidence source and an action plan with deadlines for commitments which are overdue. Overdue commitments should be reported in each quarterly performance report.
- There should be a schedule of which council staff are responsible for monitoring specific contract elements and they should report at the Performance & Contract Management committee meetings.
- There should be a standard reporting format for performance data with trend analysis. This should include all instances of under performance with an action plan for remedy.

Summary Views

- There should be additional meetings of the Performance & Contract Management Committee to devote sufficient time to adequately reviewing Re contract performance.
- There should be an immediate review of all KPI's to test whether they are aligned with the authority's objectives and that they are relevant.
- As part of the performance and contract management committee there should be a KPI working group to regularly review KPI relevance.
- There should be an annual, Re specific, staff survey to assess morale and staff satisfaction.
- As part of the quarterly performance reporting it should include staff turnover and staff absence. The number of vacant posts, agency, interim and unqualified staff should also be reported.
- An independent person should review the potential conflicts of interest that arise by providing consultancy advice within the borough on activities that Re also enact on behalf of the council such as planning licensing and environmental health.
- Bring in an independent chairperson who has no direct connection with the council similar to the independent members who sit on the Audit Committee.
- There needs to a very clear report on the current financial performance and in particular how much additional revenue has been generated and if the £33.7m target is on track.
- There needs to be a clear explanation of the additional £19.83 million paid to Re.

Appendix 1 - Service Commitment Comments

Service Commitments

No.	A or C	Timescale	Comment
T1-1	A	5 yrs	What progress is being made to achieve this by end of year 5
T1-2	A	5 yrs	What progress is being made to achieve this by end of year 5
T1-3	A	2 yrs	Has this been achieved
T1-4	C	2 yrs	Who are the 4 member liaison officers Is member satisfaction 90%
T1-5	A	6 mths	Has the Barnet Observatory been delivered & who sits on the Innovations Board
T1-6	A	3 yrs	Has the take up been achieved -evidence please
T1-7	C	1 yr	Have resources and activities been coordinated and outcomes achieved
T1-8	C	Day 1	Where is the 3 year rolling plan?
T1-9	C	Day 1	How many challenges to conflicts of interest have been made
T1-10	C	1 yr	Where is the 3 year rolling plan?
T1-11	C	Day 1	what significant changes have taken place & have they been charged

T2-1	C	Day 1	Who is the service director, director of place and business development director
T2-2	C	3 mths	What is the Customer access strategy
T2-3	C	6 mths	Complaints management system is it operational
T2-4	C	1 yr	Is this ICT solution in place
T2-5	C	1 yr	Is the dedicated customer service team in place
T2-6	C	18 mths	Have the individual development plans been developed
T2-7	C	1 yr	Have 5 training and development days been delivered
T2-8	C	6 mths	Who are the two staff targeting opportunity identification
T2-9	C	6 mths	Who are the members of the Innovations Board and how many initiatives have been presented

T3-1	C	9 mths	What is this commitment?
T3-2	C	6 mths	Who are the two full time legal advisors
T3-3	C	1 yr	Permit application
T3-4	C	9 mths	What is this commitment?
T3-5	C	6 mths	Extended cemetery hours
T3-6	C	3 yrs	According to Deceased Online only archive burials listed and they were put online Oct 2013
T3-7	C	3 yrs	Achieved April 2016
T3-8	C	3 yrs	Green flag status planned for 2017 Not yet achieved?
T3-9	C	Day 1	Pre dug graves evidence
T3-10	C	6 mths	Were the proposals submitted and who reviewed them?
T3-11	C	2 yrs	Linked to 3-10 what was developed?
T3-12	C	6 mths	Some of services are redacted what were they?
T3-13	C	6 mths	Business case for what - redacted?
T3-14	C	18 mths	New greenhouse and work with local social enterprise did this take place?
T3-15	C	6 mths	New natural burial site plan
T3-16	C	18 mths	Linked to 3-15 was it developed?
T3-17	C	1 yr	Is there a Memorial stone mason business on site?
T3-18	C	1 yr	What is this commitment? Redacted
T3-19	C	Day 1	Did this training take place
T3-20	C	Day 1	Did this training take place
T3-21	C	Day 1	What were the staffing levels before contract and today?
T3-22	C	Day 1	What were the customer service functions and have they been retained?
T3-23	C	1 yr	Has BACAS been implemented - what is the underpinning detail
T3-24	C	1 yr	Seems identical to 3-23
T3-25	C	9 mths	Redacted
T3-26	C	9 mths	Redacted
T3-27	C	9 mths	Redacted
T3-28	C	6 mths	Did they provide a mentor are they continuously updating information for members
T3-29	C	1 yr	Do they provide details of commercial crime and schools data what do they mean by digitising planning records surely that already existed.
T3-30	C	6 mths	what is the take up of the premium rate service (fast track?) and how well has it been received
T3-31	C	6 mths	Where are the minutes of the twice annual meeting with developers, what were the outcomes
T3-32	C	Day 1	Evidence of 5 days training annually - training records audit trail?
T3-33	C	6 mths	Building control- Evidence of 5 days training annually - training records audit trail?
T3-34	C	6 mths	Dangerous structures regime review did it take place and what was the outcome
T3-35	C	1 mth	Mobile phone log - surely that already existed

T3-36	C	18 mths	Has each service achieved ISO9001 accreditation
T3-37	C	9 mths	Redacted
T3-37a	C	1 yr	What register and is it in electronic format?
T3-38	C	Day 1	Are they still using Ocella why was this commitment necessary
T3-39	C	3 mths	did they undertake the review, what were the findings was it reported to the board evidence in Board Minutes?
T3-40	C	6 mths	Have they adopted the competency model where is the evidence
T3-41	C	6 mths	Are EH &TS closely linked to insights team have they funded two full time analysts posts
T3-42	C	6 mths	Has the JSNA been updated since 2015? no later version showing on website.
T3-43	C	12 mths	Are fortnightly meetings taking place - evidence? Are 2 full time analysts in post?
T3-44	C	6 mths	did the customer service training take place? Are majority of queries answered first time. Where is the data supporting this.
T3-45	C	1 yr	Self service still seems very limited. What has been delivered?
T3-46	C	1 yr	Did they establish the primary authority (I think so)
T3-47	C	Day 1	Did they transfer EXOR Underpinning detail redacted
T3-48	C	6 mths	Redacted
T3-49	C	1 yr	Did they upgrade EXOR Underpinning detail redacted
T3-50	C	Day 1	Redacted
T3-51	C	Day 1	Redacted
T3-52	C	Day 1	Redacted
T3-53	C	Day 1	Redacted
T3-54	C	Day 1	Redacted
T3-55	C	Day 1	Redacted
T3-56	C	Day 1	Redacted
T3-57	C	Day 1	Redacted
T3-58	C	Day 1	Redacted
T3-59	C	6 mths	Redacted
T3-60	C	Day 1	Have they invested the £2650 per annum?
T3-61	C	Day 1	Have they invested the £2500 per annum for 5 licenses?
T3-62	C	Day 1	Have they invested the £4200 per annum for 10 licenses?
T3-63	C	Day 1	Have they invested the £1900 per annum?
T3-64	C	Day 1	Have they invested the £2380 per annum?
T3-65	C	Day 1	Have they invested the £300 per annum?
T3-66	C	Day 1	Have they invested the £420 per annum?
T3-67	C	Day 1	Have they invested the £600 per annum?
T3-68	C	Day 1	Are they still using iTrace why was this commitment necessary
T3-69	C	Day 1	Redacted
T3-70	C	1 yr	Redacted
T3-71	C	Day 1	Redacted
T3-72	C	1 yr	Redacted
T3-73	C	6 mths	Did they implement Lean practice plus street works specialist for 3 months

T3-74	C	3 mths	Part redacted
T3-75	C	6 mths	Did they provide the street works specialist for 25 days
T3-76	C	12 mths	Is Barnet a streetworks centre of excellence - no apparent evidence?
T3-77	C	12 mths	Have they market street works did they employ a BDM have they won any business
T3-78	C	6 mths	Did they provide the additional resources for 30 days?
T3-79	C	6 mths	Did they provide the additional resources for 30 days?
T3-80	C	6 mths	Did they provide the additional resources for 25 days?
T3-81	C	6 mths	Delivered
T3-82	C	6 mths	Delivered
T3-83	C	6 mths	Are they still providing 2 days a month specialist resource
T3-84	C	1 yr	Evidence of 5 days training annually - training records audit trail?
T3-85	C	1 yr	Evidence of 5 days training annually - training records audit trail?
T3-86	C	1 yr	Are they still providing 10 days per annum specialist resource
T3-87	C	1 yr	What business did they develop Green Travel plans for - evidence
T3-88	C	1 yr	Have they developed the Programme Management Tool - part redacted
T3-89	C	6 mths	Have they developed the Project Appraisal Model - part redacted
T3-90	C	3 yrs	Who was the senior project manager - have they delivered?
T3-91	C	1 yr	What did they spend the £250k on and where is the Barnet Observatory?
T3-92	C	Day 1	Do we have a consistent talent pool what is the turnover of these key staff?
T3-93	C	1 yr	Have they developed the CEI - no evidence on the website
T3-94	C	6 mths	Have they developed the Estates Review - no evidence on the website
T3-95	C	3 mths	Who is the Place Director?
T3-96	C	1 yr	Where are the integrated Baseline Reviews and what did they tell us?
T3-97	C	1 yr	How much of the £700k promised have they spent.
T3-98	C	1 yr	Is this in place
T3-99	C	1 yr	Have they set up the social enterprise?
T3-100	C	3 mths	Did they invest the £200k in developing the Barnet Fund and what is it?
T3-101	C	3 mths	Have they provided the targeted support for NEETs
T3-102	C	2 yrs	Have they run the Innovation Barnet competition Biannually/Biennially -Evidence? The contract says biannual but the letter from Middlesex Uni say biennial
T3-103	C	1 yr	Who is the private sector chair of the partnership
T3-104	C	2 yrs	Did they appoint the senior project manager
T3-105	C	1 yr	Did they appoint the senior project manager
T3-106	C	1 yr	Did they appoint the senior project manager
T3-107	C	1 yr	What have they delivered in Town Centres
T3-108	C	1 yr	Have they delivered on the Tax Incremental Reinvestment Zones
T3-109	C	6 mths	Have they established the social enterprise to perform estate maintenance
T3-110	C	1 yr	Local heritage asset list Delivered
T3-111	C	1 yr	Did they deliver the report
T3-112	C	1 yr	Proposals Map delivered?

Appendix D

SUBMISSION TO MWG 25 April 2017

Our contact with planning service:

- Used the planning service since October 2013 till present date since neighbours started building works without planning permission. Also dealt with other applications along our road.
- Spoken to officers by telephone to confirm/query issues.
- Used online web forms.
- Visited Barnet House to request and purchase plans.
- Commented on neighbouring and local applications that we regarded as having significant impact on us, other residents and the local area.
- Made representations at planning committee meetings in regard to our objections.
- Corresponded by email and letters for planning applications and enforcement complaints.
- Observed other planning applications/enforcement investigations in Barnet and their outcomes.

Our views of our experiences with planning service:

Telephone Service - Satisfactory.

However, officers do not always return calls and are not in office and do not respond to messages left with colleagues.

Reception on planning floor at Barnet House – Excellent

On Duty Planning officers at Barnet House – Helpful

Email responses - Unsatisfactory.

Response times for follow-up queries or clarifications are not within the council's time frame for replies.

Responses are sometimes vague and do not address the issues raised.

Access to planning service – Needs to be available to all residents.

Planning system is not user friendly to residents without computer access. Neighbours not notified in writing of new amended plans submitted for consideration. Residents routinely attend planning committee meeting with no knowledge of amended plans.

Assessments of planning applications/enforcement cases – Poor.

1. Inconsistent standards assessing applications that tend to favour developers and buy to let landlords.

2. History of property and applications submitted previously are not stringently considered and some times not even considered.
3. The view that minor breaches do not cause significant harm is regularly taken. These are not prosecuted and allow applicants to carry on with their building or to keep their building works.
4. Many facts and plans are not scrutinised proficiently; when omissions and mistakes are highlighted by objectors, they are still overlooked or dismissed.
5. Correct and sufficient information is not given to the planning committee. Many members have no access to all objection comments submitted and cursorily follow the officer's recommendations. Amendments published late on the day of the committee meeting give an unfair advantage to the applicants as these late amendments cannot be reasonably considered or rebutted by objectors who are not present.
6. Our experience of planning is that the developments approved only benefit the owner of the application property (usually a buy to let investor landlord) and not the local community. The developments also do not support the provision of local infrastructure. They are built at the cost to the residents' outlook and amenities.

Enforcement – Unacceptable standard

1. Understaffed: Only 4 or 5 enforcement officers for the whole of Barnet. Residents have to live with breaches whilst waiting for decisions and actions from enforcement officers. Enforcement officers left or transferred from department and no replacement found or notified to residents. Enforcement cases left stagnating or unattended.
2. Conditions to approved applications do not protect the residents or the local area if owners of approved applications do not complete their build and do not fulfil their conditions once development has been built, sold or rented. (Parking and Bin storage are commonly lacking and affects the public and neighbours the most.)
3. Statistics for successful enforcement are derived from individual homeowners who have stepped slightly out of line in regard to planning breaches, not serial offenders who do the most damage to local communities by breaching more regulations than most.
4. They also come from authorisation of breaches deemed minor to the council but were considered by neighbouring residents as significant enough to complain to the council. For example: A new window not in approved plans has been considered a minor breach requiring no action. That allows developer to install a bathroom in order to increase the facilities to house more tenants, contributing to overcrowding of a studio flat.
5. Prosecutions are rare because council veers away from strictly implementing conditions planning officers have set when approving applications.
6. Appeals to Planning Inspectorate by applicants are not challenged by Council who do not send further comments to support their refusal of planning permission.

7. Investigations are also closed with no update to the persons who reported them so no one is aware of the results of the investigation.
8. A climate of easy approvals and lax enforcement has attracted more developers and owners to contravene building and planning regulations in Barnet.

Within a radius of 150m from our property, there are eight enforcement investigations at various stages of investigations:

ENF/01505/16 | Breach of Condition | 112 Station Road London NW4 3SN opened November 2016 follow up to ENF/00883/15 | Breach of Condition | 112 Station Road London NW4 3SN opened July 2015

ENF/01044/16 Beds in Shed (closed without reasons given) Council Tax Query please investigate, needs further investigation.

ENF/01282/15 | Use of the property as a House in Multiple Occupation (HMO) | 131 Station Road London NW4 4NJ reported October 2015

ENF/01141/16 | Construction of a Rear Extension and Loft Conversion | 131 Station Road London NW4 4NJ reported September 2016

ENF/01510/16 | Outbuilding Used as a Habitable Dwelling | 131 Station Road London NW4 4NJ reported November 2016

ENF/01454/16 | Demolition of Property | 71 Vivian Avenue London NW4 3XE reported November 2016

ENF/01293/16 | Builders Yard and Structures in Garden | 6 Neeld Crescent London NW4 3RR reported October 2016

ENF/00228/17 | Erection of a Rear Extension without the Consent of Planning Permission | Flats 1 And 2 101 Station Road London NW4 4NT reported February 2017

Some of the above current enforcement investigations are at properties where there is history of previous investigations or involve developers who have enforcement investigations on other properties they own, manage or develop.

Changes we as residents would like to see:

1. Adequate levels of staffing and resources to deal effectively with the flood of applications and enforcement.
2. Proper training of all staff. So many new and young 'fresh out of university' officers from out of Barnet are being recruited in the recent months. There may also be a depletion of senior staff that has affected the speed and quality of processing applications. Experienced officers required to replace exodus to other councils.
3. Improved quality and standard of work of planning officers. The evidence of building works that have been carried out not in accordance to approved plans, if visible to the neighbouring residents, must be picked up by case officers. Due diligence by

cross-referencing and a commitment to follow up on observations from complainants must take precedence over what is presented by applicants. Extra care must be given to applications from professional developers who have no excuse to knowingly breach rules or regulations.

4. Robust and stringent scrutiny of applications. Verification processes of suspicious applications must ensure that what is declared and presented for consideration is beyond dispute. It is also not the onus of the neighbouring residents to prove the application is incorrect. The planning department has the means and authority to verify what has been presented. (Land registry, visits to measure and document, previous plans for comparison, historical records.)
5. Omissions and mistakes from applicants must not be allowed to unjustly skew the suitability of proposed developments.
6. Fair and transparent decisions to protect the green garden spaces and outlook and amenities of neighbours rather than chasing the provision of housing which is not for the residents but for private overseas investors or very transient tenant population.
7. Persons declaring a conflict of interest with applicants or site must not be allowed to participate in the planning decision.
8. Improved time scale for dealing with enforcement cases.
9. Improved timescale for delivering decision notices after committee meetings.
10. Stricter application of planning obligations when dealing with retrospective applications. Regularising every breach as minor is giving people the wrong idea.
11. Improved communication to interested parties of any updates, amendments and decisions to applications, bearing in mind that not everyone has a computer at home or is able to get online elsewhere.

We would be happy to give specific details of properties and applications/investigations on which we have based our experiences.

We also give notice that one of us would like the opportunity to address the Members at the meeting on 25 April 2017.

Appendix E(i)

Highway Services
North London Business Park
Oakleigh Road South N11 1NP

17th April 2017

Dear Sir or Madam,

**Broken and wrongly laid paving stones in Falkland Road, Stafford Road
causing trip hazards
Paving stones causing a tripping hazard outside the entrance to 'The Spires'
(pedestrian crossing)
Freedom of Information request**

Yesterday I tripped and fell on a paving stone which is not laid flush with other paving stones on Falkland Road. Today I have bruised and cut hands and a bruised, cut and swollen knee, plus pain in my shoulder and hip. (I have photographs). This latest 'accident' will also affect my working. I do a lot of work on the computer at home and typing this letter is now causing me pain in my arm and shoulder, both of which were 'jolted' when I fell.

There are numerous broken paving stones, and paving stones causing a trip hazard on this road. The same is true of Stafford Road. Because of the state of the pavements there are not only numerous trip hazards, but when it rains there are enormous puddles on the pavements.

About six months ago I also tripped and fell on 'The Spires' entrance side of the pedestrian crossing between Sainsburys and 'The Spires'. This was because the smaller red paving stones (with the raised circles on the surface) are not laid correctly and are sticking up and not flush with the rest of the paving stones. This area also floods when it rains because of the poor workmanship and so the area is made even more dangerous.

I injured my right side and hip and had pain for eight weeks. I had to see my GP twice and also had to have an X Ray at Barnet hospital (so I have evidence of these injuries). It was very lucky that I did not have a broken hip.

So the lack of adequate pavements has caused me distress, weeks of pain due to my injuries and has also cost the NHS in time and money.

Although I am not young I still work and travel into and around central London regularly. I also travel into and walk around Islington regularly and in neither of these places do I have to walk looking at the pavements to make sure I don't trip. For eg I can walk the length of Upper Street N1 and the pavements are in perfect condition.

Appendix E(i)

I did not make a report about tripping and falling outside 'The Spires' because my experience of Barnet Council is that it has absolutely no concern for the safety and convenience of its ratepayers and residents. Also complaints are rarely answered.

However I would now like the Council's response to the following.

- a. The state of the pavements in Falkland Road and Trafford Road are a safety hazard and the Council should inspect and relay the paving..
When will this be done?
- b. The traffic crossing outside 'The Spires' and the paving slabs which are sticking up are a safety hazard and should be relaid. **When will this be done?**
- c. **I am making a Freedom of Information request.** Could you send me the following statistics:
 - i. **How many complaints from residents about the state of pavements** in Barnet have the Council received in the last year?
 - ii. **Who is responsible for pavements in Barnet?** Has the work been outsourced to a private company and if so, what is the name of the company?
 - iii. **What work has been done to repair pavements in Barnet in the last year?** That is,
Which pavements have been repaired in the last year. (i.e. names of streets and extent and cost of work done.)

Yours faithfully,

c.c.
Councillors Perry, Longstaff, and Prentice.

Appendix E(ii)

7th April 2017

Dear Councillor Longstaff,

Trees backing on to one side of

I attach an email sent to Capita and the Barnet Estates Office of Barnet Council, plus copies of emails sent last year about the same issue.

As you will see last year it took 5 months for me to receive any reply from the Council and Capita. Despite the fact that a Council Officer visited my house eventually and agreed (having inspected the trees) that these trees should be pollarded (as they had been in the past) Capita refused to do that.

I have spoken to neighbours in the 14/15 houses affected by the trees' height and spread (and disease in the horse chestnuts – the horse chestnut leaf miner '*cameraria ohridella*') of these trees.

Neighbours all agree that these trees should be pollarded. The trees had been pollarded by Barnet Council when I moved back to this house (2009). Once pollarded trees need this treatment regularly. They are causing a considerable nuisance, destroying our ability to enjoy our garden space, cutting out light and sun and covering our gardens with the diseased horse chestnut leaves early in the summer.

As you are a Councillor no doubt if you contact Capita and/or the council you will get a speedy reply.

Could you

contact both Capita and the Council to let us know whether the trees will be pollarded this spring, so that we can decide quickly what further action we need to take.

Yours sincerely,

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Dear Councillor,

I've yet again received the local times through the door only to discover there was a council consultation on the joint operation with Capita and Re Ltd that no one knows about and that it is over. So I've written in to you as lead councillor and copied it to the department.

From what I can see Capita responds very quickly to each and every councillor who makes direct contact or has an issue but everything coming from the public is fielded away from a specific member of staff, you can never speak to them. If you email in you eventually get an answer but if the matter is on going you rarely get a second response. It seems the hope is that you will give up.

Unfortunately the arrangement with Capita appears to operate on the typical contract system where they make their money by what they don't do. When pulled up they are professional, they apologise and say they must do better, something else goes downwards they apologise again, we had staff leaving etc. and so the cycle goes on. In the meantime they make money above and beyond their contract.

I have had lots of connections with various department of the council over the years having been involved as an assistant head teacher with maintenance of a school site . I know the phone number off by heart.

I walk a lot locally and when I notice a problem all be it a car dumped in the local wreck, a gas smell or a water leak I have always phoned it in as I walk. Surprisingly I often come across gas leaks. More frequently I come across pavement or road potholes. The later I have now stopped bothering to phone in or put on "Fix my street." Before Capita you could absolutely rely on the council to take action, if you phoned something in you could be certain it would be done. Now more often than not nothing happens. It's always been hassle to phone in with all the messages to get passed before you get to a receptionist, with little response it's just not worth the effort.

Twice I reported a damaged paving stone. No more than 50 meters from the very busy main entrance from a primary school. A lorry had obviously been over it. One paving was 50mm+ below the other, probably the worst I have ever seen. The feedback I got was that it was not serious enough to be dealt with. Either it was not even looked at or there is some amazingly bad judgement. I contacted again. Nothing happened. I raised it with one of the commissioners in a residents meeting when a rep from Capita was present and finally it was repaired. Members of the public are simply not going to bother though a councillor tells me it always happens when he reports it!

I run the Neighbourhood Watch which has meant I have some matters that connect with the council. I've had contacts with the school travel officer(Capita) about setting up a walk to school route. Almost impossible to get a name. Impossible to get a direct phone number. A couple of emails and arrangements made then you hear nothing. Absolutely impossible to make progress.

I've actually measured the width of the road to check to see if it's possible to put a traffic island at the top end. As part of the walk to school scheme we hoped to get a traffic island installed to improve safety and deal with some terrible driving. I asked the school travel officer to follow it up for me. After reminders she came back saying it needed to go through engineering. Eventually I was advised to email it in. I received an acknowledgement then nothing. I phoned after weeks and it was put through again. Nothing has happened and I'm still waiting. Absolutely typical.

We wanted to widen our drive since the grass verge was being left in a terrible muddy mess with white delivery vans. I completed the forms. I sent drawings and photos to make absolutely sure nothing could go wrong and still it was marked out in the wrong and most obviously farcically stupid way. Finally contractors came and left it incomplete. It ended with me getting hold over the overseer encouraging him to sort it. Over and above land registry connections neighbours could not believe the cost neither could we!

A neighbour decided to follow our approach. They had had a tree in front of their house which had died and been removed. They applied and to their amazement they were told that a replacement tree was due to be planted and they would have to pay an additional £125 pounds to have it removed. Again farcical, they have given up.

The owner of a house at the bottom of the road, [REDACTED] applied for and got approval for a side and rear extension. Approval stated very clearly, approval granted based on accurate drawings being provided. Finishes to match existing. Drawings provided were incorrectly indicating an existing brick/ block extension was to be removed and rebuilt up to the pavement line. There is nothing similar locally and clearly would not match. Google street scene clearly shows the existing construction was a rickety lean to structure with corrugated plastic roofing inside a fence not a brick construction. It was built and the gutter now over hangs the pavement which is not permitted. Finishes don't match. A further extension has been put up without planning permission as part of the same works. Only after my contacting a councillor has action been taken. The owner has been invited to apply for retrospective planning permission. What has happened about the incorrect drawing supplied with the initial application? What is happening about the over hanging gutters. The fact that the owner decided to throw up an additional extension over a weekend whilst workers were on site without planning permission when he obviously knows it is needed speaks volumes. The fact that he has not applied for permission to split the house into flats yet has installed separate boilers for upper and lower floors and a neighbour who has viewed the inside said it is set out as separate flats also tells a story. It would seem experience tells the owner to have little respect for the authority's supervision.

Whilst we know you are free to appoint your own building control officer we had real concerns about safety on the above site. It was something from the third world. Deep foundations were left open overnight immediately against the pavement, scaffold had no kick boards when right over the pavement, dangerous supporting of beams not meeting building regs, men running as goods offloaded onto scaffold fell down. I emailed in twice with no response. I left messages. I finally spoke to a reception member from building control but I have little hope that a visit to the site was actually made. Emails to planning drew no response so eventually I raised it with the councillor in the road.

The fact is Capita seems to be a total disaster and you think it is absolutely impossible to make any headway with them, then you hear there is no money anyway. Anyone can see how dire the roads are particularly the bus routes. They have got very, very much worse.

My general impression is that we have a council environment committee who do not really see how bad the environment is. That's not to say councillors are not working hard. I know you all do. You need someone with vision and imagination running the environment committee not someone who focuses on money. Traffic has increased dramatically, the population is increasing but there are no changes and improvements made to take account. Capita's involvement is just the final nail. Go over the border though and you can find improvements and small schemes happening. It simply is not good enough.

Regards

[REDACTED]
[REDACTED]
[REDACTED]

RE Ltd Contract Review Member Working Group: 26 June 2017, Hendon Town Hall.

I wish to speak and answer questions at the public meeting of the Member Working Group on 26 June 2017. I am also sending the WRITTEN SUBMISSION below because of the very limited period of time allocated at the meeting for public speakers: one hour total, for all speakers. There would not be sufficient time at the meeting to communicate all of the significant points below.

In this submission to the Re Ltd Contract Member Working Group I question the degree of accountability of the Council's planning department in its Re Ltd. partnership.

I will cite, as examples, two current planning department problems I am having to deal with.

I experienced an alternative and more effective approach to accountability in a different Conservative council in North London when working as Course Manager and Public Administration lecturer on Southgate College's examination courses for council staff and civil servants (BTEC National - A-level standard, and then also the Higher National - first-year degree standard - for which I also wrote the College's successful accreditation submission to BTEC.)

When council outsourcing began to be greatly expanded under Mrs. Thatcher's government in the 1980s, Conservative Enfield Council established a clear distinction between its Council (councillors and staff) as the **Client**, and businesses as **Contractors**. It took steps to avoid the conflicts of interest and lack of accountability that are causing problems with the Re Ltd. relationship here in Barnet.

Enfield Council was our major source of council-staff students, and they invited me to attend the detailed learning session they held at the Civic Centre for their staff and councillors on the out-sourcing requirements. I was given all documentation, so that we would be in a position to incorporate out-sourcing procedures and issues into our courses. Numerous issues were raised and discussed by staff and councillors on the core principles of **Client** and **Contractor**.

The emphasis was on the **Client's** (the Council's) responsibility, actively and in practical terms, through its own staff, to monitor the performance of **Contractors** effectively. In terms of practical authority and accountability, it was council staff who would be in the key position. They were **accountable upwards** to the elected Council, and **responsible downwards** for the careful monitoring of a **Contractor** organisation's activities. Proper administrative measures would be in place to ensure that this monitoring functioned effectively. There would be clear blue water between the Client and the Contractor.

This cannot, of course, be the case with the Re Ltd Contract. Their entry in "*The Online Directory of Planning Consultants*" shows part of the enormous range of the compromised powers in Barnet's partnership relationship with Re Ltd. For instance, among the 17 listed services shown online as being "included" in Re Ltd.'s Barnet range are:

- "Premium pre-application services."
- "Preparation, submission and negotiation of planning applications."
- "Planning enforcement solutions."
- "Lobbying in response to and in support of planning issues and planning applications."
- "Heritage advice."
- "Tree and landscaping advice."

Their introductory paragraph in this online entry reads: "RE (Regional Enterprise) Ltd. is a joint venture particularly between Capita and the London Borough of Barnet which delivers

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planning support to both Public and Private Sector Clients."

Who is able to monitor effectively (and how) the inevitable practical conflicts of interest between Re Ltd.'s inter-twined Public and Private Sector Clients?

My two current planning department problems are, briefly, as follows:

1. A 2015 planning application, 15/04207/FUL (dealt with originally by the Council's current Head of Development Management, [REDACTED]), to build two houses in the back garden of a property next door to my own at [REDACTED] showed, extraordinarily, on one of the submitted plans, that the applicant proposed to demolish a large tree in the centre of our private freehold garden (and also to do other tree work in our garden). This was despite the Application form having stated that there would be only "on-site" work, i.e. only in their Application site alone. We had also never been approached by the Applicant or anyone else about this, and would certainly never have given permission for such work to be done in our private garden. .

The Application was approved on 28 August 2015, on Officer's recommendation. I have written to four officers about this: [REDACTED] Area Planning Manager, Finchley & Golders Green, and (on the advice of a duty planning officer), to [REDACTED] tree officer - all to no avail.

[REDACTED] letter to me, on 18 April 2017 (replying to my letter to [REDACTED]), includes the following: "...agree that the application form is incorrect..."; "The approval of planning permission does not necessarily allow works to be carried out on someone else's land for which permission of the owner may be required..."; "..... officers have attached conditions to ensure that there is the best possible chance (!!!) of trees being retained..."; and his punch-line: "...This would be a civil matter between the two parties" - that is to say, a civil matter between ourselves and the developer!

In other words, planning officers, having wrongly approved the next-door developer's proposal to carry out "off-site" work in our private garden while applying only for "on-site" work, now intend to remove themselves entirely from the picture. Our only remedy for this situation, [REDACTED] says, is for us to commence a private legal action against the developer!

WE would have to sue the developer in order to put right the Council's error (whether this error was accidental or deliberate).

CONCLUSION: Either deliberately, or through sheer incompetence, or through a determination to conceal their errors, the interests of planning officers are the same, here, as those of the developer: to stop us from pressing to save our trees in our private garden from the next-door developer. We would have to take the developer to court; officers' actions in this matter are, apparently, irrelevant. **Where** is the clear dividing line, here (if any), between the interests of the **Client** (Barnet plus Contractor Re Ltd) and the other Contractor (the developer)? **Who**, if anyone on the Council's staff, is in a position to ensure accountability?

2. The conversion of the 1850s house at [REDACTED] into flats was approved on 29 July 2014. This is one of the 31 surviving old Freehold Land Association houses in Friern Park about which I wrote in my book [REDACTED]. The approval had been on condition that the facade was not altered. A Finchley & Golders Green Area planning officer wrote to me in July 2014 that the decision did not preclude further applications for the site "and you will be notified should this occur."

I contacted Enforcement in late January 2017 about some "repair" changes taking place to the facade and received a satisfactory written reply. Seven weeks later, on 4 April, I wrote to Enforcement pointing out that a large protruding roof window ("dormer") had appeared, "facing forwards into the road". I asked whether planning permission had been given for this, and if so, why notice of the proposed amendment had not been sent to myself or other relevant persons. The

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20 April reply said: "The matter you have raised will be investigated and you will be contacted on the outcome in due course."

On 31 May I informed Enforcement by phone that a second prominent dormer was now being installed in the forward-facing side of the roof. The Enforcement Officer now said a planning application had been submitted on 8 December 2016 for one front dormer and two rear, and this was still in the hands of the planning department. She had warned the builder on 5 May that by pre-empting the decision, they were working at their own risk. (It appeared she had not known, in her 20 April letter, of this planning application.) She checked the file and gave me the addresses of some of the properties that had been consulted; mine was not among them - although my property was closer, it seemed, to the application site than some that had been consulted.

I then phoned [REDACTED] the planning officer concerned. He said an additional planning application had been approved (by officers) on 16 August 2016 and the present application (one front & two rear dormers) was received 8 December and validated 31 January. He presumed I had not been included in either of these consultations on the grounds that my property must have been "out of the perimeter". Neither he nor the Enforcement Officer knew that a second forward-facing dormer was now being installed by the builder. He was not able to provide me with a list of consultation addresses.

On Friday 2 June 2017 I visited Barnet House and asked (over the phone in Planning Reception) for a list of consultation addresses for the above two applications (16/3971/FUL and 16/7784/FUL) in order to establish why my address had been omitted from both of these consultations (and the omission also of myself, as an interested person; see letter above, July 2014). I was told by Mr. [REDACTED] that it was very likely these address lists (omitting names) would be sent to me within a few days by the planning department. They have not yet arrived, despite a further telephone enquiry from myself.

CONCLUSION: Proper consultation on planning applications is an essential element in accountability. What procedures are in place to ensure (a) that consultation addresses are readily available for checking, and (b) that these addresses include persons previously informed that they would be notified of any new applications for a particular address on which they had previously commented? The above (b) has been standard practice in the past.

This is another issue where there is a potential conflict of interest in relation to the **Client** (Barnet plus **Contractor Re Ltd**) and the other **Contractor** (the developer at [REDACTED]).

What procedures are in place to ensure a clear dividing line between these two Contractors?

Who, if anyone on the Council's staff, is in a position to check whether a particular developer is one of Contractor Re Ltd.'s (or Capita's) "Private Sector Clients" in receipt of their "planning support"? Who, in other words, on the Council's staff, is in a position to ensure proper, unbiased and un-influenced accountability in the Barnet/Re Ltd. consultation process?

[REDACTED]

[REDACTED]

Monday 19 June 2017.

SAE enclosed for acknowledgement.

TO: Mr. Michael Van Yeboah, Performance & Projects Consultant, Commissioning Group, Performance Team, L.B. Barnet, Building 2, North London Business Park, N11 1NP.

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Appendix H



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Appendix I

Submission for Re: Review

It is difficult as a member of the public to be able to distinguish what functions of Barnet Council are contracted to Re: particularly with regard to the authors of Strategic Planning documents as they contain no 'author'. I presume that the Cophall Planning Brief, An Open Spaces Strategy for Barnet and the like are part of Strategic Planning and so written by Re: staff. Other functions are more obvious as they are identified as Re: or signed by Re: staff. Developments are required to be considered against the NPPF, London Plan, Barnet Plan and other relevant document, but there is a tendency to only choose those clauses/statements in these that the development in question will satisfy and ignore others that should be considered with equal or greater merit. If these were reported equally, more planning applications may be refused. Additionally, other organisations appear to have too close a relationship with Barnet Council, giving them a privileged position. My submission concerns Dollis Valley Greenwalk, Barnet Cophall in the Green Belt, trees and the infrastructure for pedestrians.

Dollis Valley Greenwalk (DVGW)

In 2009, DVGW won £400,000 funding from the Mayor of London in the 'Help a London Park' initiative (See [open_space_assessment_dec09_4.pdf](#), page 36 – 5.3.2 and 5.3.3 or GLA's DD367 Funding Agreement for DVGW). You will note that in October 2009 there is no mention of cycling along DVGW as it was a green and pedestrian only corridor.

But in December 2013 Planning Application B/05752/13 was submitted by a Re: employee and then deemed to be 'permitted' and 'lawful' by the Assistant Director – Development Management & Building Control, another Re: employee. This was using Class A of Part 12 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The result of this was a 'Certificate of Lawful Use or Development' was issued for DVGW (section between Oakdene Park & Fursby Ave) N3. (Please note that 'Oakdene Park' is a suburban street in West Finchley not associated with DVGW, that seems to have been transposed somewhere along DVGW!). The plans are from the footbridge below Rocklands to Fursby Avenue – Phase 2. Phase 1 from Dollis Road to the footbridge was 'upgraded' the previous summer, when many residents were on holiday, and as far as I can ascertain, the public was not aware of these plans until a sign was placed at either end to state that the footpath was closed for works.

If you look up part 12 of the above you will note that it only covers "any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic meters in capacity". But this project involved materials far in excess of 200 cubic meters so could not be approved under Class A of part 12 of the above! (Calculation: For the asphalt paths alone, they are 621 meters, the width of 2.5m gives 1552 square meters. The concrete edging was 15cm (the minimum height as the path was raised) gives 232.8 cubic meters. But this is the minimum the path was raised – in some places it was raised by 0.8m, and does not take into account the 132m pedestrian-only path, the new 3m wide bridge or the topsoil brought in to attempt to raise the surrounding ground to the height of the path. The volume was likely to be over 400 cubic meters).

Hence this 'Certificate of Lawful Use or Development' could not be considered such.

The 'Re: Limited Conflicts of Interest Register' has Reference Planning003 in Feb 2013 where Re: was involved with both the submitting of the application and the determination of the application and although this is mentioned in this register, why did none of these Re: planning team staff do a few calculations and reject this project being able to receive a 'Certificate of Lawful Use or Development'?

It was not until April 2014 that the public were made aware of these plans, by way of some notices along this area of DVGW. There would be some Parks staff available for information on three days for a couple of hours. As part of this information they carried out an impromptu survey, which was later referred to as the 'consultation'. This did not mention the introduction of cycling but rather a 'shared path', something that every public footpath is. When I asked if they were going to permit cycling I was told that if cycling was not agreed to they would have to close this section of DVGW for Health and Safety. But there are sections of footpaths much worse than this was that continue to be

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open and are not upgraded because they cannot become cycleways so this was more of a threat if you do not agree to the inclusion of cycling. There was very little information available and I was not directed to the Planning Application above. I am unsure if this was available online before the works began as in an email to a councillor it stated they were not online due to purdah. I was later to find that the contracts for the works were let before the information days.

There would appear to be no evaluation of the impact of the new path or the change of use of the other paths. Additionally, there was no consideration of this being a SINC as the new path went straight through a regenerating small wooded area when a slightly longer path could have skirted this. The path has become a mini-dam as it affords little drainage through it. The area behind the tennis courts was unique along lower Dollis Brook as it was a natural, non-thoroughfare area that has now been severely compromised in a SINC.

Being in the area of a SINC there was an ecological report which stated no trees were to be felled. The plans indicated that apart from the new path behind the tennis courts, the other paths would be over the present path, but wider. However, the physical works did not see the new path being placed over the present path, as in the plans. At the Finchley and Golders Green Residents Forum in June 2014 I had asked some questions regarding this 'upgrade' and at the meeting I asked where the path was to go at the little bridge as there was not the 2.5m required between the oak tree and the brook bank. But there was silence – no one on the panel would answer! I suspect that the decision had already been made as within two weeks works began on cutting a path between the oak tree and the golf club fence, cutting down three hawthorn trees and other vegetation in the process. Being concerned I contacted my ward councillor who gave me the number to contact the Assistant Director – Development Management & Building Control, who had given the project a Certificate of Lawfulness.

On contacting the Assistant Director by phone I expressed my concerns that the project was too big for the 'Certificate of Lawful Use or Development' and that there had been a deviation from the plans. His reply was that once they had that certificate they could please themselves what they did there – they could cut down as many trees as they liked and they could deviate from the plans as much as they wanted so long as there was no 'demonstrable harm'!

While they progressed with these works the 'no cycling' sign remained at the Fursby Avenue entrance. Elderly residents had told me that other 'no cycling' signs had not been replaced by the council. There were no 'cycling permitted' signs as the designated cycling route was via Gordon Road and Brent Way, along quiet streets parallel to DVGW. People would not be denied access to enjoy DVGW if cycling is not permitted.

Both 'Department for Transport Shared Use Paths' and 'London Cycling Design Standards' requirements could not be met as the environment along this section did not permit the width, visibility and other requirements for the cycle standards required for 'shared paths'. An example being the fences either side at the allotments, with fences later extended as the widened path was then so close to the brook. This section is about 150m with a curve in it, so reduced visibility. The fences on either side are well over a metre tall and between 2.5, and 3m apart. But the design requirement is that they be 4m apart! There are also corners of little visibility. If they had fully considered the requirements detailed in the Department for Transport document, they would have concluded that this footpath should not be converted to 'shared path'. There was no consideration of the effect this wider path designed for cyclists would have on present and future pedestrian users or wildlife of this SINC which is also part of 'green chains'. In fact there was so little regard for the effect on the environment that unsterilized materials were brought in, particularly soil, so the next summer many plants were growing that were not previously present.

Design standards have been ignored. So has the Equalities Act as vulnerable pedestrians have not been considered. If free money was not available from Transport for London for off-road cycling, this would not have occurred. DVGW is being downgraded to a transport corridor when what is needed to maintain it as a health, wellbeing and ecology corridor for the benefit of pedestrians, flora and fauna. The Re: 'Dollis Valley Walk / Oakdene Park Shared Footpath Phase 2 Pre-Construction Information 14th May 2014' has

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3.12 There is no recorded presence of any invasive species such as Japanese Knotweed or Himalayan Balsam, or any Giant hogweed.

These species are now all present and Himalayan Balsam was definitely spread during these works. Spear thistle, creeping thistle, hemlock, common hogweed, ragweed, and other weeds not previously in this area were introduced during these works.

DVGW has been frequently raised at Residents' Forums since as many DVGW users and nearby residents are not happy with this scheme but appear to be ignored. An internal Audit was undertaken in April 2015 but it was limited in scope and did not address the decision to introduce cycling without any consultation and the disregard of the environment and pedestrians.

Recently other sections of DVGW have been subject to 'upgrades' or these are planned. Whetstone Stray has recently had the path widened from between 1 – 1.5m to 3m. There was no consultation as I was told it was not needed as was like for like, but, if it was like for like how could LIP funding be used as this is not available for maintenance. The plans were drawn by Re: staff with them being designed, drawn, checked and approved by three different people on the same day. The resulting path would suggest this was a desk job where safety and the environment were not considered. The finished path has some blind corners on a path that cyclists can speed on. The side path to Longland Drive was also to be upgraded without any consultation even though it passes meters from residential properties. After the works began in wet weather there was a threat of Dollis Brook becoming contaminated by spoil, so I contacted the Environment Agency. They required a geotextile barrier to be erected as the works were so close to the brook, but this should have been in place before the works began – why did Re: not highlight this in plans? Again with free money from Transport for London for off-road cycleways, there was little if any consideration of the environment or pedestrians, the scheme title being "Whetstone Stray Cycle Route". This is part of DVGW and in a SINC.

There were also plans to convert the Riverside Walk and Brookside Walk (which is part of the Capital Ring) to permit cycling. Again the plans were designed, drawn, checked and approved the same day. Again it was hidden behind the terminology of 'shared path' even to the extent of having a notice about a 'shared path' next to a 'no cycling sign'. So I put up notices explaining what was planned, to be told by a Park's staff member that I was fly-posting and he was taking them all down!

Please read Freedom of Information request 3656999 and note all the requirements to be considered that have been completely ignored. How are the elderly and young children being considered in the Equalities Act? Where are the Health and Safety considerations? With no count of present numbers or profile of present users, how can it be justified that their plans will be beneficial? Given that DVGW goes through SINC's in these places, where are the environment impact reports?

The widening of the path and additional infrastructure, like fences for cycle safety and the introduction of plants not previously growing in these areas, are compromising this area of nature conservation and also making it more urbanised. The effect of these projects involving Re: will affect the Health and Wellbeing of the majority of residents as 26% of journeys originating in Barnet are by pedestrians, whereas only 1% are cycling. The pedestrian infrastructure is being downgraded in favour of cyclists and the ecology of the SINC's along DVGW are being similarly downgraded.

It would be great if the Council would look to the future and consider the health and wellbeing of residents and the ecology of natural areas within the borough, rather than make decisions purely for financial reasons. The challenge should be to encourage more pedestrian activities on pedestrian-friendly infrastructure. The NHS guidelines for adults are met by more adults when doing pedestrian activities than swimming, cycling or other sports. Contrary to the opinion of engineers, cyclists and pedestrians prefer very different surfaces as cycles have wheels to roll over the surface whereas pedestrians interact with the surface by foot-strike. A softer surface does not generate as much force through the body. While concrete and asphalt may be hard wearing, the wear and tear on our bodies from

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these surfaces is more painful. With so many bus stops and tube stations near, the DVGW route it is accessible to many residents and is an activity nearly everyone can participate in. So please in this review of Re: encourage some strategic planning to enhance DVGW for more pedestrians. Some safe (no corridors and outward opening cubicle doors directly to the surroundings – no corridors) toilets, lockers to leave bags/shopping while out for a stroll, pedestrian-friendly surfaces on DVGW would be better for health and well-being than converting it to a transport corridor.

Trees and the infrastructure for pedestrians

Many trees are street trees but there are also trees in parks. It is concerning that trees are often cut down without a notice being placed on them when it the requirement is that a notice is placed on a tree for at least seven days before it is cut down. Sometimes a notice is placed at a tree stating it is necessary to remove it but by then only the trunk may be left. It appears there is a tendency to cut down a tree just in case. Park trees often do not have a notice placed on them, yet are likely to be less of a risk. Seven days seems insufficient time for residents to be able to argue a case for retention of a tree, where justification for its removal is not always evident. It is hoped that Re: will give greater value to trees and that trees will be replaced the next planting season. There was a claim at the last Finchley and Golders Green Residents Forum that there was not sufficient money to replace trees the next planting season so some tree pits will remain empty for another year (example: Fursby Avenue).

Pavements up until about two years ago generally had at least 2/3rds of the pavement flat with up to a third slanted at driveways for vehicles to cross the pavement. But now every driveway is slanted so that all the pavement is at a slope. Why? Can there be some 'strategic planning' to improve the pedestrian infrastructure to make it easier and more pleasant for pedestrians? This is not a financial consideration, rather it is more an acknowledgement that pedestrian activities should be encouraged by improving the infrastructure for them. In my street there are hundreds of people who walk along the pavement daily, with most property vehicle crossings having two to four movements a day, yet the design is to give these vehicles priority. People are now expected to live on average of over 80 years so please develop pedestrian infrastructure so their joints will last that long. Softer surfaces for pedestrians need to be investigated too. Concrete and asphalt need to be replaced with more pedestrian-friendly materials, particularly on pavements that have high volumes of pedestrians. Pedestrian activities are healthy and environmentally friendly forms of travel that is cheap, plus it improves health and well-being so please modernise the pedestrian infrastructure to make it more pedestrian-friendly.

Trees are also in the street usually in the pavement. But they are now asphalted close to the trunk. As the asphalt has no give, it often is not long after the asphalt is applied that the asphalt develops cracks. Please investigate using porous, non-black material with some stretch as an improvement over asphalt.

Appendix J(i)

Barnet Cophall

Barnet Cophall is part of the Green Belt and as such should be protected from development except for those reasons permitted in the NPPF clauses on Green Belts. But there appears to be tactics being used to ensure that planning applications for developments will be approved. Further, there appears to be no rigorous assessment of the applications.

As Re: is responsible for 'Strategic planning' and 'Planning and Development Management' the whole process appears to be being run to ensure planning application success. Additionally, all organisations applying for planning permission on the Green Belt at Barnet Cophall appear to have 'buddy status'.

In January 2016 there was released a Draft Cophall Planning Brief put out for consultation. In this there was 'Open Space and Amenity Land' with no mention of Chase Lodge leasing this land and removing the trees for artificial pitches and car parking. But then this was slipped into the final plan and within a week of it being adopted by the P&R committee, the ARG committee gave Chase Lodge a two year option to then receive a long lease. In the documentation for this meeting it stated that they had been negotiating this for a year so why was it not mentioned in the Draft Cophall Planning Brief?

Nearly a year after the Cophall Planning Brief was adopted, it has become obvious that it was written with the intention of the known forthcoming planning applications being able to comply with it. The major omission from the Cophall Planning Brief (CPB), as the land is in the Green Belt, was an ecological assessment of the total Barnet Cophall (BC) area. I questioned at one meeting why this had not occurred and was told that this would be built up from various planning applications of specific areas within Cophall. This ensured that any planning application that would damage the ecology of the total BC area would pass without this being investigated. Wild fauna do not confine themselves to man-made boundaries and at BC are likely to roam across these man-made boundaries.

Further 13 (last paragraph of CPB)

Funding and Governance Options

To enable Cophall to realise its full potential of an exemplar of good planning, design and management it is proposed that a Cophall Consortium, be made up of site users and stakeholder, be formed to explore the options for future delivery of the aspirational developments outlined within this Planning Brief and its subsequent governance and management.

This implies that the control of BC will be handed over to be managed by those already granted dubious planning applications of BC in the Green Belt.

Middlesex University have been let into BC by way of an application taken under 'delegated powers' and now have plans approved for a large expansion of an activity (education) not previously at BC so requiring 'very special circumstances' that did not exist. The planning application proposal was written to sound as though a new West Stand was to be built to replace the decaying present west Stand and associated works. Further, this application was to increase by 50% the spectators at a Saracens match once a year and we all know that once a precedence is set, a later application for many times a year will have to be approved.

Appendix J(i)

The new BC Leisure centre also has Middlesex University written all over it. A FOI request to Barnet Council asking for Middlesex University involvement in the leisure centre stated that they had no involvement but the FOI for correspondence between Middlesex University and Barnet Council showed they were definitely involved. I suspect that the removal of diving had more to do with increasing the sports hall from 5 court to 8 court for Middlesex University (who wanted a 12 court sports hall) making it about the size of the present leisure centre.

Beside the Leisure centre Planning application had two ground floor plans and no first floor plan in the documents for public consultation. The West Stand application was 180 documents in no particular order that it was not until I read the agenda for the planning meeting that the scale of Middlesex University became apparent. And the removal of S106 agreements from a previous application. The Resource Centre in the planning brief became the Greenspaces building in the CBF and in that application the swales around the leisure Centre was one of the documents! I could go on but time is short. I have also attached files regarding my concerns for these applications.

Why approve Planning Application 16/8173/FUL at Barnet Cophall Stadium (Allianz Stadium)?

It appears that there were 541 objections and 345 supporting the build of the East Stand at Cophall (Allianz Stadium), yet it was only approved following legal agreement. For this proposed new West Stand, with extras requiring 'very special circumstances', the number of comments received is six. This despite 696 being consulted. I find this lack of comments strange given that it will have an impact on the Green Belt and the district. But perhaps it is the long description that gives the impression that all that is being done is replacing what is there with a similar new structure and cleverly hides expansions. Additionally, anyone who attempted to understand what was planned would find the 180 documents extremely difficult to negotiate, which are presented in no particular order.

This application 16/8173/FUL for the new West Stand requires 'very special circumstances' yet this is not specified in the planning application description even though the description is 254 words. If someone without considerable planning knowledge had the time to read the 180 documents I doubt they would be clear as to what was proposed. For me, it was not until I skimmed through the officer's report to the planning meeting that I realised what was proposed contained so much that required but seemed to have no justification for 'very special circumstances' and would be so damaging to the Green Belt that I became really concerned.

It is not the replacement of the West Stand that is of concern – rather the 'very special circumstances' that appear to be being slipped through with what is being seen as a replacement, a replacement being allowable in the green belt. The planning description to explain this development should have been something like this (There may be other criteria – I am not qualified to decipher all of the 180 documents!):

Demolition of and Replacement of the West Stand, Barnet Cophall Stadium. Floorspace will be increased by over 5 times the present and height will increase from x metres to x metres. A new campus for Middlesex University in the middle of the Green Belt to cater for 450+ students and staff (no upper limit). Classroom space of 3696 square metres and amenity space of x. An increase of spectators for 15 rugby matches a year from 10,000 to 10,500 (5% increase) plus a once a year rugby match of 15,000 spectators (50% increase). The removal of 9 category B trees and (whatever the number is but conservatively greater than 20) of category C trees. Replacement of informal sporting and leisure pitch (which previously replaced all-weather pitch) to a car-park for Middlesex University staff vehicle parking. Similar for the large car park. Reduction in Saracens costs in particular a maximum of £15,000 to administer the CPZ. (Previous planning application's for this sites S106 agreements). Further urbanisation of the greater Cophall site to accommodate increasing movements of students and staff of Middlesex University and the increased numbers of Saracens spectators.

I was the only person who spoke objecting to this development in the Green Belt. I was criticised by one of the councillors for objecting when I lived in Finchley. But this is my closest District Park. They focused on how much better the new stand would be than the present one with it being wheelchair accessible on all levels. These are valid reasons for replacing the old stand but there was no discussion about the 'very special circumstances'. It concerns me that the 'very special circumstances' are not considered when there may be recognised improvements in the part of the planning application that would be a permitted development.

- 1) There is a change of use in that the West Stand footprint will be much larger to establish a new campus for Middlesex University at Cophall
- 2) The allowance of one event per year to have an attendance of 15,000, a 50% increase, will set a precedence that will result in future planning permission having to be granted for multiple events each year of 15,000 spectators. The other 15 approved rugby games will have an option to increase spectator capacity by 5%.
- 3) Other public amenities and S106 agreements will be removed in favour of car parking and Saracens
- 4) Ecological assessments against a prior 'base' assessment are not possible as there is no 'base' assessment. The 'Cophall Plan' was written to ensure this planning application and others would comply

Barnet Cophall Stadium (or Allianz Park as Saracens refer to it) may be on a previously developed site but it is also in the middle of the London Green Belt. Any consideration of a planning application on this site must consider

- The new building use, footprint, height and bulk
- The Stadium site (10 hectares approx.) which is Green Belt
- The wider Cophall area in the Green Belt which must be crossed to reach this site
- The greater Mill Hill and nearby areas for the impact on residents and visitors, and the transport network

- 1) When Saracens moved to Cophall they were aware that the stadium was in the Green Belt and accepted a spectator limit of 10,000. Now only 5 years later they are proposing increasing this by 500 for every game (an increase of 5%) and for one game a year to 15,000 (an increase of 50%). What is the justification for such increases? If they had visions of greatly increased spectator numbers they should have looked elsewhere for a site outside the Green Belt where a larger capacity stadium would be permitted. It is well known that once a planning permission is given for something which sets a precedent, this can then be used as an acceptable reason to approve further similar applications. Conversely, it would appear that once the precedence is approved, there is no possibility that future extensions of a planning permission would be declined. Additionally, with other stadia in London having capacity for over 15,000 spectators there is no justification for permitting expansion in the Green Belt for one day per year. As well as the actual site expansion, there would also have to be wider pedestrian and vehicle access across the wider Green Belt, increased bus and train capacity and the associated vehicle travel disruption this would cause. It would appear that there has been no independent assessment of the effect this would have on the Cophall Area. To state that a 'trial' was successful in the proposer's opinion is not sufficient.

The proposed new stand has a larger footprint, is higher and has greater bulk than the present stand and for permitted development must be reduced to within the dimensions of the present stand. There are already hospitality areas, restaurants, bar and supporters' shop in the new East Stand – all unnecessary for the prime purpose of playing rugby – so expansion of these beyond what is already available in the present West Stand should not be approved.

Appendix J(ii)

- 2) Why should Middlesex University establish a campus at Copthall and what impact will this have on the Green Belt? It would appear that Middlesex University has been holding classes in the East Stand at Copthall since 2013. But this was a 'delegated decision' to have a change of use of East Stand Offices (class B) to Education (class D1) to establish London Sports Institute, part of Middlesex University. Barnet Planning Application H/01946/13 in May13. Why was this decision a 'delegated decision'? Any change of use in the Green Belt requires permission from the Mayor and Secretary of State, yet, if I have the documents correct, this did not even go to Barnet Councillors for approval and was decided by one of their officers who was not permitted to do so!

While practical outside sessions for London Sports Institute can be 'very special circumstances' for them being held at Copthall, this should be restricted to only outside practical sessions. How is it 'very special circumstances' to hold classes in indoor classrooms at Copthall? Middlesex University and Saracens are using the building of the new West Stand as an opportunity to establish a Middlesex University Campus at Copthall. The School of Health and Education will have no requirement to be based in the Green Belt except that there is a lack of space on the Hendon Campus and at Copthall they will not have to purchase a site! If this application is approved, in the future there will continually be 'very special circumstances' for Middlesex University to expand further on the Copthall site. Yet in the planning application description the only mention of Middlesex University was for staff car parking!

If Saracens were only building a new West Stand to replace the present stand, presumably it could be achieved on the present footprint. But to incorporate the Middlesex University (classrooms and related infrastructure) will require an expansion of the floor space by over 5,000 square metres (and possibly more). Yet no 'very special circumstances' have been shown and sites would be available elsewhere to build the indoor Middlesex University requirement. Additionally, as there is no ecological assessment of the total Copthall site there has been no measure of the impact on the site of all these additional human movements for the use of an indoor facility.

It is a red herring to include that these West Stand facilities will be for the use of the public. Middlesex University may possibly use these facilities between 7am and 11pm on weekdays and Saracens and the athletic clubs will be using them at weekends, and probably weekday training. Likewise, the community aspect of Saracens does not require the expansion of the West Stand beyond its present size. All the community activities mentioned can be achieved without this expansion and if some of those mentioned are to be expanded, they would be better done in other available accommodation (community halls, school gymnasiums, community hubs, ...) that are more accessible due to having a higher PTAL level than Barnet Copthall Stadium. Additionally there are many school building in the borough that would be available on weeknights that would be safer and more accessible by public transport.

It was not until the officer's report for the Planning Committee meeting that the numbers of people who would be attending this indoor facility on a weekday throughout much of the year was accessible. While it may be somewhere in the 180 documents, the naming of these and a random order made information they contained largely inaccessible. What is the 'very special circumstances' to justify 450+ students and staff being at Copthall to use an indoor facility not required to be in the Green Belt? As there is no upper limit number of staff and students, without needing any more approvals, Middlesex University could more than double this number of students and staff if they wished by using all hours between 7am and 11pm. If Middlesex University wishes to expand surely they should find land outside the Green Belt with room to expand on which to build their second campus of indoor teaching and related space.

- 5) When the Barnet Copthall Planning Brief was approved in September 2016 (there was a draft to consult on), it was known that this planning application and others would soon be submitted. So it was written to accommodate these planning applications. There were known developments that were omitted from the draft and slipped into the final version to avoid consultees, including the public, the opportunity to raise concerns regarding them. If Barnet Council wanted to acknowledge the environmental value of Copthall, and its place in the Green Belt, an environment report for the whole Copthall area should have been undertaken and formed part of the Copthall Plan. It is likely that it will have highlighted various measures required to maintain the ecological value of the Green Belt at Copthall. Further, it would have given a base situation from which qualified, independent assessors could evaluate the impact of planned developments on the Green Belt at Copthall. But having not done this evaluation, the effect of removing trees, habitat and such and the impact intensified human development will have on the ecology of the Copthall area, its open character and surrounding network of green spaces, and the impact on present recreational users, has been avoided. It is known that there are protected species at Copthall but it would appear that it is falsely assumed that no matter what development occurs at Copthall they will not be affected. The Officer's Report had that this was in a SINC and I reiterated this in my verbal objection. At the Planning Committee it was clarified that this was not in a SINC but regardless of this, it is land in the Green Belt with SINC's close by in the greater Copthall site. I fail to see how all of this development is on a previously developed site when there will be 9 category B trees, 12 at category C and 4 groups of trees at category C and part of another group that will be felled in the Green Belt for this development. Before any further developments proceed at Copthall a thorough independent ecological evaluation is required, before the urbanisation of Copthall reduces the ecological value of this area of Green Belt.

It is inappropriate to develop indoor facilities in the middle of an area of Green Belt without considering the safety of users of these facilities and the impact the increased human movements will have on the value of this Green Belt, both for residents, visitors and fauna and flora. Considerations of this planning application have ignored the movement of people in the Green Belt to the proposed building. In assessing the Equality Act where is the assessment of the personal safety of women crossing the Green Belt to get from the educational block in the new West Stand on a dark evening in winter to the closest bus stop on Pursley Road? Being in the Green Belt my understanding is that there are now lightning requirements that have resulted in just bollard lighting for footpaths. Yet many classes may be held after dark and in walking to the nearest bus stop their personal safety may be compromised. The site has a PTAL of zero so without a higher level of public transport, and personal safety concerns, how is it justified to approve the building of a tertiary indoor facility on this site? The London Plan has 7.3 Designing out Crime, requiring safe movements, yet this dark area may become a crime hotspot.

- 6) This planning application casts doubt on whether the ancillary accommodation is Saracens rugby or Middlesex University, such will be the impact that this increased volume stand for a university campus and the introduction of 450+ Middlesex University staff and students will have! As previously mentioned, Middlesex University were admitted to Copthall Stadium by a change in use of East Stand from Offices (Class B1) to Education (Class D1) –

Appendix J(ii)

Planning Application H/01946/2013 which was made by “delegated powers”. Unlike the 180 documents for the present planning application there was very little documentation for this application. In fact, as it was in the Green Belt ‘very special circumstances’ were required and it appears that this was not even considered. While the ‘Planning Considerations’ mention, “The wider Cophthall site is located within Green Belt” no mention is made that this application refers to a building in the Green Belt so the planning application also required approval from the Mayor and the Secretary of State.

The ‘London Institute of Sport’, part of Middlesex University is likely to consist of predominately indoor activities – lectures, discussion groups, sports testing, sports video evaluations, gym assessments and workouts, ... with very little course content being delivered outside. As this was a Green Belt application ‘very special circumstances’ had to be considered to approve this application, which it would appear did not occur. Further, the ‘Planning Consideration’ was that, “The proposed use would be served by approximately 10 members of staff and up to 50 students at any one time”. The present application suggests that this number is exceeded every weekday, and weekly by more than three times this number. (Mon-197, Tues-91, Wed-106, Thurs-142, Fri-129). For a planning application decided by “delegated powers” this has become the beginning of the creation of a Middlesex University Campus in the middle of the Green Belt. And this new application has no restriction on the number of staff and students – rather a minimum of 450! It is not vague statements like that the LIS is ‘successful’ that should be considered but whether they satisfy planning rules to be established in the Green Belt. What percentage of the course or hours of teaching the course requires outside space would be a better indicator of whether ‘very special circumstances’ exist for that part of the course.

7) Planning Application 18/06/2013 included

(vi) removal of 12,061 sq metres of existing hard-standing (used as an overspill parking area) to south east of existing stadium and laying out of new ‘green’ permeable surface area for parking up to 568 vehicles on match days and and for use as informal sporting and recreation activities on non-major event days (vii) the creation of a ‘new’ green surface on the existing disused all-weather pitch to the rear of Cophthall Cottages to create an area for informal sporting and leisure activities on all days except major event days. On major event days, the area will be used for coach and media vehicle parking subject to protected on such occasions by covering in accordance with detailed arrangements to be approved by the Local Planning Authority

But the site of (vii) is to be used every weekday for Middlesex University Staff parking. Hence the loss of an all-weather informal pitch to car parking. And it would appear that (vi) is used solely as a carpark. This is the removal of all-weather surfaces for informal sporting and recreational activities in favour of car parking. This suggests that community recreation and sporting areas to be provided can be dispensed with as Saracens/Middlesex University plans require. If I have read it correctly, this was part of the S106 Agreement in this previous planning application so must they be retained?

- 8) The assumption that students will not travel to the Cophthall Campus by private vehicle has not been adequately considered. It has a PTAL of zero making arriving by public transport difficult and time-consuming. It is entirely inappropriate to compare it with the Hendon Middlesex University Campus with 3 or more bus routes stopping right outside the entrance and the nearest tube station a short walk away along a well-lit route. While Saracens may be able to prevent them using the car-parks on site, this will just move them to other places – other Cophthall car parks like at the leisure centre or street parking nearby. This will create problems for local residents and visitors to other areas of Cophthall such that Saracens will offer to ‘solve’ the problem by permitting them to park within the Saracens site! Barnet Cophthall Stadium’s position in the middle of the Green Belt with a PTAL of zero makes it totally inappropriate to establish a University Campus there.
- 9) The suggestion that S106 requirements need no longer apply or the cost to Saracens to implement be capped should not be approved. There is the example in (5) above but another one is that the ‘CPZ’ costs be limited to £15k per year. But Saracens agreed to pay the ‘CPZ’ costs when they were negotiating taking over Cophthall Stadium. There has been much displeasure that the length of the ‘CPZ’ is 5 hours on match days because the starting time of matches may vary. However, there is the possibility that there may be digital signs that might be able to be installed so that the ‘CPZ’ time can be reduced considerably, to about an hour around the start time of each game, if all the signs can be controlled from a central point. I am sure there are similar reasons for retaining all the S106 agreements so that Council Tax payers do not end paying for Saracens presence.

The Officers Report to the Planning Committee has not adequately considered the ‘very special circumstances’ against required criteria. Sections 3.2 and 3.3 of the report is blatant bias toward this development without considering the negative impact it will have on the Green Belt and as such it should be refused. Having been approved I can only conclude that Planning Applications have had total disregard for the Green Belt and previous Planning Applications have not followed correct procedure and have not delivered benefits agreed.

It is also concerning that Saracens are in a privileged position with regard to planning applications being approved. An example being the count of the election last week for the three electoral seats in Barnet was at Allianz Stadium. Does the Council no longer have their own buildings capable of being used for this? The count continued throughout the night with vehicle movements in the Green Belt. Should this be acceptable in the Green Belt?

June 2017

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