

# Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 29TH JANUARY, 2019 AT 7.15PM OR AT THE CONCLUSION OF THE  
PRECEDING MEETING OF COUNCIL AS TRUSTEES

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

A G E N D A



ASSURANCE GROUP

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Agenda and Timetable  
Tuesday 29th January, 2019

Item	Subject	Timing	Page Nos
	<b>Part 1 - Statutory formalities/Announcements (15 minutes)</b>	<b>7:15 pm – 7:30 pm</b>	
1.	<b>Apologies for absence</b>		
2.	<b>Elect a Member to preside if the Mayor is absent</b>		
3.	<b>Prayer</b>		
4.	<b>Declarations of Interest</b>		
5.	<b>Minutes of the last meeting</b>		5 - 12
6.	<b>Official announcements</b>		
7.	<b>Any business remaining from last meeting</b>		
	<b>Part 2 - Question Time (30 minutes)</b>	<b>7:30 pm – 8:00 pm</b>	
8.	<b>Questions to the Leader (and Committee Chairmen if he/she has delegated)</b>		
	<b>Part 3 - Statutory Council Business (60 minutes)</b>		
9.	<b>Petitions for Debate (20 minutes)</b>		
10.	<b>Reports from the Leader</b>		
11.	<b>Reports from Committees</b>		
11.1	Referral from Barnet Health and Wellbeing Board to Full Council - Local Government Declaration on Sugar Reduction and Healthier Eating		13 - 36
11.2	Referral from Constitution and General Purposes		37 - 54

	Committee - Pay Policy Statement		
11.3	Referral from Constitution and General Purposes Committee - Constitution Review		55 - 80
12.	<b>Reports of Officers (60 minutes)</b>	<b>8:00 pm – 9:00 pm</b>	
12.1	London Boroughs Grants Scheme - Borough Contributions, 2019/20		81 - 88
12.2	Civic Link with Kreis Siegen Wittgenstein, Germany		89 - 92
12.3	Report of the Head of Governance		93 - 100
13.	<b>Questions to Council Representatives on Outside Bodies</b>		
	<b>Break (15 minutes)</b>	<b>9:00 pm – 9:15 pm</b>	
	<b>Part 4 – Business for Debate (45 minutes)</b>		
14.	<b>Motions (45 minutes)</b>	<b>9:15 pm – 10:00 pm</b>	
14.1	Opposition Motion from Cllr Alan Schneiderman - The State of Barnet's Streets		101 - 102
14.2	Administration Motion in the name of Cllr David Longstaff - Policing		103 - 104
14.3	Opposition Motion from Cllr Barry Rawlings - Rent Arrears and Universal Credit		105 - 106
14.4	Administration Motion in the name of Cllr.Peter Zinkin - Ultra Low Emission Zone		107 - 108
14.5	Opposition Motion from Cllr Ross Houston - Barnet Council's Brexit Contingency Planning		109 - 110
14.6	Administration Motion in the name Cllr John Marshall - Finchley Road entrance to Golders Green Station		111 - 112
14.7	Administration Motion in the name of Cllr John Hart - Queen`s Canopy		113 - 114

15.	<b>Motions for Adjournment</b>		

Andrew Charlwood, Head of Governance  
Building 4, North London Business Park, Oakleigh Road South, N11 1NP

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## **Minutes**

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET  
held at Hendon Town Hall, The Burroughs, London NW4 4BG, on 18 December 2018

### **AGENDA ITEM 5**

#### **PRESENT:-**

The Worshipful the Mayor (Councillor Reuben Thompstone)

#### **Councillors:**

Golnar Bokaei	Eva Greenspan	Barry Rawlings
Jess Brayne	Jennifer Grocock	Danny Rich
Felix Byers	Rohit Grover	Helene Richman
Anne Clarke	Lachhya Gurung	Tim Roberts
Alison Cornelius	John Hart	Gabriel Rozenberg
Pauline Coakley Webb	Ross Houston	Lisa Rutter
Dean Cohen	Anne Hutton	Shimon Ryde
Melvin Cohen	Laithe Jajeh	Gill Sargeant
Sara Conway	Kathy Levine	Alan Schneiderman
Jo Cooper	David Longstaff	Mark Shooter
Geof Cooke	John Marshall	Elliot Simberg
Richard Cornelius	Kath McGuirk	Thomas Smith
Saira Don	Arjun Mittra	Stephen Sowerby
Val Duschinsky	Alison Moore	Julian Teare
Paul Edwards	Ammar Naqvi	Daniel Thomas
Claire Farrier	Nagus Narenthira	Sarah Wardle
Anthony Finn	Charlie O-Macauley	Roberto Weeden-Sanz
Nizza Fluss	Reema Patel	Laurie Williams
Linda Freedman	Alex Prager	Peter Zinkin
Brian Gordon	Sachin Rajput	Zakia Zubairi

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Caroline Stock and Councillor Wendy Prentice.

#### **2. ELECT A MEMBER TO PRESIDE IF THE MAYOR IS ABSENT**

The Worshipful the Mayor was present.

#### **3. PRAYER**

Rabbi Lawrence was called upon by The Worshipful the Mayor to speak to Council and say prayers.

#### **4. DECLARATIONS OF INTEREST**

Councillor Dean Cohen declared a non-pecuniary interest in relation to Agenda item 11.3 (Referral from Policy and Resources Committee to Full Council: Proposed Submission North London Waste Plan (Regulation 19)) by virtue of being a Member of the North London Waste Authority.

Councillor Peter Zinkin declared a non-pecuniary interest in relation to Agenda item 11.3 (Referral from Policy and Resources Committee to Full Council: Proposed Submission North London Waste Plan (Regulation 19)) by virtue of being a Member of the North London Waste Authority.

#### **5. MINUTES OF THE LAST MEETING**

**RESOLVED** that the minutes of the meeting dated 30 October 2018 be agreed as a correct record.

#### **6. OFFICIAL ANNOUNCEMENTS**

The Worshipful The Mayor noted that early 2018 the London Borough of Barnet had been invited by its twin town, Le Raincy, France, to participate in their Twin Town Digital Photographic Competition.

The Worshipful The Mayor noted that the theme had been “Exchanging Viewpoints” which consisted of taking digital photographs with a focus on remarkable buildings, property of both public and private owners of our cities.

The Worshipful the Mayor was delighted to present the third prize certificate to David Loebell for his photograph of St Andrews Church, Totteridge.

The Worshipful the Mayor was delighted to present the second prize certificate Alan Last for his photograph of Leathersellers Almshouses.

The Worshipful the Mayor was delighted to present Sue Willoughby the first prize certificate for her photograph of St Mary the Virgin, Monken Hadley.

The Worshipful the Mayor advised the Chamber that Barnet had hosted a very successful visit in November from its twin towns from: Chaville, France; Tempelhof Schoneberg, Berlin, Germany; and Siegen Wittgenstein; Germany as they joined for the Armistice.

#### **7. ANY BUSINESS REMAINING FROM LAST MEETING**

There was none.

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

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

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

During the consideration of this item, Councillor Peter Zinkin left the meeting.

**9. PETITIONS FOR DEBATE**

There was none.

**10. REPORTS FROM THE LEADER**

There was none.

**11. REPORTS FROM COMMITTEES**

**11.1 REFERRAL FROM POLICY AND RESOURCES COMMITTEE TO FULL COUNCIL: BRENT CROSS CRICKLEWOOD FUNDING AND DELIVERY STRATEGY REPORT**

Councillor Daniel Thomas, Chairman of the Assets, Regeneration & Growth Committee, moved reception and adoption of the recommendations in the report. Debate ensued.

On the recommendations in the report being put to the vote, votes were recorded as follows:

For	35
Against	0
Abstentions	25
Absent	3

**RESOLVED that:**

- 1) Given the strategic importance of BXC and the scale of the investment proposed in delivery of the new Thameslink station at Brent Cross West (BXT), Council confirm the council's continuing commitment to the delivery of BXT and other elements of the critical infrastructure needed to support BXC.**
- 2) Council authorises the Deputy Chief Executive to enter into the Implementation Agreement with Network Rail and to commission the Schedule 1A (site set up) works set out in that agreement.**
- 3) Council delegate authority to the Policy & Resources Committee to commission the Schedule 1B (rail systems and sidings) works provided: (a) a**

**Revised Funding Agreement (RFA) has been agreed with HM Government (HMG); and (b) that the RFA does not expose the council to unacceptable risk.**

**11.2 REFERRAL FOR POLICY & RESOURCES COMMITTEE: COUNCIL TAX SUPPORT 2019/20 - REVISION TO COUNCIL TAX REDUCTION SCHEME**

Councillor Richard Cornelius, Chairman of the Policy & Resources Committee, moved reception and adoption of the recommendations in the report. Debate ensued.

On the recommendations in the report being put to the vote, votes were recorded as follows:

For	35
Against	25
Abstentions	0
Absent	3

**RESOLVED that Council:**

- 1. Approve the Barnet Council Tax Support Scheme as set out in Appendix A.**
- 2. Note the proposed Discretionary Council Tax Hardship and Discretionary Housing Payment Policy as set out in Appendix F.**

**11.3 REFERRAL FROM POLICY AND RESOURCES COMMITTEE TO FULL COUNCIL: PROPOSED SUBMISSION NORTH LONDON WASTE PLAN (REGULATION 19)**

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

On the recommendations in the report being put to the vote, votes were recorded as follows:

For	35
Against	25
Abstentions	0
Absent	3

**RESOLVED that Council approve the Regulation 19 Proposed Submission North London Waste Plan (NLWP), as set out in Appendix 1.**

**11.4 REFERRAL FROM LICENSING COMMITTEE TO FULL COUNCIL: GAMBLING POLICY**

Councillor John Marshall, Chairman of the Licensing Committee, moved reception and adoption of the recommendations in the report. Debate ensued.

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

**RESOLVED** that Council approve Statement of Principles Gambling Act 2005 as set out in Appendix 1 on the recommendation of the Licensing Committee.

## **12. REPORTS OF OFFICERS**

### **12.1 REPORT OF THE HEAD OF GOVERNANCE**

The Head of Governance introduced the report. Appendix A detailed a vacancy to an Outside Body which had arisen and a proposed change to the calendar of meetings that was no longer required and so was withdrawn. Appendix B sought nominations from groups for a Small Business Champion. Appendix C detailed a change to the Membership of the Financial Performance & Contracts Committee.

The Worshipful the Mayor moved to the vote on the two nominations received for the vacancy on the Arts Depot Trust Ltd as set out in Appendix A. Votes were recorded as followed:

In favour of the Conservative Nomination	35
In favour of the Labour Nomination	25
Abstentions	0
Absent	3

Councillor Thomas Smith was duly appointed to the vacancy on the Arts Depot Trust Ltd.

The Worshipful the Mayor moved to the vote on the two nominations for the position of Small Business Champion. Votes were recorded as follows:

In favour of the Conservative Nomination	35
In favour of the Labour Nomination	25
Abstentions	0
Absent	3

Councillor Alex Prager was duly appointed as the Small Business Champion.

**RESOLVED that:**

- 1. Council appoint Councillor Thomas Smith to the vacancy on the Arts Depot Trust Ltd.**
- 2. Council appoint Councillor Alex Prager to the position of Small Business Champion.**

**3. Council approves the changes to the membership of the Financial Performance & Contracts Committee as set out in Appendix C.**

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

None.

**14. MOTIONS**

**14.1 OPPOSITION MOTION IN THE NAME OF COUNCILLOR ALAN SCHNEIDERMAN  
- BIN COLLECTION CHAOS**

Councillor Alan Schneiderman moved the motion in his name. Councillor Dean Cohen moved the amendment in his name. Councillor Sara Conway moved the amendment in her name. Debate ensued.

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

For	35
Against	24
Abstentions	1
Absent	3

The motion in the name of Councillor Dean Cohen was declared CARRIED.

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

For	24
Against	34
Abstentions	2
Absent	3

The amendment in the name of Councillor Sarah Conway was declared LOST.

The substantive motion as amended by Councillor Dean Cohen was put to the vote. Votes were recorded as follows:

For	35
Against	24
Abstentions	1
Absent	3

**RESOLVED that:**

**Council notes and apologises to residents for the disruption following the re-organisation of the borough's bin collections.**

Council notes this disruption has arisen out of the need to completely rewrite collection routes which had not been changed for more than a decade. This rationalisation will make the service more efficient and thereby save money. However, it was not the primary motivation; the Medium Term Financial Strategy Paper presented to the Policy & Resources Committee on 11<sup>th</sup> December has identified changes to the spending portfolio which has eliminated almost all of the £69 million budget deficit to 2024.

Council recognises that the new bin collection rounds are not final, and thanks officers for their hard work in continuing to consult staff and come up with a system that works.

Council puts on record its thanks to front-line Streetscene staff who are working extremely hard under very difficult circumstances to try and ensure the bin collections are made on time.

#### **14.2 ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR ROHIT GROVER - ALL FAITHS AND NONE CELEBRATING TOGETHER IN BARNET**

Councillor Rohit Grover moved the motion in his name. Councillor Danny Rich moved the amendment in his name. Debate ensued.

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

For	24
Against	35
Abstentions	1
Absent	3

The amendment was declared LOST.

The motion in the name of Councillor Dean Cohen was put to the vote. The motion was unanimously AGREED.

#### **RESOLVED that:**

**Council acknowledges that in December, the darkest month of the northern hemisphere, many faith communities come together to mark important religious festivals.**

**Many Barnet Christians will be celebrating Advent in the run up to Christmas, and the Jewish festival of Hanukkah typically falls within this period. Buddhists celebrate Siddhartha Gautama's Enlightenment, while Zoroastrians mark the death of the Prophet Zoroaster. Some residents may even celebrate the Winter Solstice. Hindus, Sikhs, and Jains celebrated Diwali in November, while Muslims also recently celebrated the Birthday of the Prophet.**

**Council believes this is the season in which the borough's cultural and religious diversity is most prominent, while also emphasising our shared humanity and shared home in Barnet.**

However, Council also recognises the unwelcome rise of intolerance and extremism in many aspects of public life. Mindful that interaction with those of different cultures and traditions is often a salve to tensions, Council instructs the Community Leadership & Libraries Committee to consider means of bringing residents together during festive seasons, under the priorities identified in the Barnet Together Action Plan 2018.

**14.3 ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR JOHN MARSHAL - HAMPSTEAD GARDEN SUBURB CONSERVATION AREA**

Councillor John Marshall moved the motion in his name. Councillor Kath McGuirk moved the amendment in her name.

The amendment in the name of Councillor Kath McGuirk was put to the vote. The amendment was unanimously AGREED.

The substantive motion as amended by Councillor Kath McGuirk was put to the vote. It was unanimously AGREED.

**RESOLVED that:**


**Council congratulates Hampstead Garden Suburb Conservation Area on its 50<sup>th</sup> Anniversary.**

**Council also thanks the Hampstead Garden Suburb Trust, itself now 50 years old, and the Hampstead Garden Suburb Residents' Association for ensuring that the Suburb remains true to the ideals of Dame Henrietta Barnett.**

**Council notes that one of these ideals was that the Hampstead Garden Suburb should include housing that caters for all classes of people and all income groups, including housing at subsidised rents.**

**Council pledges to ensure that the Suburb remains true to the ideals of Dame Henrietta Barnett with her vision for a mixed community and the architectural jewel in Barnet's crown.**

The meeting finished at 9.10 pm

	<p style="text-align: right;">AGENDA ITEM 11.1</p> <p style="text-align: center;"><b>Council</b></p> <p style="text-align: center;"><b>29 January 2019</b></p>
<p style="text-align: right;"><b>Title</b></p>	<p><b>Referral from Health and Wellbeing Board – Local Government Declaration on Sugar Reduction and Healthier Eating</b></p>
<p style="text-align: right;"><b>Report of</b></p>	<p>Head of Governance</p>
<p style="text-align: right;"><b>Wards</b></p>	<p>All</p>
<p style="text-align: right;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: right;"><b>Enclosures</b></p>	<p>Annex 1 – Report to Health and Wellbeing Board – 15 November 2018 – Local Government Declaration on Sugar Reduction and Healthier Eating</p> <p>Appendix 1 – Local Government Declaration on Sugar Reduction and Healthier Eating – Action Plan</p> <p>Appendix 2 – Local Government Declaration Wording</p> <p>Appendix 3 – Healthier Weight Approach</p>
<p style="text-align: right;"><b>Officer Contact Details</b></p>	<p>Anita Vukomanovic, Governance Team Leader  <a href="mailto:anita.vukomanovic@barnet.gov.uk">anita.vukomanovic@barnet.gov.uk</a> 020 8359 7034</p>

## Summary

The report attached at Annex 1 (Local Government Declaration on Sugar Reduction and Healthier Eating) was considered by the Health and Wellbeing Board at their meeting on 15 November 2018. The Board resolved to: i) agree the actions set out in Appendix 1; and ii) sign the Local Government Declaration on Sugar Reduction and Healthier Eating with the intention of presenting the Declaration to Full Council.

## **Officer Recommendations**

### **That Council:**

- 1. Note the Local Government Declaration on Sugar Reduction and Healthier Eating Action Areas, as set out in Appendix 1, which were agreed by the Health & Wellbeing Board on 15 November 2018.**
- 2. Endorse the Local Government Declaration on Sugar Reduction and Healthier Eating as set out in Appendix 2 which was signed by the Health & Wellbeing Board on 15 November 2018.**
- 3. Note the Barnet Healthier Weight Approach as set out in Appendix 3 as reported to the Health & Wellbeing Board on 15 November 2018.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 As set out in Annex 1.

### **2. REASON FOR REFFERAL**

- 2.1 The Health & Wellbeing Board have requested that the Local Government Declaration on Sugar Reduction and Healthier Eating be considered by Council.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 As set out in report attached at Annex 1.

### **4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 4.1 As set out in report attached at Annex 1.

### **5. POST DECISION IMPLEMENTATION**

- 5.1 As set out in report attached at Annex 1.

### **6. IMPLICATIONS OF DECISION**

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

- 6.2 As set out in report attached at Annex 1.

#### **6.3 Legal and Constitutional References**

- 6.3.1 Council's Constitution, Article 7 Committees, Forums, Working Groups and Partnerships of the Council's Constitution sets out the terms of reference of the Health and Wellbeing Board. The Health and Wellbeing Board have

requested that the that the Local Government Declaration on Sugar Reduction and Healthier Eating be considered by Full Council.

#### **6.4 Risk Management**

6.4.1 As set out in report attached at Annex 1.

#### **6.5 Equalities and Diversity**

6.5.1 As set out in report attached at Annex 1.

#### **6.6 Corporate Parenting**

6.6.1 As set out in report attached at Annex 1.

#### **6.7 Consultation and Engagement**

6.7.1 As set out in report attached at Annex 1.

#### **6.8 Social Value**

6.8.1 As set out in report attached at Annex 1.

### **7. BACKGROUND PAPERS**

7.1 As set out in report attached at Annex 1.

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	<b>Health and Wellbeing Board 15 November 2018</b>
<b>Title</b>	<b>Local Government Declaration on Sugar Reduction and Healthier Eating</b>
<b>Report of</b>	Director of Public Health
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix 1 Draft Project Commitments for London Borough of Barnet's Declaration of Sugar Reduction and Healthier Eating
<b>Officer Contact Details</b>	Rachel Wells ( <a href="mailto:rachel.wells@barnet.gov.uk">rachel.wells@barnet.gov.uk</a> ) Consultant in Public Health  Rachel Hodge ( <a href="mailto:Rachel.Hodge@barnet.gov.uk">Rachel.Hodge@barnet.gov.uk</a> ) Public Health Strategist

## Summary

The Local Government Declaration of Sugar Reduction & Healthier Eating (LGD) is an initiative promoted by Sustain and the Mayor of London to help London local authorities tackle the proliferation and marketing of unhealthy food and drinks. By signing the declaration, Barnet Health and Wellbeing Board commits to taking action across six different areas:

- Advertising and sponsorship
- Improving the food controlled or influenced by the council
- Reducing prominence of sugary drinks and promoting free drinking water
- Supporting businesses and organisations to improve their food offer
- Holding related public events
- Raising public awareness

Although six distinct actions must be taken, only three of these must be new project commitments. With partners, we have identified twelve action areas where we are currently promoting sugar reduction and healthier eating, or where future action is appropriate.

## Recommendations

**1. That the Health and Wellbeing Board comments and agrees on the actions proposed in appendix A.**

**2.. That the Health and Wellbeing Board signs the Local Government Declaration on Sugar Reduction and Healthier Eating (LGD) and recommends to present LGD to the Full council.**

### 1. WHY THIS REPORT IS NEEDED

1.1 The food we eat is a primary determinant of health. By promoting a healthier food environment alongside public education and awareness, the Local Government Declaration will increase opportunities to adopt and maintain positive eating habits. In conjunction with wider strategic action, this commitment will have a positive impact on population health outcomes across the lifespan.

1.2 The vision of Barnet's whole systems approach to healthy weight is;

*"Those who are born, grow up, live, work and study in Barnet have every opportunity to adopt behaviours which support healthy weight maintenance.*

*Barnet is a borough where residents are health literate and well-informed. Where a healthy option is an easier option."*

As one of the workstreams identified as part of Barnet's whole systems approach to Healthy Weight, agreeing the actions proposed as part of the LGD, is an important step in achieving the vision set out in the Healthy Weight approach.

1.3 With the renewal of the Mayor of London's Food Strategy, there is increasing priority placed on London boroughs to sign up to the Local Government Declaration on Sugar Reduction and Healthier Food. By signing the declaration we are demonstrating our commitment to a healthier London.

### 2. REASONS FOR RECOMMENDATIONS

2.1 As stated in our Whole Systems approach to healthy weight, meaningful action requires the integration of health policies into all aspects of what a council does. This philosophy applies directly to the LGD and its proposed actions.

In order to agree priorities which would be appropriate, achievable and sustainable for all internal and external stakeholders; areas for action were discussed with those involved. Each existing and proposed action was found to meet the dual needs of each stakeholder.

- 2.2 As evidenced by the extensive list of existing actions outlined in Appendix A, Barnet council and Barnet CCG are already engaging in activities which are tackling the proliferation of unhealthy food. By signing the declaration we are acknowledging the positive work that is currently undertaken. Furthermore, proposed actions demonstrate the seriousness of our commitment to improving the food environment in Barnet.
- 2.3 By seeking to have Full Council engaged in this we are aiming to commit the wider council community to support the achievement of the LGD.

### **ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 2.4 The alternative option is to not agree and sign the LGD. Although there is no statutory requirement for London boroughs to create and agree a LGD, the purpose of the declaration at a regional level is to demonstrate a commitment to achieving the Mayor's Food and Health Inequalities Strategies. More than 20 boroughs have already signed a LGD.
- 2.5 At a local level, creating and agreeing a LGD is one of the workstreams in our whole systems approach to healthy weight. By choosing not to sign the LGD we are failing to achieve our wider priorities.

### **3. POST-DECISION IMPLEMENTATION**

- 3.1 Following the agreement that Full Council sign the LGD, Barnet Public Health will publish the final LGD and proposed actions will be lead by appropriate stakeholders. Actions will be monitored regularly as part of wider healthy weight work.

### **4. IMPLICATIONS OF DECISION**

#### **4.1 Corporate Priorities and Performance**

- 4.1.1 The purpose of the Joint Health and Wellbeing Strategy 2015-2020 is to improve the health and wellbeing of the local community and reduce inequalities for all ages. Healthy Weight is recognised as one of the main Health and Wellbeing Strategy Priorities and Local Government Declaration is a workstream underneath that priority. As the healthy weight needs assessment (Appendix B) identifies, there are many inequalities which exist in the realm of unhealthy weight and healthy food environments. Therefore, the agreement of the LGD complements the strategic aims of the Health and Wellbeing Strategy, making specific, measurable changes.
- 4.1.2 As a principle outlined in the Corporate Plan 2015-2020, Fairness is defined as making the step change towards early intervention and prevention. The purpose of this shift is to prevent increased need and dependence later in life. The actions identified in the LGD are an example of this shift in priorities. By reducing the prevalence of sugary beverages & improving the food offer in hospitals and council offices, supporting local private businesses to do the same and tackling advertising of unhealthy food, we are giving residents the opportunity to make healthier choices wherever they are. Congruently, we are raising awareness and health education through communication campaigns so that residents are informed and empowered to make the healthier choices presented to them.

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

4.3 None of the proposed actions identified within the LGD require additional financial resources. Where there is potential for loss of profit (e.g reducing the advertising of unhealthy food & drink), we are drawing on policies piloted in other boroughs before defining what is most appropriate for Barnet, finding a solution which addresses our priorities as well as the priorities of wider commissioning and delivery units. Additionally, in the longer-term, all actions are expected to contribute in better health outcomes for residents, reducing expenditure required to treat chronic conditions and provide social care.

4.4 Financial resources attached to existing actions identified within the LGD are included within existing budgets. Similar to the proposed actions, the majority of them require little or no financial resources to implement. Furthermore, there are no new staffing resources required to drive and monitor each existing and proposed action.

#### 4.5 **Social Value**

4.5.1 The Public Services (Social Value) Act 2013 requires those who commission public services to think about how they can also secure wider social, economic and environmental benefits. To agree the actions proposed in the LGD, we worked with stakeholders from wider council commissioning and delivery units to agree the LGD. Together, we have considered the ways that these service areas could promote healthier food & drinks, considering each of the benefits identified in the Social Value Act (2013). We will look to quantify this once the LGD has started to take effect.

#### 4.6 **Legal and Constitutional References**

4.6.1 Article 7 Committees, Forums, Working Groups and Partnerships of the Council's Constitution sets out the terms of reference of the Health and Wellbeing Board which includes:

- To jointly assess the health and social care needs of the population with NHS commissioners, and apply the findings of a Barnet Joint Strategic Needs Assessment (JSNA) to all relevant strategies and policies.
- To promote partnership and, as appropriate, integration, across all necessary areas, including the use of joined-up commissioning plans across the NHS, social care and public health. To explore partnership work across North Central London where appropriate
- To work together to ensure the best fit between available resources to meet the health and social care needs of the population of Barnet (including children), by both improving services for health and social care and helping people to move as close as possible to a state of complete physical, mental and social wellbeing.
- Specific responsibilities for overseeing public health and developing further health and social care integration

The LGD fits within this and seeks to support population health through the promotion of healthier choices. It also assists with the local authority's prevention

duty under the Care Act that it seeks to promote health and wellbeing which may in turn reduce the need for Care Act services

#### **4.7 Risk Management**

4.7.1 None identified.

#### **4.8 Equalities and Diversity**

A whole systems approach to healthy weight asks policy makers to critically explore issues using the social determinants of health theory. This theory identifies the economic and social factors that influence health choices. A core value of this approach is the consideration of health inequalities which persist amongst groups with protected characteristics. By consulting and engaging with appropriate stakeholders, it is expected that a whole systems approach to healthy weight will prevent unintended harms against marginalised groups and promote health equity. Any further consultation will seek to ensure that protected characteristics are prioritised.

#### **4.9 Corporate Parenting**

5.7.1 No direct impact on children in care are expected as a result of the LGD. Indirectly, the food environment they are exposed to will be more conducive to healthy eating, as is the case for all residents in Barnet.

#### **4.10 Consultation and Engagement**

4.10.1 Wider council commissioning and delivery units, Sustain and the GLA have all be consulted with as part of the development of these actions. Public consultation has also been undertaken as part of the development specific actions (e.g. hot food takeaway restriction(s) evidence review). We would seek to obtain further comments on the implementation of the LGD.

#### **4.11 Insight**

5.9.1 As a workstream which is situated within our wider approach to healthy weight, the data used to identify this action as appropriate was gathered from public health intelligence from national data sources and publications, which were up to date at the time of writing. An audit of existing actions was also undertaken by the public health team.

### **5. BACKGROUND**

5.1 The Department of Health's 'Healthy Lives, Healthy People: A Call to Action on Obesity in England' calls for a sustained downward trend in the level of excess weight in children and adults by 2020 and proposes greater partnership working and an increased focus on making the environment more enabling for achievement of a healthy weight.

5.2 In December 2017, the Local Government Association (LGA) published 'Making obesity everybody's business: A whole systems approach to obesity', which aims to explore evidence and local practice to develop guidance and tools to help councils develop whole systems approaches to obesity in their local areas.

- 5.3 The London Health Commission set out ten ambitions for making London the healthiest major global city. One of the key ambitions is to enable individuals to be active and eat healthily through initiatives such as the Healthy Workplace Charter, promotion of active Travel and development of healthy food environments. These are further reiterated within other Mayor strategies including the draft London Plan, Health Inequalities Strategy, Transport Strategy and Food Strategy.
- 5.4 The draft Mayor's Food Strategy identifies *encouraging London Boroughs to sign up to the LGD* as one of the actions that they Mayor will take forward to support the aim, "tackling rising levels of household food insecurity and ensure all Londoners can eat well at home".
- 5.5 At the July 2018 HWB, A Whole Systems Approach to Healthy Weight for Barnet was presented and agreed by the HWB. The LGD was one of eight workstreams identified as helping us achieve our vision for a healthier Barnet.

## 6. BACKGROUND PAPERS

London Borough of Barnet (2018) Healthy Weight Needs Assessment:

Barnet HWB (July 2018). Item 7, Appendix I, A Whole Systems Approach to Healthy Weight, July 2018. <https://barnet.moderngov.co.uk/documents/s47636/Appendix%201%20-%20Healthy%20Weight%20Strategy%20A%20Whole%20Systems%20Approach%20to%20Healthy%20Weight.pdf>

Mayor of London. (2018). Draft London Mayor's Food Strategy. Retrieved from, [https://www.london.gov.uk/sites/default/files/london\\_food\\_strategy\\_2018\\_15.pdf](https://www.london.gov.uk/sites/default/files/london_food_strategy_2018_15.pdf)

Good Food For London report (2017), <https://www.sustainweb.org/gffl/?m=12&b=0&y=2017&v=2>

Sustain, briefing & support pack, Local Government Declaration on Sugar Reduction & Healthier Eating. Retrieved from, <https://www.sustainweb.org/londonfoodlink/declaration/>

Department of Health. (2011). Healthy Lives, Healthy People: A Call to Action on Obesity in England. Retrieved from, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/213720/dh\\_13048](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/213720/dh_13048)



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## Appendix 1 – Local Government Declaration on Sugar Reduction and Healthier Eating – Barnet Action Plan

Action Area	Existing Action	Proposed Action	Comment
1. Tackle advertising and sponsorship	<p>Work has been already undertaken at Barnet Hospital, with the <b>2016/17 targets achieved at Barnet Hospital as follows:</b></p> <p>(i) The banning of price promotions on sugary drinks and foods high in fat, sugar and salt (HFSS) . The majority of HFSS fall within the five product categories: pre-sugared breakfast cereals, soft drinks, confectionery, savoury snacks</p> <p>(ii) The banning of advertisement on NHS premises of sugary drinks and foods high in fat, sugar and salt (HFSS); including vending machines</p> <p>(iii) The banning of sugary drinks and foods high in fat, sugar and salt (HFSS) from checkouts;</p>	Barnet's Public Health team will work with the Council's Highways & Transport and Communications teams to advise on advertising content, and it will use available advertising space for health promotion.	Scope to influence the advertising content is limited by the need and desire to maximise income generation. Scope exists to provide a "public health specification" once the contract is awarded. There is a greater likelihood that health promotion could be included for Council.
2. Improve the food controlled or influenced by the Council and support the public and voluntary sectors to improve their food offer	There are no vending machines in NLBP	Development of a healthy vend policy for the Council should vending be provided.	We will seek to maintain a watch on vending
	Existing premises in Council offices (Atrium and Deli 4) are Healthier Catering Commitment certified. Barnet currently has over 100 businesses signed up to Healthier Catering Commitment (HCC), as of 2018.	<p>The Public Health Team is working to influence the catering contract for the new Council Office to ensure the new provider is Healthier Catering Commitment certified and that there are additional options for staff.</p> <p>We will seek to continue to develop the Sugar Smart offer provided by our HCC providers.</p>	
	The Council's leisure provider, Greenwich Leisure Ltd (GLL), has committed to a number of supportive healthy catering commitments, including small confectionery	The Council's leisure provider, Greenwich Leisure Ltd (GLL) aims to have all premises signed up to Healthier Catering Commitment programme by	

	portion size, “Make Healthier Choices” vending machine design and healthy alternatives in cafes.	end of Year 2 of contract with the Council.	
	<p><b>At Barnet hospital we are aiming to achieve by 2018/19</b></p> <ul style="list-style-type: none"> <li>90% of all drinks have to have less than 5 grams of added sugar /100ml; 80% of confectionary and sweets do not exceed 250 Kcal and</li> <li>75% of pre packed sandwiches and meals contain 400Kcal or less and no more than 5.0g of saturated fat / 100g.</li> </ul>	<p>Barnet’s Public Health team has engaged, and will continue to engage, work place development team to advise and influence the re-tendering for new catering facility in new Council office. Once a provider has been awarded a contract, the Public Health team will work with contract managers to maximise the positive impact the catering facility can have on workplace and population health.</p> <p>The CCG will champion a “Healthy Hospitals” programme to ensure healthier catering is included in future procurement of food in Barnet hospitals.</p> <p>Continued commitment with the CCG and Barnet Hospital to work towards added steps to achieve 2018/19 targets.</p>	Other boroughs already engaged in this work which we will seek to replicate.
	The Council currently participates in Healthy Schools and Healthy Early Years programmes, which cover a spectrum of nutrition exercises.	We will look to assess participation in the food and nutrition elements of this and establish links with resilient schools where appropriate.	(link to map in Needs Assessments showing award locations)
<i>3. Reduce prominence of sugary drinks and actively promote free drinking water</i>	Free drinking water tanks are available throughout Council buildings.	Free drinking water will be provided in new Council offices as in NLBP.	Support for Refill -Make poster advertising water filling stations and drinking fountains – potential.
	The Council’s leisure provider, Greenwich Leisure Ltd (GLL), has free water-filling stations and has policies on	The Public Health Team is working to influence the catering contract for the new Council Office	

	the sugar content of its drinks, e.g. minimum of 80% of drinks are no added sugar or there are lower sugar alternatives.	to ensure the new provider is a Free water refill station for the public and advertises itself as such.	
<i>4. Support businesses and organisations to improve their food offer</i>	The Council's Healthy Places team, in conjunction with Environmental Health, engages food businesses and recruits them to be Healthier Catering Commitment certified, which includes training in nutrition.	Barnet Healthy Places team has conducted an evidence review of hot food takeaways in the borough to inform Local Plan and other planning documents.	As above, we have over 100 businesses signed up to scheme and are actively working to recruit more.
<i>5. Public events</i>		Work to influence the catering provision at the new Council office site, to ensure that catering for events is HCC Silver certified, as detailed above	
<i>6. Raise public awareness</i>	The Council's Public Health team conducted an oral health campaign that promoted and communicated the benefits of good oral health from an early age.	Food Security Action Plan is under development	
	The Council's responses to recent London Mayoral consultations have emphasised the importance of the consumption of and access to healthy, balanced meals (Health Inequalities Strategy, London Food Strategy)	Public Health comms plan with Council comms team to be developed.	
	The Council is a signatory to the Healthy Workplace Charter The Royal Free Hospital Group achieved the Mayor's Healthy Workplace Award Silver in 2017	Implementation of this and food and nutrition elements are part of the work with Council's new building.	

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# Local Authority Declaration on Healthier Food and Sugar Reduction

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## **The London Borough of Barnet acknowledges:**

Food plays an important role in our day to day lives, our relationships with friends, family and neighbours and our personal health and wellbeing. A healthy balanced diet, high in fruit and vegetables, is one of the key determinants of lifelong health and wellbeing.

Over consumption of foods high in sugar, fat and salt including sugary drinks are a major contributor to the rise in unhealthy weight and increases the risk of diabetes, heart disease, some cancers and tooth decay. Additionally, it makes a significant contribution to health inequalities because people living in more socially deprived areas tend to have less access to healthy foods. Foods that are high in sugar, fat and salt are often easier and cheaper to buy than healthier foods. Consumption of unhealthy food is actively promoted through advertising, sponsorship deals and price promotions.

In Barnet almost one-fifth (19%) of 4–5year olds and almost one-third (32%) of 10–11 year olds are either overweight or obese. More than half (53%) of all adults aged 16+ years are overweight or obese.

Over one third (36%) of Barnet residents who participated in the Great Weight Debate survey felt that advertising of unhealthy food and drink inhibited healthy lifestyles and almost two thirds (63%) felt there were too many unhealthy food and drink options.

Londoners are getting too many of their calories from sugars – for children on average three times the governments new recommended level.

Whilst efforts are being made to enable healthier choices, a strategic effort across local government to align further efforts and coordinate these by committing the Council is now needed to support Barnet residents who are taking steps to be more healthy.

# Local Authority Declaration on Healthier Food and Sugar Reduction

## The London Borough of Barnet

commits to shift towards a healthier food culture and sugar reduction by using our Council powers to:

### Tackle advertising and sponsorship



Building on the banning of price promotions, advertising and positioning of foods at checkouts high in sugar, fat and salt at Barnet Hospital In addition to reviewing and developing guidance on Council advertising content.

### Support businesses to improve their food offer



Increase the number of businesses that are signed up to the Healthier Catering Commitment scheme & Healthy Workplace Charter from current baseline (over 100). Develop guidance in Local Plan on hot food takeaways informed by evidence review.

### Reduce prominence of sugary drinks and actively promote free drinking water



GLL has free water-filling stations and policies on the sugar content of its drinks, e.g. minimum of 80% of drinks are no added sugar or there are lower sugar alternatives. Free drinking water to be provided in the new Council offices including a free water refill station for the public which is clearly advertised and advertise itself as such.

### Raise public awareness



Ensure ongoing public and workplace-based communications on healthy food no comma and oral health.

### Deliver healthier public events



Ensure that catering for Council public events is Healthier Catering Commitment Silver certified.

### Improve the food provided in settings controlled by the Council



Ensure the new Council office catering provider is Healthier Catering Commitment certified and that all Greenwich Leisure Ltd (GLL) premises in the Borough are signed up to the Healthier Catering Commitment programme by the end of Year 2 of the contract with the Council.

Cllr Cornelius  
Council Leader

Cllr Stock  
Chair, Health & Wellbeing Board

Dr. Djuretic  
Director of Public Health

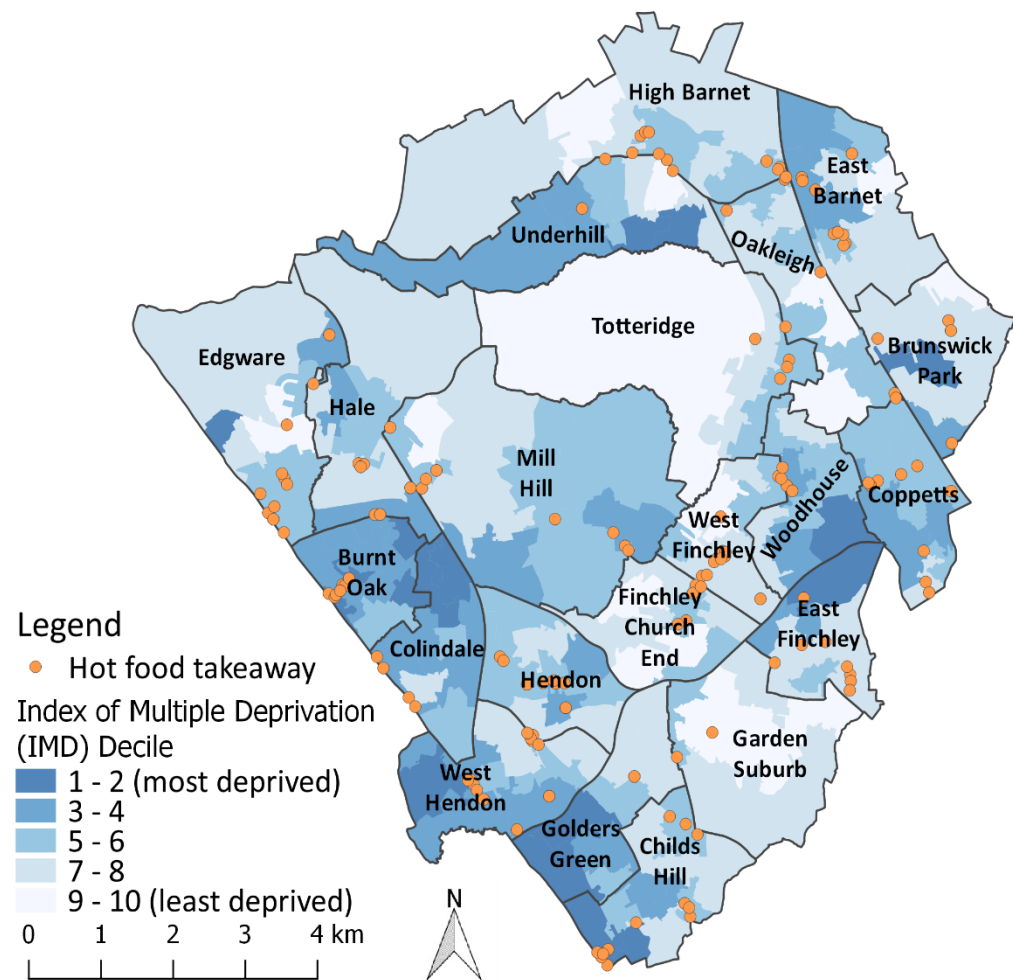
Debbie Frost  
Vice-Chair, Health & Wellbeing Board

Ben Reynolds  
Deputy Chief Executive, Sustain

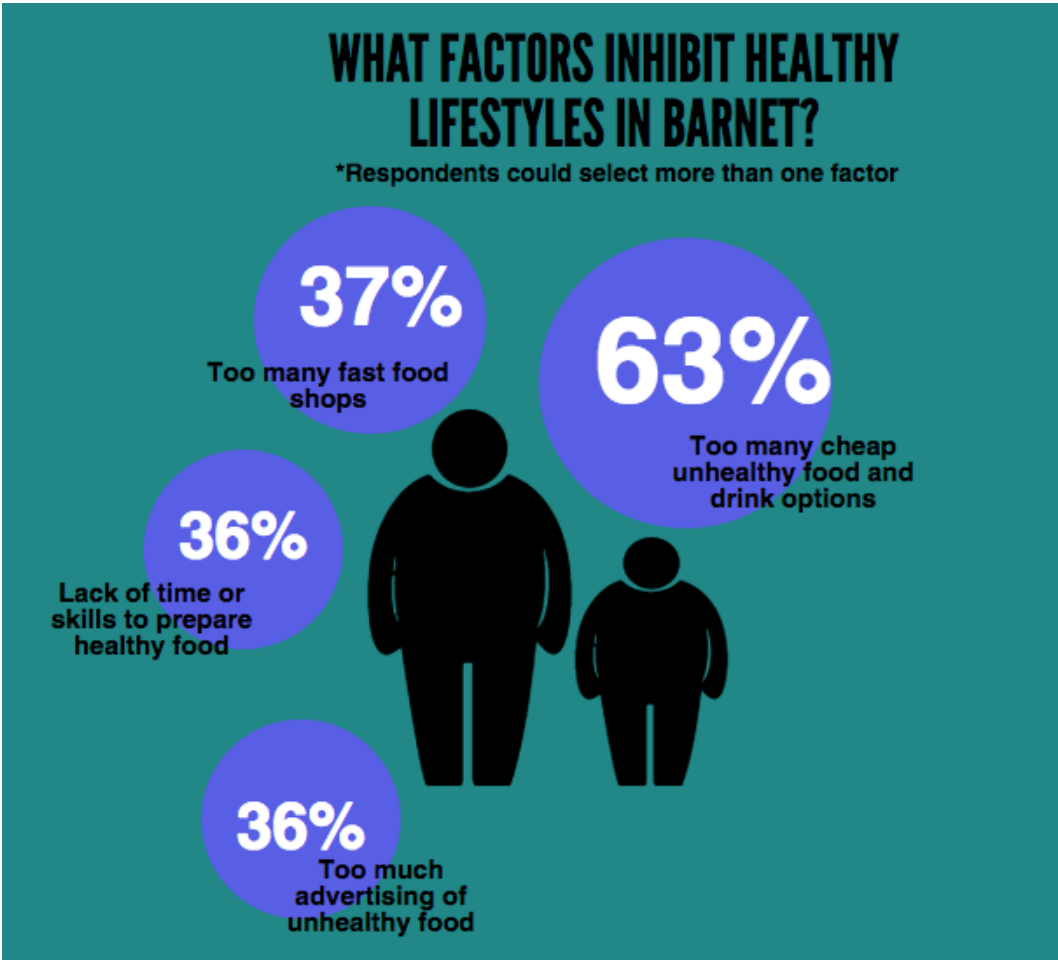
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Local Government Declaration on Sugar Reduction &  
Healthier Eating  
**Healthy Weight Approach**

# Background



Hot Food Takeaways in Barnet. (Food Standards Agency, 2018; Ministry of Housing, Communities & Local Government, 2015)



GLA. (2017). Great Weight Debate Survey.

# Areas for action



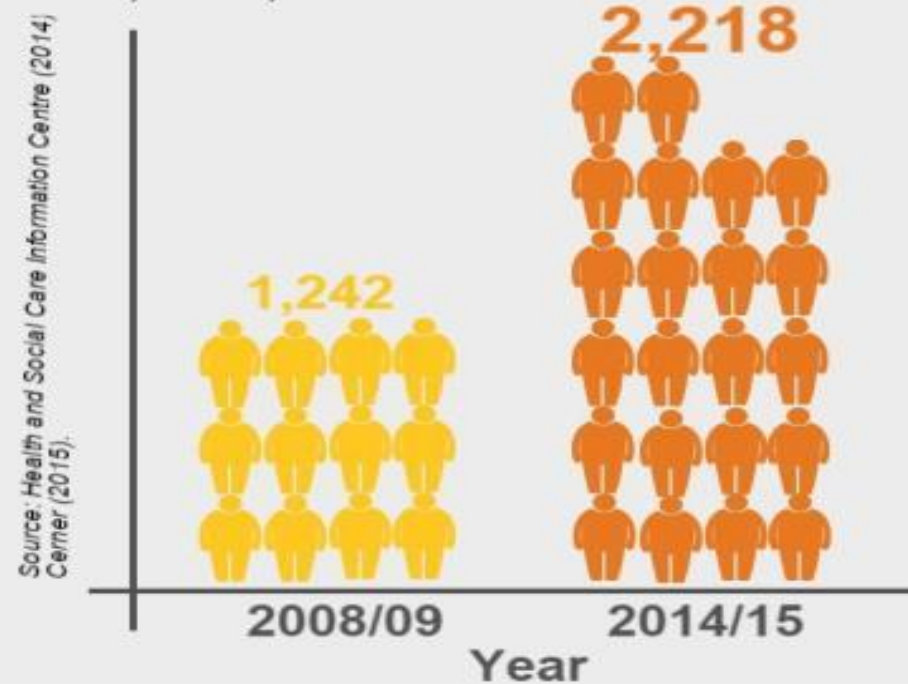
**MAYOR OF LONDON**

# Case Study: Barnet Hospital

## Hospital admission with a diagnosis of obesity

Trust data indicated a significant increase in obesity-related admissions since 2008/09. There has been an 80% increase in hospital admissions whereby obesity is one of the underlying causes (primary or secondary diagnosis).

Number of admissions with a diagnosis of obesity at Royal Free Trust

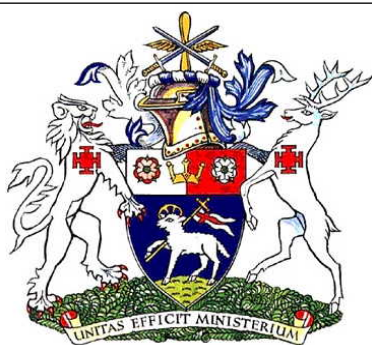


# Case Study: Barnet Hospital

CQUIN measures 2017/18 included	Reporting schedule	Reporting level	2017/18 target	2018/19 target
% of drinks have less than 5 grams of added sugar per 100ml	Annual	Trust	70%	90%
% of confectionery and sweets do not exceed 250 kcal			60%	80%
% of pre-packed sandwiches and meals contain 400kcal or less and do not exceed 5.0g saturated fat per 100g.			60%	75%

**2016/17 targets achieved at Barnet Hospital:** (i) The banning of price promotions on sugary drinks and foods high in fat, sugar and salt (HFSS) . The majority of HFSS fall within the five product categories: pre-sugared breakfast cereals, soft drinks, confectionery, savoury snacks  
(ii) The banning of advertisement on NHS premises of sugary drinks and foods high in fat, sugar and salt (HFSS);  
(iii) The banning of sugary drinks and foods high in fat, sugar and salt (HFSS) from checkouts;

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## Council 29 January 2019

<b>Title</b>	<b>Pay Policy Statement 2019/20</b>
<b>Report of</b>	Strategic HR Director
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix A – Report to the General Functions Committee Annex A – Pay Policy Statement 2019/20
<b>Officer Contact Details</b>	Rachael Joy, Strategic HR Director, 020 8359 5080, <a href="mailto:rachael.joy@Barnet.gov.uk">rachael.joy@Barnet.gov.uk</a>

### Summary

Local Authorities have a statutory duty to publish a Pay Policy Statement by the 1<sup>st</sup> April each year. This report seeks approval of the Council's Annual Pay Policy Statement (Annex A) which was endorsed by the Constitution & General Purposes Committee on 17 January 2019. Subject to approval by Full Council, it will be published.

### Officer Recommendation

**That Council approves the Annual Pay Policy Statement for the financial year 2019/20 (Annex A).**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 Section 38(1) of the Localism Act 2011 requires local authorities to produce and publish an annual Pay Policy Statement.
- 1.2 On 17 January 2019, the Constitution & General Purposes Committee reviewed the Council's Pay Policy Statement for the financial year 2019/20 and resolved to recommend it for approval by Council.
- 1.3 Council is responsible (in accordance with Constitution Article 4 – Full Council; 4.1 Role and Functions) for the “Approval of annual pay statement”.

## **2. REASONS FOR RECOMMENDATION**

- 2.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The Pay Policy Statement requires endorsement by Full Council on 29 January 2019 prior to publication.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

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

- 5.2.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

### **5.3 Social Value**

- 5.3.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

### **5.4 Legal and Constitutional References**

- 5.4.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

## **5.5 Risk Management**

5.5.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

## **5.6 Equalities and Diversity**

5.6.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

## **5.7 Consultation and Engagement**

5.7.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

## **5.8 Insight**

5.8.1 As set out in the report to the Constitution & General Purposes Committee, 17 January 2019.

## **6. BACKGROUND PAPERS**

6.1 None

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	<p style="text-align: center;"><b>Consitution and General Purposes Committee</b></p> <p style="text-align: center;"><b>17 January 2019</b></p>
<p style="text-align: right;"><b>Title</b></p>	<p><b>Pay Policy Statement</b></p>
<p style="text-align: right;"><b>Report of</b></p>	<p>Rachael Joy, Strategic HR Director</p>
<p style="text-align: right;"><b>Wards</b></p>	<p>Not Applicable</p>
<p style="text-align: right;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: right;"><b>Urgent</b></p>	<p>No</p>
<p style="text-align: right;"><b>Key</b></p>	<p>No</p>
<p style="text-align: right;"><b>Enclosures</b></p>	<p>Appendix A – Pay Policy Statement</p>
<p style="text-align: right;"><b>Officer Contact Details</b></p>	<p>Rachael Joy, 020 8359 5080, <a href="mailto:rachael.joy@Barnet.gov.uk">rachael.joy@Barnet.gov.uk</a></p>

## Summary

Local Authorities have to publish a Pay Policy Statement on the 1 April each year or as soon thereafter as is practicable. This report introduces a draft Pay Policy Statement for approval by Full Council on 29<sup>th</sup> January 2019, prior to its publication.

## Recommendations

**That the Committee recommends that the Council approve the attached Pay Policy Statement (Appendix A) on 29 January 2019.**

### 1. WHY THIS REPORT IS NEEDED

- 1.1 Section 38(1) of the Localism Act 2011 requires local authorities to produce an annual pay policy statement.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 To comply with the Localism Act 2011, associated statutory guidance, the transparency requirements on remuneration as set out in the Local Government Transparency Code 2015 issued by then Department for Communities and Local Government in February 2015 and the council's constitution.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The proposal arises from the statutory obligation cited in sections 1.1 and 2.1 and as such alternative options have not been considered in the context of this report.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The Pay Policy Statement requires endorsement by Full Council on 29th January 2019 prior to publication.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 Not applicable

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

- 5.2.1 The costs of implementing the Pay Policy are provided for within existing approved Budgets.

### **5.3 Social Value**

Not applicable

### **5.4 Legal and Constitutional References**

- 5.4.1 Section 38(1) of the Localism Act requires local authorities to produce an annual pay policy statement.
- 5.4.2 Council Constitution, Article 7 (Committees, Forums, Working Groups and Partnerships) – the terms of reference of the Constitution and General Purposes Committee includes:
- a. To develop the annual pay policy statement for full Council approval and be responsible for the publication of the annual statement
  - b. To review annually remuneration, as defined above

## **5.5 Risk Management**

5.5.1 Not applicable

## **5.6 Equalities and Diversity**

5.6.1 Not applicable

## **5.7 Corporate Parenting**

5.7.1 None in the context of this decision

## **5.8 Consultation and Engagement**

5.8.1 Not applicable

## **5.9 Insight**

5.9.1 Not applicable

## **6. BACKGROUND PAPERS**

6.1 There are no background papers.

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**APPENDIX A**

**London Borough of Barnet**

**Pay Policy Statement 2019/20**

**Published**  
**April 2019**

# 1 Background

## Localism Act 2011 - Openness and accountability in local pay

- 1.1. Section 38(1) of the Localism Act 2011 requires local authorities to produce an annual pay policy statement.
- 1.2. The provisions in the Act do not seek to change the right of each local authority to have autonomy on pay decisions. However, it emphasises the need to deliver value for money for local taxpayers.
- 1.3. This statement will be presented to Full Council for adoption and any further changes during the year will be brought back to Council for approval.
- 1.4. This statement does not cover schools.

## Related Remuneration and Transparency Context

- 1.5. The Council follows the transparency requirements on remuneration as set out in the Local Government Transparency Code 2015 issued by then Department for Communities and Local Government in February 2015; and specific guidance relevant to the Localism Act issued by the Department in February 2012 and February 2013.
- 1.6. Part of the Code of Recommended Practice for Local Authorities on Data Transparency includes publishing information relating to senior salaries within a local authority. A full list of all posts that are paid more than £58,200 is published on the Council's website. See <https://barnet.gov.uk/citizen-home/council-and-democracy/finance-and-funding/financial-statements-budgets-and-variance-reports/senior-salaries.html>

# 2. Governance arrangements for pay and conditions of service within London Borough of Barnet

- 2.1. The [Constitution and General Purposes Committee](#) (appointed by [Council](#)) has responsibility for decisions related to the pay and terms and conditions of employment for staff (other than those within the remit of the [Chief Officer Appointment Panel](#)<sup>1</sup>) in accordance with [Article 7 \(Committees, Sub-Committees, Area Committees and Forums and the Local Strategic Partnership\) of the Constitution](#)
- 2.2. Included within its responsibilities, is the duty to develop and publish the annual pay policy statement for approval by Council (being its parent body) which will comprise:
  - the level and elements of remuneration for each Chief Officer
  - relationship between the remuneration of Chief Officers and other employees
  - a description of the relationship between decisions made on the lowest paid and top paid employees in the organisation

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<sup>1</sup> The Chief Officer Appointment Panel deals with chief officer appointments, discipline and capability matters.

- remuneration of the lowest paid (with the definition of the lowest paid and the reasons for adopting that definition)
- in relation to Chief Officers - remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments
- transparency arrangements
- reasons for chosen approach to remuneration levels and how this is to be implemented
- differences of approach to groups of employees and the reasons for them
- pay dispersion
- incremental progression factors
- use of honoraria and ex-gratia payments
- determination of remuneration parameters for officers who have returned to work for a local authority
- appointment and remuneration term.

2.3. In addition the Committee must review remuneration annually and ensure that sufficient flexibility exists within the pay policy to allow responses to unforeseen circumstances without having recourse to revising the policy between annual reviews.

2.4. Council is asked to consider the Constitution and General Purposes Committee's recommendation(s). The Council is ultimately responsible for approval of the annual pay policy statement.

### **3. Remuneration arrangements for all employees**

#### **Introduction**

3.1. This section sets out the remuneration arrangements for London Borough of Barnet employees.

#### **Senior Management**

- 3.2. The Senior Management Team's pay and reward arrangements include:
- Market based pay structure which links job size to the mid point between Median and Lower Quartile Pay data
  - Evaluation of all roles using Hay job evaluation scheme to size the role.
  - Pay Grade reflect job sizes and evaluated roles are slotted according to the evaluated job size
  - Automatic enrolment into Local Government Pension Scheme (LGPS)
  - Base pay linked to the NJC for Local Government Services
  - 30 days annual leave
  - Sick pay is a maximum of six months at full pay and three months at half pay

#### **Rest of the Council**

- 3.3. The Council is reviewing its pay and reward arrangements for all other employees. Current arrangements are:
- Base pay negotiated through collective bargaining arrangements administered by the Local Government Association

- Adoption of the National Joint Council (NJC) for Local Government Services (LGS) pay spine
- Evaluation of all roles using systematic job evaluation.
- Roles placed on the pay spine using job evaluation
- Automatic enrolment into Local Government Pension Scheme (LGPS)
- Other terms and conditions of employment, such as entitlement to sick pay and annual leave, are governed by the NJC LGS

### **Pay Scales - Senior Management Team**

- 3.4. The Senior Management grade structure and salaries were agreed by General Function Committee on 3rd May 2017. The Constitution and General Purposes Committee (subject to Council approval) sets the pay rates applicable to the grade structure on an annual basis and this pay policy statement is updated. The table below sets out the salaries associated with the pay grades for the Senior Management Team and the Statutory Officer posts. Salaries are reviewed during April each year and an updated pay policy statement is approved and published by the Council as necessary.

Pay Grade	Grade Minimum On 1 April 2019	Grade Maximum On 1 April 2019	Chief Officer and Senior Management Posts
1	£184,788	£195,192	Chief Executive*
2	£154,462	£164,866	Deputy Chief Executive*
3	£132,131	£153,979	Strategic Director for Children & Families* (incorporates statutory Director of Children's Services); Strategic Director for Adults & Health* (incorporates Statutory Director for Adults and Social Services) Strategic Director for Environment*
4	£118,606	£132,131	Assistant Chief Executive* Director of Resources(Section 151 Officer)*; Director of Adults and Communities
5	£108,202	£118,606	Commercial Director Director of Development & Regeneration Operational Director (Early help, Children in need of help & protection) Operational Director (Corporate Parenting, Disability and Permanence) Streetscene Director Assurance Director
6	£88,434	£108,202	Senior Management – mainly Assistant Director posts
7	£75,949	£85,313	

Pay Grade	Grade Minimum On 1 April 2019	Grade Maximum On 1 April 2019	Chief Officer and Senior Management Posts
8	£67,626	£75,949	

**\*Chief Officer posts**

- 3.5. Each Pay Grade comprises a minimum (entry pay point) and a maximum (fully competent) pay point. The Fully Competent pay point reflects the evaluated level of the job. The Council does not pay beyond the evaluated level of the job and there is no automatic progression within the Grade.
- 3.6. The appropriate pay point at recruitment will normally depend upon the applicant's assessed level of competence.
- 3.7. All Chief Officer appointments (those officers listed in Article 9) will be conducted by the Chief Officer Appointment Panel, which comprises five elected members appointed to the panel by Council. The Panel includes the Leader of the Council, the Deputy Leader of the Council, the Chairman of the Constitution and General Purposes Committee, the Leader of the Opposition and a further member of the opposition group. The post holder's remuneration will be voted on by the Constitution and General Purposes Committee and reported to Council at the earliest opportunity.
- 3.8. In accordance with supplementary guidance issued by the Department for Communities and Local Government, Council have been given the opportunity to vote on Chief Officer Salary packages, salaries at or above £100,000 per annum and any severance packages per individual of £95,000 or more (see section 4 below). Council delegated this function to the Constitution and General Purposes Committee
- 3.9. The Constitution and General Purposes Committee is responsible for the appointment of all chief officers with the exception of the Head of Paid Service (Chief Executive) as Council retains the responsibility to confirm the appointment or dismissal of the Head of Paid Service.
- 3.10. The Senior Management structure of the Council is subject to a forthcoming review and the above will be amended following the outcome of the review.

**Pay Scales - Rest of the Council**

- 3.11. The council in accordance with its single status agreement currently has two pay bands in operation for the remainder of the Council as follows:

Pay Band	Relevant employees	Lowest Pay Point on 1 April 2019	Highest Pay Point on 1 April 2019
Hay band M	Senior Managers and some professional staff	£60,291	£66,916
Barnet	All other	£19,749	£66,916

Pay Band	Relevant employees	Lowest Pay Point on 1 April 2019	Highest Pay Point on 1 April 2019
Broadband	employees		

- 3.12. The evaluated grade for a role is normally 4 spinal column points. However the Single Status Agreement allows for some discretion in the number of spinal column points within a grade ranging from single spot grade through to a career grade; this discretion must be in line with the single status agreement.
- 3.13. The pay point on recruitment is normally at the bottom point of the grade for each post unless there is a justifiable reason for doing otherwise. An example might be that for particular roles there is difficulty in recruitment and retention and to ensure that the successful candidate accepts the job offer a salary above the bottom of the grade is required.
- 3.14. Progression through the grade is assessed through the annual performance review cycle with pay awards being subject to those outlined in Table A below until the top of the pay grade is reached.

**Table A**

Rating	Percentage increase
Development Needs	0%
Satisfactory	0.5%
Good	2.25%
Outstanding	3%

### **Barnet Living Wage**

- 3.15. The Council has developed a fair pay policy to ensure that it applies a minimum wage for Council employees.

***“London Borough of Barnet is a fair pay employer and will apply the principles of a living wage (including taking into account the National Minimum Wage, National Living Wage, London Living Wage and national pay awards in the public sector), subject to affordability.”***

- 3.16. Employees whose pay rate is less than the agreed amount will receive a pay supplement to bring their pay up to an equivalent of the published Barnet Living Wage rate. The minimum rate will be reviewed on an annual basis. The exception to this rule will be apprenticeships where the national apprenticeship rates will apply at a minimum.

### **Other Elements of Remuneration**

#### **Pay Protection**

- 3.17. The Council’s Managing Organisational Change Policy is applicable to all employees and sets out the Council’s pay protection policy.

## **Recruitment and Retention Premia**

- 3.18. The Council has a recruitment and retention payments policy applicable to all employees which describes when and how the Council may pay beyond the evaluated level of the job. Any market payment will need to be supported by clear market evidence before it can be brought into payment.

## **Other**

- 3.19. The Council does not pay bonuses or performance related pay to senior managers.
- 3.20. The Council does not offer any benefits in kind.
- 3.21. The Council does not use ex-gratia payments.

## **Payment for election duties**

- 3.22. The role of Returning Officer is considered to be secondary employment and any Senior Officer undertaking this role will be expected to either take annual leave or special unpaid leave when fulfilling this function.
- 3.23. Any employee who undertakes election duties is paid for this through the Returning Officer. The level of Fees & Charges payable for election duties are set by the Cabinet Office & London Councils.

## **Pension Arrangements**

- 3.24. The percentage rate of contributions is set according to pension regulations.
- 3.25. Employees of the London Borough of Barnet are automatically enrolled into the LGPS but can opt out if they so wish.
- 3.26. All pension matters are dealt with by LGPS Scheme Rules.

## **Redundancy Terms**

- 3.27. The Council's Managing Organisational Change Policy is applicable to all employees, including Chief Officers, and Head of Paid Service, and sets out redundancy compensation.
- 3.28. Compensation is calculated as 1x actual salary x number of weeks. Number of weeks is calculated using the statutory matrix of Age and Years of Completed Service. The minimum is 1 week's actual gross pay and the maximum is 30 weeks.
- 3.29. The Council's redundancy terms do not enhance pension entitlements.
- 3.30. The Council as part of its duty to mitigate the consequences of redundancy puts in place appropriate employee support, which includes career advice, workshops and trial periods for employees.

## **Appointment and Remuneration Terms**

- 3.31. The Council appoints to roles on a variety of terms and the final decision about the appointment and remuneration terms will be a reflection of the requirements of the role; the evaluated level of the role; the longevity of the role; budgetary constraints and broader value for money considerations.

## **4. Severance arrangements**

- 4.1. The Council does not enhance severance packages beyond statutory and contractual entitlements. In practice this means severance package consist of redundancy pay (see 3.26), any holiday pay the employee is contractually entitled to and pension payments that the employee is entitled to in accordance with the Local Government Pension Scheme (LGPS). The Total severance payment to any individual will be capped at a maximum of £95,000 and includes all payments relating to the employee's contract termination. In respect of the local government pension scheme this will mean that mandatory and discretionary payments towards premature retirement compensation will be included in the assessment of the severance payments made to an individual.
- 4.2. Where an employee is aged 55 or above and is made redundant then by virtue of the LGPS scheme rules the employee's pension will automatically come into payment. It should be noted that an employer cost, known as 'Pension Strain' will be crystallised and is a cost to be paid by the employer to LGPS subject to the £95,000 cap not being exceeded.
- 4.3. For the purposes of calculating the component parts of a severance package this will include:
- redundancy pay
  - holiday entitlement earned but not taken
  - 'pension strain' cost payable by the Council to the Pension Scheme.
- 4.4. Council has been given the opportunity to vote on severance packages at or above £95,000 per annum and have delegated this function to the Constitution and General Purposes Committee.

## **5. Relationship between the remuneration of its chief officers, and the remuneration of its employees who are not chief officers**

### **Remuneration of the Lowest Paid**

- 5.1. The definition of the lowest paid is based on the Council's living wage - see section 3.15.

### **Pay Dispersion**

- 5.2. The highest paid role in the Council is the Chief Executive with earnings of £184,788. The median average paid role is £30,930 and this covers a wide

range of roles. The ratio between the highest paid in the authority (Chief Executive Officer) and the median average paid role is 1:5.9. The lowest paid role in the Council is £19,749 per annum. The ratio between the highest and lowest paid roles is 1:9.3.

5.3.

5.4. A comparison between the current year and previous year is shown below:

Description	2016/17	2017/18	2018/19	2019/20
Highest Paid	£187,613	£187,613	£181,165	£184,788
Median	£27,251	£28,385	£28,953	£30,930
Lowest paid	£16,518	£17,981	£19,557	£19,749
Highest to median ratio	1:6.9	1:6.6	1:6.26	1:5.9
Highest to lowest ratio	1:11.4	1:10.4	1:9.26	1:9.3

### Elements of Chief Officer Remuneration

5.5. All Chief Officers receive only base pay. In common with all other roles in the Council if there was clear market evidence that the evaluated level of the job did not reflect the market then a market supplement would be considered. Any market supplement would need to be agreed by the Constitution and General Purposes Committee.

## 6. Gender Pay

6.1 The Council is committed to providing accurate Gender Pay reporting and this be covered in a later report to Constitution and General Purposes Committee before the end of the financial year (2018/19).

## 7. Staff moving posts within the public sector

7.1. The Council operates a recruitment policy based on merit - in line with Section 7 the Local Government and Housing Act 1989.

7.2. Should a successful candidate be in receipt of a severance payment or pension the London Borough of Barnet applies the Rules of the Local Government Pension Scheme and Modification Order to manage the following scenarios, should they occur:

- Where previously employed by the same authority, left with a severance or redundancy payment, and have come back as a Chief Officer
- Are in receipt of a Local Government Pension Scheme or Firefighter pension (whether their previous service was with the same authority or not).

7.3. Where the successful candidate was previously employed by the Council then there would normally be a 12 month break before the Council would re-employ either as an employee or under a contract for services

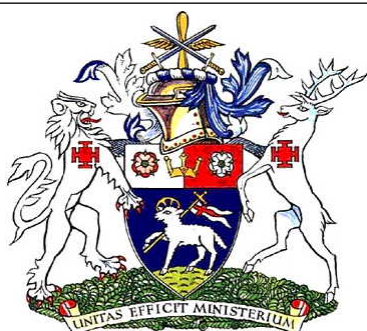
## **8. Publication of and access to information regarding remuneration of Chief Officers**

- 8.1. Remuneration information about Chief Officers is published on the London Borough of Barnet's website which is accessible to all members of the public.
- 8.2. The Council's Annual Accounts set out actual remuneration including all elements of pay for roles paid above £58,200. These accounts are published on the Council's website.

## **9. Amendments to this Pay Policy Statement**

- 9.1. The tables in paragraphs 3.4 and 3.11 includes the recommended NJC Pay Offer.
- 9.2. There is a requirement to keep this Pay Policy Statement as up to date as possible. Therefore, mid-year amendments to the statement will be approved and published by the Council as appropriate.

**January 2019**



## Council

### 29 January 2019

<b>Title</b>	<b>Report of the Constitution and General Purposes Committee – Constitution Review</b>
<b>Report of</b>	Monitoring Officer and Chief Legal Advisor Head of Governance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Annex 1 – Report to Constitution and General Purposes 17 January 2019 Appendix A – Article 9 (Chief Officers) (Tracked) Appendix B – Article 9 (Chief Officers)
<b>Officer Contact Details</b>	Andrew Charlwood, Head of Governance, 020 8359 2014, <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a>

## Summary

The Constitution and General Purposes Committee at a meeting held on 29 January 2019 considered a report on the Constitution, reviewing various sections. Except for minor administrative matters which are delegated to the Monitoring Officer (following consultation with the Chairman of the Constitution and General Purposes Committee), only Full Council may amend the Constitution. Council are therefore recommended to approve the various recommendations of the Committee that would alter the Constitution.

## Recommendations

1. That, following the agreement of the Constitution & General Purposes Committee at their meeting on 17 January 2019, Council approve the recommendations contained in the report from the Committee at Annexe 1, and the track change versions attached at Appendix A to Appendix B.
2. That the Monitoring Officer and Chief Legal Advisor be authorised to implement these revisions and publish a revised Constitution.
3. That Council note that the Constitution & General Purposes Committee agreed the following amendment to Article 7 (Committees, Forums, Working Groups and Partnerships) for the Monitoring Officer to implement using delegated authority:  
Add to the terms of reference of theme committees and Planning Committee:  
*“To consider recommend for approval fees and charges for those areas under the remit of the Committee.”*

### 1. WHY THIS REPORT IS NEEDED

- 1.1 As set out in the report attached at Annex 1.

### 2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out in the report attached at Annex 1.

### 3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Options were put forward to the Committee and the attached report reflects the options chosen (as amended by the Committee) for recommendation to Council following discussion and debate.

### 4. POST DECISION IMPLEMENTATION

- 4.1 The Monitoring Officer will make arrangements for any changes agreed to be actioned, together with minor drafting and housekeeping changes. The revised Constitution will be published online and for existing hard copies issued to be revised and replaced.
- 4.2 The Constitution and General Purposes Committee will continue to proactively keep the Constitution under review and may make further recommendations in the next municipal year.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

5.1.1 As set out in the report attached at Annex 1.

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

5.2.1 None.

### **5.3 Legal and Constitutional References**

5.3.1 Council Constitution, Article 4 states that “The Full Council is a formal meeting of all Councillors and is required by law to take certain important decisions as set out below. Full Council also approves a number of key plans and strategies, which together form the Policy Framework:....Adopting and changing the Constitution (unless delegated).”

5.3.2 Council Constitution, Article 7 states that the Constitution and General Purposes Committee terms of reference includes to: “Keep under review all aspects of the Council’s Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council.”.

5.3.3 Council Constitution, Article 9 states that “The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public”.

### **5.4 Risk Management**

5.4.1 As set out in the report attached at Annex 1.

### **5.5 Equalities and Diversity**

5.5.1 As set out in the report attached at Annex 1.

### **5.6 Consultation and Engagement**

5.6.1 As set out in the report attached at Annex 1.

## **6. BACKGROUND PAPERS**

6.1 As set out in the report attached at Annex 1.

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## Constitution and General Purposes Committee

**17 January 2019**

<b>Title</b>	<b>Constitution Review</b>
<b>Report of</b>	Monitoring Officer Head of Governance
<b>Wards</b>	Not Applicable
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix A – Article 9 (Chief Officers) (Tracked) Appendix B – Article 9 (Chief Officers)
<b>Officer Contact Details</b>	Andrew Charlwood, Head of Governance, 020 8359 2014, <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a>

### Summary

Following the comprehensive review of the Constitution which was completed in May 2018 a number of housekeeping amendments are proposed as set out in the report and appendix.

### Officers Recommendations

**That the Committee recommend to Council that the Constitution be amended to incorporate the changes set out in this report and the amended versions attached at Appendix A and Appendix B.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The terms of reference Committee include responsibility to “proactively to review and keep under review all aspects of the Council’s Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council”.
- 1.2 Detailed changes and the reason for them are as set out in the table below:

No.	Section	Reference	Issue Identified	Changes Made
1.	Article 9 (Chief Officers)		The responsibilities of the Monitoring Officer have previously been updated within Article 9. Further amendments are recommended to take account of the 'Chief Legal Advisor' role which has a focus on 'client side' management of the HB Public Law contract with support from Commercial Services.	<p>Amend the functions of the Chief Legal Advisor and Monitoring Officer in section 9.3 as follows:</p> <p><b>(a) Maintaining the Constitution</b></p> <p>The Monitoring Officer, assisted by the Head of Governance will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, officers and the public.</p> <p><b>(b) Ensuring lawfulness and fairness of decision-making</b></p> <p>After consulting with the Head of Paid Service, Assurance Director, and the Chief Finance Officer the Monitoring Officer will report to the Full Council if s/he considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission would give rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.</p> <p><b>(c) Ensuring lawfulness and fairness of council operating procedures</b></p> <p>After consulting with the Head of Governance and the relevant senior line manager the Monitoring Officer will report to the Head of Paid Service, Assurance Director, and the Chief Finance Officer any council process or procedure which s/he considers would give rise to unlawfulness or if any such process or procedure would give rise to maladministration.</p> <p><b>(d) Managing the relationship with Harrow &amp; Barnet Public Law</b></p> <p>As Chief Legal Advisor within the council, responsibility to manage the strategic 'client side' relationship with Harrow &amp; Barnet Public Law to ensure the council continues to be</p>

No.	Section	Reference	Issue Identified	Changes Made
				<p>provided with a legal service which meets its needs and to advise the Head of Paid Service and Assurance Director where any risks are identified.</p> <p><b>(e) Attending Full Council and Policy &amp; Resources Committee</b></p> <p>As Chief Legal Advisor &amp; Monitoring Officer attending and advising at Full Council and Policy &amp; Resources Committee.</p> <p><b>(f) Supporting the Constitution and General Purposes Committee</b></p> <p>The Monitoring Officer, assisted by the Head of Governance will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution &amp; General Purposes Committee.</p> <p><b>(g) Conducting investigations.</b></p> <p>The Monitoring Officer will conduct or appoint Officers or others to conduct investigations into allegations of breach of the Member Code of Conduct. Then s/he or they will make reports and recommendations in respect of such allegations in accordance with the procedure for handling complaints against Members.</p> <p><b>(h) Providing legal advice.</b></p> <p>The Monitoring Officer will provide advice to Members, Chief Executive, Chief and Senior Officers as may be requested or necessary to discharge the statutory duties of the Monitoring Officer and covering inter alia the scope of powers and authority to take decisions and maladministration.</p> <p><b>(i) Register of Members Interests.</b></p> <p>The Monitoring Officer, assisted by the Head of Governance will keep and maintain the Register of Members Interests and</p>

No.	Section	Reference	Issue Identified	Changes Made
				ensure its availability to the public.
2.	Article 9 (Chief Officers)		Article 9 (Chief Officers) in section (b) details chief officers (i.e. those officers who are part of the Council Management Team). Section (c) details chief officers who also have a statutory designation and includes the following posts: Head of Paid Service; Monitoring Officer; Chief Finance Officer / Section 151 Officer; Director of Children's Services; Director for Adult Social Services; and Director of Public Health. However, the statutory officers list is not exhaustive and local authorities are required to make appointments to several other statutory posts as follows: Electoral Registration Officer; Registrar for Births Deaths and Marriages; Data Protection Officer; Local Authority Designated Officer (LADO); and Chief Internal Auditor	<p>The title of section (c) should be amended to: Statutory Chief Officers</p> <p>Add the following section 9.1 (d):</p> <p><b>(d) Statutory Officers</b></p> <p>The Council will appoint officers to the following statutory posts:</p> <ul style="list-style-type: none"> <li>• Electoral Registration Officer</li> <li>• Registrar for Births Deaths and Marriages</li> <li>• Data Protection Officer</li> <li>• Local Authority Designated Officer (LADO)</li> <li>• Chief Internal Auditor</li> </ul>
3.	Article 9 (Chief Officers)		<p>Article 9 (Chief Officers) in section (b) details chief officers (i.e. those officers who are part of the Council Management Team). The Chief Executive is currently consulting on a revised senior management structure which will delete the post of Assistant Chief Executive. Subject to this Committee agreeing elsewhere on the agenda:</p> <ul style="list-style-type: none"> <li>• the Director of Assurance will become part of the Council Management Team;</li> <li>• other directors will become 'Executive Directors' rather than 'Commissioning Directors'.</li> </ul>	<p>Amend the list of Chief Officers as follows:</p> <ul style="list-style-type: none"> <li>• Delete Assistant Chief Executive;</li> <li>• Change designation of 'Strategic Directors' to 'Executive Directors'; and</li> <li>• Add Director of Assurance</li> </ul>

# Amendments by the Monitoring Officer

No.	Section	Reference	Issue Identified	Changes Made
4.	Article 7 (Terms of Reference of		HB Public Law have requested that the terms of reference of the Policy & Resources Committee be amended to clarify that they are approving fees and charges within their remit and noting the fees and charges approved by other committees. These changes will result in Article 7 linking to sections 2.3.6 to 2.3.8 of the Financial Regulations	Amend item (4) of the terms of reference of the Policy & Resources Committee to include the wording highlighted in bold italics:  “To determine fees and charges for services which are the responsibility of the committee <b><i>and to note decisions taken by theme committees, the Planning Committee and Licensing Committee on fees and charges within the remit of those committees.</i></b> ”  Add to the terms of reference of theme committees and Planning Committee the following wording in bold italics:  <b><i>“To consider for approval fees and charges for those areas under the remit of the Committee.”</i></b>
5.	Article 10 (Decision Making)		The title of section 10.4 is was:  Decision making by Theme Committee Chairmen jointly with Chief Officers  This was incorrect as the narrative states the decision making is by chief officers in consultation with theme committee chairman. The title of section 10.4 has been amended to correct this.	Amend the title of section 10.4 to:  <b><i>“Decision making by Chief Officers jointly with Theme Committee Chairmen.”</i></b>
6.	Article 2 (Members of the Council (Councillors))		Section 2.3 (f) relates to Members Items. The wording as currently drafted states that Members Items are not permitted for the licensing, planning and urgency committees. The text should in fact read licensing sub-committees as this is the body which is quasi-judicial in nature. It should not include the licensing committee which deals with policy matters and should be able to receive Members	Amend the wording at section 2.3 (f) as follows:  “This rule does not apply to <del>planning, licensing and urgency committees</del> <b><i>planning committee, area planning committees, urgency committee and licensing sub-committees</i></b> . The referral of a motion from Full Council to a committee will not count as a Member’s Item for the purposes of this rule.

No.	Section	Reference	Issue Identified	Changes Made
			Items in the same way as other committees.	

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Constitution and General Purposes Committee are required under their terms of reference to proactively review and keep under review all aspects of the Constitution. These proposals are recommended to ensure the smooth running of the Council.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The Committee could retain the current Constitution un-amended. This is not recommended as the Constitution needs to be kept under review to ensure that it complies with legislation and best practice.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 Subject to the committee's approval, the recommendations will form part of a report to Full Council on 30 January 2019 to make final approval.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 Barnet Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. By keeping the Constitution under review it ensures that the framework in which the Council is governed supports the delivery of corporate priorities and performance.

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

- 5.2.1 There are no resource implications as a result of these proposals.

### **5.3 Social Value**

- 5.3.1 None in the context of this decision

### **5.4 Legal and Constitutional References**

- 5.4.1 Council's Constitution, Article 7 - the Constitution and General Purposes Committee terms of reference includes responsibility "To keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council".

### **5.5 Risk Management**

- 5.5.1 The process of managing changes to the Constitution through the Constitution and General Purposes Committee ensures that the proposals are developed through Member participation and consideration.

## **5.6 Equalities and Diversity**

- 5.6.1 The decision making processes of the Council, as enshrined within the Constitution, need to be transparent and accessible to all sectors of the community

## **5.7 Corporate Parenting**

- 5.7.1 None in the context of this decision

## **5.8 Consultation and Engagement**

- 5.8.1 None in context of this decision

## **5.8 Insight**

- 5.8.1 None in the context of this decision.

## **6. BACKGROUND PAPERS**

- 6.1 The currently adopted Constitution can be accessed here:  
<http://barnet.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13581&path=0>

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## Appendix A - Article 9 – Chief Officers

### 9.1 Management Structure

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions. Apart from those officers referred to in (b) immediately below, all officers are appointed by the Chief Executive.
- (b) **Chief Officers.** Members will appoint staff for the following posts, who will be designated Chief Officers:

Chief Executive (Head of Paid Service)

Deputy Chief Executive

~~Assistant Chief Executive~~

~~Strategic Director, Executive Director~~ Children and Young People

~~Strategic Director, Executive Director~~ Adults, Communities and Health

~~Strategic Director, Executive Director~~ Environment

Director of ~~Resources Finance~~ (Chief Finance Officer / Section 151 Officer)

~~Director of Assurance~~

Director of Public Health ~~and Prevention~~

#### Delegated Authority to Chief Executive and Chief Officers

(i) Chief Officers (Deputy Chief Executive, ~~Assistant Chief Executive, Strategic Executive~~ Directors for Adults, Children and Environment, Director of ~~Resources Finance, Director of Assurance, Director of Public Health & Prevention~~) have the following delegated powers in respect of all matters which are not key decisions (as defined in Article 2) and not reserved for decision by the Council or by a Committee of the Council:

(a) to make decisions and approve expenditure relating to their functions and the functions of their Department, where necessary in accordance with (b) and (c) below, and providing (1) that the sum expended is within the approved budget for the Department and/or relevant portfolio, and (2) the amount in relation to any single matter does not exceed £181,302.

(b) to determine employment matters relating to staff including all changes to staffing structures. This power will not include changes to terms and conditions of employment or additional payments to any individual member of staff above £100K.

(c) to approve tender strategies and award contracts in accordance with the Council's Contract Procedure Rules within Part 2 of the Constitution.

(d) the Chief Executive has all the above delegated authority and as may be necessary, determine which Department discharges any particular Council function if this is not clear.

Discretion to Refer Matters to Members: Where a Chief Officer believes that a matter that is within their delegated authority is significant or sensitive they have the discretion to refer it to Members for decision.

(ii) These powers may be delegated further under a Scheme of Delegation and powers are also delegated to all officers in accordance with their job description and department budget.

(iii) Officers should ensure that delegated powers are exercised in accordance with relevant Council policies and procedures and all decisions with a value of £50,000 or more made by officers under delegated powers should be listed in writing and a copy of the list for each Department produced to the Chief Executive and the Leader on the 30<sup>th</sup> September and 31<sup>st</sup> March of each year.

(iv) The Chief Executive and Chief Officers may exercise voting rights at general meetings of companies of which the Council is a member or by written resolution and may take any necessary action to protect, safeguard and effectively manage the Council's interest in such companies.

#### **(c) Statutory Officers**

The Council will designate the following posts as shown:

Post	Statutory Designation
Chief Executive	Head of Paid Service
Chief Legal Advisor	Monitoring Officer
Director of <del>Resources</del> Finance	Chief Finance Officer / Section 151 Officer
<del>Strategic-Executive</del> Director, Children and Young People	Director of Children's Services
<del>Strategic-Executive</del> Director, Adults Communities and Health	Director for Adult Social Services
Director of Public Health <del>and Prevention</del>	Director of Public Health

#### **(d) Statutory Officers**

The Council will appoint officers to the following statutory posts:

- Electoral Registration Officer
- Registrar for Births Deaths and Marriages
- Data Protection Officer
- Local Authority Designated Officer (LADO)
- Chief Internal Auditor

## 9.2 Functions of Head of Paid Service

- (a) **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) **Restriction of functions.** The Head of Paid Service may not be the Monitoring Officer, but may hold the post of Chief Finance Officer if a qualified accountant.
- (c) The Head of Paid Service has authority over all other chief officers so far as is necessary for efficient management and for carrying out the Council's functions.

## 9.3 Functions of the Chief Legal Advisor and Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer, assisted by the Head of Governance will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, officers and the public. The Monitoring Officer, in consultation with the Head of Governance, will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision-making.** After consulting with the Head of Paid Service ~~and the Assistant Chief Executive~~, the Monitoring Officer will report to the full council if s/he considers that any proposal, decision or omission which is referred by Harrow and Barnet Public Law or which is otherwise notified to him/her, would give rise to unlawfulness or if any decision or omission so referred would give rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Ensuring lawfulness and fairness of council operating procedures.** After consulting with the Head of Governance and the relevant senior line manager the Monitoring Officer will report to the Head of Paid Service ~~and the Assistant Chief Executive~~ any council process or procedure which s/he considers would give rise to unlawfulness or if any such process or procedure would give rise to maladministration.
- (d) **Managing the relationship with Harrow & Barnet Public Law.** As Chief Legal Advisor within the council, responsibility to manage the strategic 'client side' relationship with Harrow & Barnet Public Law to ensure the council continues to be provided with a legal service which meets its needs and to advise the Head of Paid Service and Director of Assurance where any risks are identified.  
~~As Chief Legal Advisor within the council, responsibility to manage the strategic relationship with Harrow & Barnet Public Law to ensure the council continues to be provided with a legal service which meets its needs and to advise the Head of Paid Service and Assistant Chief Executive where any risks are identified.~~

- (e) **Attending Full Council and Policy & Resources Committee** As Chief Legal Advisor & Monitoring Officer attending and advising at Full Council and Policy & Resources Committee.
- (f) **Supporting the Constitution, Ethics and Probity Committee.** The Monitoring Officer, assisted by the Head of Governance will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution & General Purposes Committee.  
~~Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution, Ethics and Probity Committee.~~
- (g) **Conducting investigations.** The Monitoring Officer will conduct or appoint Officers or others to conduct investigations into allegations of breach of the Member Code of Conduct. Then s/he or they will make reports and recommendations in respect of such allegations in accordance with the procedure for handling complaints against Members.
- (g) **Providing legal advice.** The Monitoring Officer will provide advice to Members, Chief Executive, Chief and Senior Officers as may be requested or necessary to discharge the statutory duties of the Monitoring Officer and covering inter alia the scope of powers and authority to take decisions and maladministration.  
~~The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.~~
- (i) **Register of Members Interests.** The Monitoring Officer, assisted by the Head of Governance will keep and maintain the Register of Members Interests and ensure its availability to the public.  
~~The Monitoring Officer will keep and maintain the Register of Members Interests and ensure its availability to the public.~~

#### 9.4 Functions of the Chief Finance Officer / Section 151 Officer

- (a) **Ensuring lawfulness and financial prudence of decision-making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council and the council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the council is about to enter an item of account unlawfully.
- (b) **Estimates and resources.** In accordance with the Local Government Act 2003 to advise on robustness of estimates and level of resources.
- (c) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the council.
- (d) **Providing financial advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.

- (e) **Give financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.
- (f) **Pensions governance.** The Chief Finance Officer will provide support to the Pension Fund Committee and Local Pension Board.
- (g) **Debt Management.** The Chief Finance Officer will in consultation with HB Public Law write off debt amounts up to and including £5,000

## 9.5 Functions of the Director of Children's Services

- (a) The Council as a children's services authority is required by the Children Act 2004 to appoint an officer to be known as the Director of Children's Services. The Strategic-Executive Director, Children and Young People will fulfil the role of the Director of Children's Services.
- (b) The Director of Children's Services is responsible for the delivery of the Council's education and social services functions for children, and any health functions for children delegated to the Council by an NHS body and as required by the Children Act 2004.

## 9.6 Functions of the Director of Adult Social Services

- (a) The Strategic-Executive Director, Adults Communities and Health will fulfil the role of the Director for Adult Social Services as required by the Local Authority Health Social Services Act 1970, as amended by the Children Act 2004.
- (b) The Strategic Director, Adults Communities and Health is responsible for the delivery of the Council's social services functions, other than those for which the Council's Director of Children's Services is responsible under the Children Act 2004.

## 9.7 Functions of the Director of Public Health (DPH)

- (a) The DPH is responsible for writing the Annual Report on the health of the local population.
- (b) The DPH is responsible for all of the local authority's duties to take steps to improve public health.
- (c) The DPH is responsible for exercising the local authority's functions in planning for, and responding to, emergencies that present a risk to public health.
- (d) The DPH is responsible for exercising the local authority's role in co-operating with the Police, the Probation Service and the Prison Service to assess the risks posed by violent or sexual offenders.
- (e) The DPH is responsible for the local authority's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications.

- (f) The DPH is responsible for exercising the local authority's duties to ensure plans are in place to protect their population including through screening and immunisation.

#### **9.8 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer**

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their reasonable opinion sufficient to allow their duties to be performed.

#### **9.9 Conduct**

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in this Constitution.

#### **9.10 Employment**

The recruitment, selection and dismissal of officers will comply with the Human Resources (HR) Regulations.

## Appendix B - Article 9 – Chief Officers

### 9.1 Management Structure

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions. Apart from those officers referred to in (b) immediately below, all officers are appointed by the Chief Executive.
- (b) **Chief Officers.** Members will appoint staff for the following posts, who will be designated Chief Officers:

Chief Executive (Head of Paid Service)  
Deputy Chief Executive  
Executive Director Children and Young People  
Executive Director Adults, Communities and Health  
Executive Director Environment  
Director of Finance (Chief Finance Officer / Section 151 Officer)  
Director of Assurance  
Director of Public Health and Prevention

#### Delegated Authority to Chief Executive and Chief Officers

(i) Chief Officers (Deputy Chief Executive, Executive Directors for Adults, Children and Environment, Director of Finance and Director of Assurance) have the following delegated powers in respect of all matters which are not key decisions (as defined in Article 2) and not reserved for decision by the Council or by a Committee of the Council:

(a) to make decisions and approve expenditure relating to their functions and the functions of their Department, where necessary in accordance with (b) and (c) below, and providing (1) that the sum expended is within the approved budget for the Department and/or relevant portfolio, and (2) the amount in relation to any single matter does not exceed £181,302.

(b) to determine employment matters relating to staff including all changes to staffing structures. This power will not include changes to terms and conditions of employment or additional payments to any individual member of staff above £100K.

(c) to approve tender strategies and award contracts in accordance with the Council's Contract Procedure Rules within Part 2 of the Constitution.

(d) the Chief Executive has all the above delegated authority and as may be necessary, determine which Department discharges any particular Council function if this is not clear.

Discretion to Refer Matters to Members: Where a Chief Officer believes that a matter that is within their delegated authority is significant or sensitive they have the discretion to refer it to Members for decision.

(ii) These powers may be delegated further under a Scheme of Delegation and powers are also delegated to all officers in accordance with their job description and department budget.

(iii) Officers should ensure that delegated powers are exercised in accordance with relevant Council policies and procedures and all decisions with a value of £50,000 or more made by officers under delegated powers should be listed in writing and a copy of the list for each Department produced to the Chief Executive and the Leader on the 30<sup>th</sup> September and 31<sup>st</sup> March of each year.

(iv) The Chief Executive and Chief Officers may exercise voting rights at general meetings of companies of which the Council is a member or by written resolution and may take any necessary action to protect, safeguard and effectively manage the Council's interest in such companies.

**(c) Statutory Officers**

The Council will designate the following posts as shown:

Post	Statutory Designation
Chief Executive	Head of Paid Service
Chief Legal Advisor and Monitoring Officer	Monitoring Officer
Director of Finance	Chief Finance Officer / Section 151 Officer
Executive Director, Children and Young People	Director of Children's Services
Executive Director, Adults Communities and Health	Director for Adult Social Services
Director of Public Health and Prevention	Director of Public Health

**(d) Statutory Officers**

The Council will appoint officers to the following statutory posts:

- Electoral Registration Officer
- Registrar for Births Deaths and Marriages
- Data Protection Officer
- Local Authority Designated Officer (LADO)
- Chief Internal Auditor

## 9.2 Functions of Head of Paid Service

- (a) **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) **Restriction of functions.** The Head of Paid Service may not be the Monitoring Officer, but may hold the post of Chief Finance Officer if a qualified accountant.
- (c) The Head of Paid Service has authority over all other chief officers so far as is necessary for efficient management and for carrying out the Council's functions.

## 9.3 Functions of the Chief Legal Advisor and Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer, assisted by the Head of Governance will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, officers and the public.
- (b) **Ensuring lawfulness and fairness of decision-making.** After consulting with the Head of Paid Service, the Monitoring Officer will report to the full council if s/he considers that any proposal, decision or omission which is referred by Harrow and Barnet Public Law or which is otherwise notified to him/her, would give rise to unlawfulness or if any decision or omission so referred would give rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Ensuring lawfulness and fairness of council operating procedures.** After consulting with the Head of Governance and the relevant senior line manager the Monitoring Officer will report to the Head of Paid Service any council process or procedure which s/he considers would give rise to unlawfulness or if any such process or procedure would give rise to maladministration.
- (d) **Managing the relationship with Harrow & Barnet Public Law.** As Chief Legal Advisor within the council, responsibility to manage the strategic 'client side' relationship with Harrow & Barnet Public Law to ensure the council continues to be provided with a legal service which meets its needs and to advise the Head of Paid Service and Director of Assurance where any risks are identified.
- (e) **Attending Full Council and Policy & Resources Committee** As Chief Legal Advisor & Monitoring Officer attending and advising at Full Council and Policy & Resources Committee.
- (f) **Supporting the Constitution, Ethics and Probity Committee.** The Monitoring Officer, assisted by the Head of Governance will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution & General Purposes Committee.

- (g) **Conducting investigations.** The Monitoring Officer will conduct or appoint Officers or others to conduct investigations into allegations of breach of the Member Code of Conduct. Then s/he or they will make reports and recommendations in respect of such allegations in accordance with the procedure for handling complaints against Members.
- (g) **Providing legal advice.** The Monitoring Officer will provide advice to Members, Chief Executive, Chief and Senior Officers as may be requested or necessary to discharge the statutory duties of the Monitoring Officer and covering inter alia the scope of powers and authority to take decisions and maladministration.
- (i) **Register of Members Interests.** The Monitoring Officer, assisted by the Head of Governance will keep and maintain the Register of Members Interests and ensure its availability to the public.

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- (b) **Estimates and resources.** In accordance with the Local Government Act 2003 to advise on robustness of estimates and level of resources.
- (c) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the council.
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The Executive Director, Children and Young People will fulfil the role of the Director of Children's Services.

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- (f) The DPH is responsible for exercising the local authority's duties to ensure plans are in place to protect their population including through screening and immunisation.

## **9.8 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer**

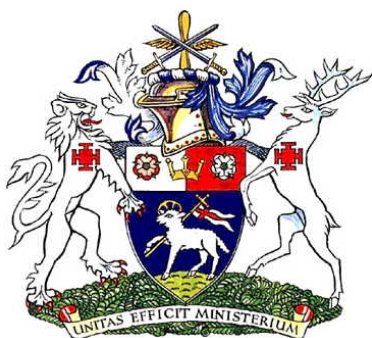
The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their reasonable opinion sufficient to allow their duties to be performed.

## **9.9 Conduct**

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in this Constitution.

## **9.10 Employment**

The recruitment, selection and dismissal of officers will comply with the Human Resources (HR) Regulations.



## Council

**29 January 2019**

**Title**

**London Boroughs Grants Scheme –  
Borough Contributions, 2019/20**

**Report of**

Director of Finance & Section 151 Officer

**Wards**

All

**Status**

Public

**Urgent**

Yes

**Key**

No

**Enclosures**

None

**Officer Contact Details**

Ken Argent, Grants Manager, Finance, Commissioning Group  
([ken.argent@barnet.gov.uk](mailto:ken.argent@barnet.gov.uk)) (020 8359 2020)

## Summary

This report considers the proposals of the London Councils Leaders' Committee regarding the overall level of expenditure of, and borough contributions to, the London Boroughs Grants Scheme (LBGS) in 2019/20.

## Officer's Recommendations

1. That the recommendation of the London Councils Leaders' Committee for an overall level of expenditure of £6,909,000 in 2019/20, involving total borough contributions of £6,668,000 and a levy on Barnet of £293,021, be approved.
2. That the Director of Finance be instructed to inform the Chief Executive of London Councils accordingly.

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 Formal approval of the 2019/20 LBGS budget by at least 22 of the constituent boroughs is required before 1 February 2019. In the event of the budget not being agreed by this statutory deadline, the Secretary of State for Communities and Local Government has powers to intervene and set the budget at the same level as in 2018/19 (£8,668,000).

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The budget reflects how the LBGS has been reconfigured, with the approval of constituent authorities, since 2011/12, pursuant to the significant cuts in public sector spending.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The next meeting of the Policy and Resources Committee to which this report would ordinarily have been submitted is not until 20 February, after the statutory deadline for notifying the council's decision.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The Chief Executive of London Councils will be notified of the council's decision in compliance with the deadline set.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The council is committed to working in partnership with the voluntary and community sector (and with other public agencies and local businesses) to ensure that high quality public services are delivered in the most effective and efficient way in line with the Corporate Plan.
- 5.1.2 The LBGS was established in 1985 under section 48 of the Local Government Act 1985 to make grants to pan-London and sub-regional voluntary organisations. The scheme remains in force so long as a majority amongst London boroughs continues to support it.
- 5.1.3 Section 48(3) of the 1985 Act requires constituent councils to contribute towards any expenditure of the designated authority in the making of grants which has been incurred with the approval of at least a two-thirds majority of the councils.
- 5.1.4 With the consent of constituent authorities, the City Corporation succeeded the London Borough of Richmond upon Thames as the appointed designated authority for the LBGS in 2004, involving the discharge of certain formal requirements such as issuing the annual levy on boroughs. In all practical respects, however, the scheme is administered by London Councils.

### Reviews of Future Role and Scope of LBGS

- 5.1.5 In 2010, following a review of the future role and scope of the LBGS set against cuts in public sector spending, the London Councils Leaders' Committee agreed the principles

for a future grants scheme based on funding a genuinely London-wide programme embracing services that are frontline, specialist or where mobility of clients is key to delivery; infrastructure support to service providers; voice/representation services; and capacity building.

5.1.6 Funding for all services categorised as essentially local in nature, but either more suited to sub-regional decision-making and delivery or capable of local determination and priority, ceased in 2011/12.

5.1.7 In 2012, following consultation with boroughs and other stakeholders, the Leaders' Committee agreed the principles and priorities to be applied in selecting four-year commissions through the LBGS with effect from April 2013, based on commissioning fewer, but better resourced, services and only those that are genuinely pan-London. The priorities were:

- to tackle homelessness, including developing new ways of working with partners, focused on early intervention and prevention of homelessness, emergency accommodation and advice services;
- to prevent sexual and domestic violence and assist victims to access emergency services and/or services that support women and communities affected by forced marriage and harmful practice;
- to tackle poverty by promoting access to employment and training, drawing on opportunities for match funding provided by boroughs working with London Councils and the European Social Fund (ESF);
- to help London's voluntary and community sector to build capacity and operate more efficiently.

5.1.8 A further review of the LBGS in 2015 against the backdrop of further announcements about the funding position of local authorities over the following five years resulted in discontinuance of the fourth priority (capacity building of the third sector) in commissioning new services for the four-year period from April 2017.

#### 2018/19 LBGS budget

5.1.9 The LBGS has an overall budget of £8,668,000 in 2018/19 to meet the cost of the current set of commissions, which is met from:

	£
borough subscriptions	6,668,000
ESF grant	1,000,000
transfer from reserves	1,000,000
	<u>8,668,000</u>

#### 2019/20 LBGS budget

5.1.10 The Leaders' Committee on 4 December 2018 agreed to recommend to constituent authorities for approval an overall level of expenditure of £6,909,000 for 2019/20, reflecting the ending in 2019 of the ESF programme; the impact on the match funding

requirement; and additional administrative costs (estimated at £19,000) on closing the programme, made up of:

	2019/20	2018/19
	£	£
Payments to commissions	6,275,000	8,053,000
Operating expenditure (including central recharges and London Funders' membership fees)	634,000	615,000

5.1.11 It is proposed that the budget would be met as follows:

	£
Borough subscriptions	6,668,000
ESF grant	58,000
Transfer from reserves	183,000
	<u>6,909,000.</u>

Barnet's apportionment of the levy based on population data (see 5.2.1 below) will be 4.39% in 2019/20, which will result in a Barnet contribution of £293,021, an increase of £68 on the 2018/19 levy.

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

5.2.1 The annual payment to the LBGS is a levy under section 74 of the Local Government Finance 1988 and regulations made under it. Individual borough contributions are determined by total resident population of the respective boroughs, based on Office of National Statistics (formerly OPCS) mid-year estimates for the year two years before the start of the financial year for which the levy is issued.

5.2.2 The levy on Barnet has fallen in each of the last eight years from £1,145,489 in 2010/11 to £292,953, resulting in a reduced contribution of £852,536 to 2018/19.

5.2.3 Based on mid-year 2017 population estimates, when Barnet's population was 387,800 (compared to 386,080 in mid-2016), Barnet's contribution to the LBGS in 2019/20 will be 4.39% of total borough contributions.

5.2.4 Provision for the level of contribution to the LBGS, as finally approved, will be included in the draft 2019/20 revenue budget, which will be presented to the Policy and Resources Committee on 20 February 2019. If the LBGS budget put forward is approved, Barnet's contribution in 2019/20 will be £852,468 less than in 2010/11.

5.2.5 Approval of the budget will mean that total borough contributions to the LBGS will be £17,991,000 (72.5%) less than the sum of £24,900,000 paid in 2010/11.

### **5.3 Social Value**

- 5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits, a consideration for London Councils as the commissioning agency for the LBGS.

### **5.4 Legal and Constitutional References**

- 5.4.1 The council, as the supreme decision-making body, may, with some exceptions, exercise any of the functions vested in the authority in law. It is requested to do so in this instance as the relevant delegated decision-making body, the Policy and Resources Committee, does not meet until after the statutory deadline for formal approval of the 2019/20 LBGS budget and levy.
- 5.4.2 Further legal and constitutional considerations are detailed in paragraphs 5.1.2, 5.1.3, 5.2.1, 5.5 (below) and 5.6 (below).

### **5.5 Risk Management**

- 5.5.1 The council is bound by law to contribute towards the costs incurred by the designated authority in the making of grants under the LBGS according to the formula set out above. In the event of the scheme being discontinued, constituent authorities would be required to contribute to its winding up costs, both in relation to grant commitments made and the closing of the unit that administers the scheme. These have not been quantified.
- 5.5.2 If the LBGS budget for 2019/20 is not agreed by two-thirds of constituent councils before 1 February 2019, the budget will be set at the same level as in 2018/19 (£8,668,000).

### **5.6 Equalities and Diversity**

- 5.6.1 Under section 149 of the Equality Act 2010, the council and all other organisations exercising public functions must have due regard to the need to:
- eliminate unlawful discrimination, harassment, victimisation and conduct prohibited by or under the Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; and sex and sexual orientation. The broad purpose of this duty is to integrate considerations of equality into daily business and keep them under review in decision making; the design of policies; and the delivery of services.

- 5.6.2 An analysis by London Councils in accordance with the duties under the Act identified that a refocusing of the grants programme to reflect the reduced resources available in

the context of the significant spending constraints facing local authorities would have an impact on protected groups of people. The principles and priorities of the existing programme, and the service specifications and strands to deliver outcomes, seek to apply scarce resources to mitigate, where possible, any adverse equality impacts arising from a refocused programme operating with a reduced budget.

## **5.7 Corporate Parenting**

5.7.1 Not relevant in the context of this report.

## **5.8 Consultation and Engagement**

### Grants Programme, 2017-21

5.8.1 In 2015, London Councils consulted boroughs and stakeholders on whether the grants programme should continue past March 2017 and, if it did, what the priorities of the programme should be.

5.8.2 The council in its response acknowledged the value of the LBGS in funding organisations that supported niche groups which would lack sufficient scale if resourced locally, but expressed concern about how effectively the scheme was promoted within boroughs and that many of the commissioned services did not benefit Barnet residents to any significant degree. Many of the organisations supported operated predominantly in central London and the disproportionate benefit that inner London boroughs with smaller populations received amounted to a redistribution of wealth from outer London.

5.8.3 The response stated that there was a need to take account of how many costly problems had migrated outwards to the suburbs and that sub-regional programmes tended to be better aligned to local need than those commissioned at the pan-London level. In the council's opinion, better outcomes could be achieved by redeploying the levy locally. Although it did not necessarily wish to withdraw from all activities funded through the LBGS, its overall view given the nature of the consultation, which posed a single question about the future of the programme, was that it should not continue.

5.8.4 The consultation and other evidence signified a majority view that acting collectively to address London-wide priorities was effective; provided value for money; and delivered positive outcomes for people with protected characteristics under the Equality Act 2010. A majority of stakeholders expressed support for continuation of a pan-London grants programme operating in accordance with the principles agreed in 2012.

5.8.5 The current four-year programme, 2017-21, which eliminated capacity building of the third sector from the previously agreed commissioning priorities pursuant to announcements about the future funding position of local authorities, has commissioned 14 projects dedicated to tackling homelessness; sexual and domestic violence; or promoting access to employment on a pan-London basis.

## **5.9 Insight**

5.9.1 Not relevant in the context of this report.

## **6. BACKGROUND PAPERS**

- 6.1 Council, 30 January 2018: approval of an overall level of LBGS expenditure of £8,668,000 in 2018/19, involving total borough contributions of £6,668,000 and a levy on Barnet of £292,953.
- 6.2 Reports to London Councils Grants Committee (21 November 2018) and Leaders' Committee (4 December 2018) on the LBGS proposals for 2019/20.
- 6.3 London Councils Chief Executives' Circular 03/18 dated 7 December 2018 seeking approval to the 2019/20 budget.

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## Council

29 January 2019

**Title**

**Civic Link with Kreis Siegen Wittgenstein, Germany**

**Report of**

Head of Governance

**Wards**

All Wards

**Status**

Public

**Urgent**

No

**Key**

No

**Enclosures**

None

**Officer Contact Details**

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## Summary

Council are requested to pass a resolution to reaffirm the municipal link between the London Borough of Barnet and Kreis Siegen Wittgenstein in advance of a delegation from Barnet visiting the district in April 2019.

## Officers Recommendations

1. That the Council of the London Borough of Barnet reaffirms the Municipal Link between the London Borough of Barnet and Kreis Siegen Wittgenstein which has been established for the purposes of furthering good will between the two communities through the exchange of views and ideas and by personal contact among the citizens of the two towns, and that the Council sincerely hope that the link will prosper and flourish in the coming years.

**2. That an engrossment on vellum of the foregoing resolution over the Common Seal of the Corporation be presented to the representatives of the Kreis Siegen Wittgenstein.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The London Borough of Barnet has 'twin town' civic links with: Chaville, France; Kreis Siegen Wittgenstein, Germany; Le Raincy, France; Montclair, USA; Morphou, Cyprus; Ramat Gan, Israel; and Tempelhof, Germany. In addition, there are two towns – Jinja in Uganda and Barnet in the state of Vermont in the USA with which the Council is linked but by correspondence only.
- 1.2 Running alongside the twinning are the "friends" organisations which formed in Barnet to maintain contact with their counterparts at grass roots level. The friends organise visits to and from their respective twin towns independently of the Council. They maintain much closer and regular contact than the Council. Should there be an official visit to Barnet by a civic delegation from one of the town towns, the Mayoral Services & Civic Events Manager will liaise with the appropriate friends organisation so that they can be involved in the visit.
- 1.3 Kreis Siegen Wittgenstein was twinned with the then Borough of Finchley in 1951. Links with Germany were promoted by the British Government. The links were mainly educational with student exchanges taking place. The last civic visit took place in November 2018 when representatives from the district attended Armistice events in Barnet.
- 1.4 Kreis Siegen Wittgenstein have invited the Mayor, Mayoress and Mayoral Services & Civic Events Manager to come to the district in April 2019 to officially announce and reaffirm the partnership between Barnet and Kreis Siegen Wittgenstein. Due to the lack of availability of the formal record of the twinning between the Borough of Finchley and Kreis Siegen Wittgenstein, Council are requested to pass the resolution detailed in recommendation 1. above in order that the resolution can be presented to the representatives of the Kreis Siegen Wittgenstein when representatives from Barnet visit in April 2019.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 As set out in section 1 above.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Council could decide not to pass a resolution to reaffirm the civic link between Barnet and the Kreis Siegen Wittgenstein. This is not recommended as Kreis Siegen

Wittgenstein have requested that Barnet affirm their links with the district during the visit in April 2019.

#### **4. POST DECISION IMPLEMENTATION**

- 4.1 The Mayor's Office will organise for the resolution to be printed on vellum, signed and sealed for presentation to representatives of Kreis Siegen Wittgenstein.

#### **5. IMPLICATIONS OF DECISION**

##### **5.1 Corporate Priorities and Performance**

- 5.1.1 N/A

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

- 5.2.1 Any cost associated with town twinning arrangements are met from the Mayoral Services and Civic Events budget.

##### **5.3 Social Value**

- 5.3.1 The promotion of civic links with Barnet's twin towns enhances community cohesion and develops international cooperation.

##### **5.4 Legal and Constitutional References**

- 5.4.1 On 22 January 1997, the Policy & Resources Committee agreed that a special meeting of the Council should be convened for the purposes of establishing a civic link. The resolution above is a reaffirmation of a civic link agreed in 1951 by the council's successor in title, the Borough of Finchley. As such, a decision of Council rather than a decision of a special meeting of the Council, is appropriate to pass the resolution detailed in recommendation 1. above.

##### **5.5 Risk Management**

- 5.5.1 N/A

##### **5.6 Equalities and Diversity**

- 5.6.1 N/A

##### **5.7 Corporate Parenting**

- 5.7.1 N/A

##### **5.8 Consultation and Engagement**

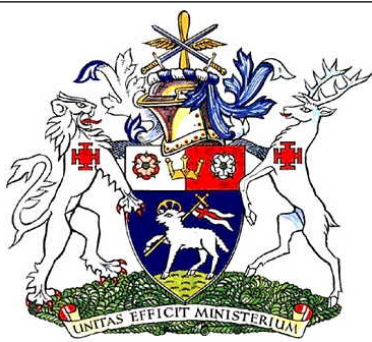
- 5.8.1 N/A

## **5.8 Insight**

5.8.1 N/A

## **6. BACKGROUND PAPERS**

- 6.1 Council, 7 March 1995, Proposed Municipal Link with Morphou, Cyprus – a Special Council meeting passed a resolution to form a municipal link with Morphou in Cyprus.
- 6.2 Policy & Resources Committee, 22 January 1997, Town Twinning – the Chief Executive presented a report on town twinning arrangements where the committee resolved that the establishment of a civic link should be via a resolution agreed at a special meeting of the Council in addition to various other matters relating to town twinning



## Council

AGENDA ITEM 12.3

**29 January 2019**

<b>Title</b>	<b>Report of the Head of Governance</b>
<b>Report of</b>	Head of Governance
<b>Wards</b>	Public
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix A – Nominations to Outside Bodies
<b>Officer Contact Details</b>	Anita Vukomanovic – Governance Team Leader <a href="mailto:anita.vukomanovic@barnet.gov.uk">anita.vukomanovic@barnet.gov.uk</a> , 0208 359 7034

### Summary

This item presents various constitutional and administrative matters for Council's agreement. Full details are as set out in the attached appendices.

### Officers Recommendations

1. That Council make the appointment to the outside body as listed in Appendix A.

#### 1. WHY THIS REPORT IS NEEDED

- 1.1 The Head of Governance report seeks Council's approval for various matters of business relating to the Council's statutory and constitutional functions.

#### 2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out in the attached appendices.

#### 3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 N/A

#### **4. POST DECISION IMPLEMENTATION**

4.1 Council decisions will be minuted and implemented through the Head of Governance.

#### **5. IMPLICATIONS OF DECISION**

##### **5.1 Corporate Priorities and Performance**

5.1.1 As set out in attached appendices.

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

5.2.1 Any specific implications are set out in the attached appendices.

##### **5.3 Social Value**

5.3.1 Any specific implications are set out in the attached appendices.

##### **5.4 Legal and Constitutional References**

5.4.1 Council Constitution, Full Council Procedure Rules – requires that Council “Agree the Council Calendar of meetings including for ordinary meetings of the Council”. As these are in year changes they are for noting only.

5.4.2 Council Constitution, Article 4 – The Full Council – states that the Council is responsible for “Agreeing and amending the terms of reference of committees, deciding their composition and making appointments to them.”

##### **5.5 Risk Management**

5.5.1 None specifically arising from this report.

##### **5.6 Equalities and Diversity**

5.6.1 None specifically arising from this report.

##### **5.7 Corporate Parenting**

5.7.1 None specifically arising from this report.

##### **5.8 Consultation and Engagement**

5.8.1 None specifically arising from this report.

##### **5.9 Insight**

5.9.1 None specifically arising from this report.

## **6. BACKGROUND PAPERS**

6.1 None.

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**Appointments to Outside Bodies and Change to Calendar of Meetings****1. Appointment to an Outside Body**

A vacancy has arisen for one appointment to the Valentine Pool Charity for a term of four years following the expiration of the existing term on 13 April 2019.

The Group Secretaries have been invited to make nominations:

<b>Outside Body</b>	<b>Conservative Nomination</b>	<b>Labour Nomination</b>
<b>The Valentine Pool Charity</b>	TBC	TBC

**RECOMMEND** that the appointments to The Valentine Pool Charity be approved.

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**Appendix B**  
**Change to Calendar of Meetings**

**Changes to Calendar of Meetings – 2018/19 Municipal Year**

<b>Committee</b>	<b>Originally Scheduled Date of Meeting</b>	<b>New Meeting Date</b>
Policy & Resources Committee	N/A	11 April 2019

**RECOMMEND** that the change to the Calendar of Meetings be noted.

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Council knows how important a clean environment is to local residents, as well as how a neglected street scene can have a detrimental impact on levels of crime, disorder, and how safe people feel.

Council notes that the cleanliness of Barnet's streets has been deteriorating, with increasing complaints to local councillors about litter and detritus on pavements and roads, overflowing and uncollected street and park litter bins, fly-tipped rubbish and uncollected autumn leaves.

Council notes that this has been made significantly worse by the thousands of missed bin collections across the borough since 4 November.

Council notes that in 2007/8 every residential street in Barnet was swept 13 times a year, with regular cleaning of town centres and regular street litter bin collections.

Council notes that LB Barnet's street cleaning policy for residential streets is now entirely reactive, and streets are only inspected or swept if someone reports an issue to the Council.

Council believes an urgent review of street cleaning and environmental enforcement is needed.

Council instructs the Environment Committee to:

- review all current policies on street cleaning and environmental enforcement, together with the impact these are having on the level of litter and fly-tipping across the borough;
- consider best practice in other boroughs including regular monitored community skips for bulky waste, closer working with private landlords and tenants on disposal of bulky waste, and ways to make it easier for residents to report issues to the Council - through a mobile device app for example;
- improve engagement with the community on environmental issues, including more systematic support for community groups that are concerned about the state of our streets, and working with businesses, especially fast food outlets, to ensure they are minimising litter on surrounding streets;
- and following this review, make recommendations to improve the cleanliness of Barnet's streets.

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### **Administration Motion in the name of Cllr David Longstaff**

AGENDA ITEM 14.2

Council rejoices that our borough is a nice place to live, where communities co-exist and residents live peacefully. It is important that Barnet residents can be confident in their own safety. When crime increases or when fear of crime becomes more prevalent, that lifestyle is at risk.

Our police force is important to us and a visible police presence remains an effective deterrent to criminals. Efficient investigation and detection are fundamental to our justice system. All this costs money and Barnet pays more into the system than any other borough. However, we have fewer police per capita than elsewhere.

Council calls on our GLA representative and Leader of the council to write to the Mayor insisting, that the Mayor provides more police resource in Barnet.

**Under Full Council Procedure Rule 17.17: If my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.**

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**Full Council, 29 January 2019**

**Motion: Cllr Barry Rawlings**

**Rent arrears and universal credit**

**AGENDA ITEM 14.3**

Council notes the clear evidence that where Universal Credit has been rolled out more people are made homeless because of rent arrears. The main causes of arrears are the five-week delay in first payment of Universal Credit and other delays caused by Department of Work and Pensions error.

Council notes that as of October 85 per cent of Barnet Homes' 321 Universal Credit claimants were in rent arrears and 20 per cent of their arrears had accrued since they transferred to Universal Credit.

Council calls on LB Barnet to follow the lead of Camden Council in refusing to evict Council tenants in rent arrears as a result of Universal Credit delays and to urge registered social landlords and private landlords to do the same.

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## **Motion in the name of Cllr.Peter Zinkin**

### **AGENDA ITEM 14.4**

Council believes that all who live in Barnet are entitled to breathe fresh air. The many main roads running through our borough are a source of pollution that is difficult to deal with. All our goods are carried by motor vehicle and our transport system is dependent on the Motor car. Undoubtedly there are trade offs to be considered. A large car with many passengers produces less pollution per passenger journey, than a smaller one with just the driver. An elderly vehicle making the occasional short journey will pollute less than a small car sitting for a long period on a very congested road.

The arbitrary siting of the Ultra Low Emission Zone at the interior of the North Circular can only make the outer London situation worse as dirtier vehicles avoid venturing within the A406. Charging in a blanket way within the restricted zone is fundamentally unfair.

Council calls on the Leader to write to the Mayor expressing its concerns and ask that there is an early revision to the scheme

**Under Full Council Procedure Rule 17.17: If my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.**

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**Full Council, 29 January 2019**

**Motion: Cllr Ross Houston**

**Barnet Council's Brexit Contingency Planning**

**AGENDA ITEM 14.5**

Council notes that 62 per cent of Barnet residents that voted in the EU Referendum voted to remain in the EU, but the overall UK decision was to leave the EU.

Council celebrates Barnet's cultural and religious diversity, and its long history of welcoming refugees and migrants from all over the world, including the European Union.

Council notes that over 31,000 EU citizens live in Barnet and puts on record its appreciation of the contribution they make to the civic, economic and cultural life of the borough, and the role many play in delivering our public services.

Council notes that Barnet's Conservative councillors voted against ensuring that EU staff employed by LB Barnet have access to legal advice and financial support to understand and access their rights (including applying for settled and pre-settled status, obtaining permanent residency and/or citizenship). Council notes that LB Barnet has subsequently agreed to cover the cost of the settled status fee for Council employees despite that motion being defeated by the Conservatives.

Council expresses concern about the current Parliamentary deadlock on the Government's proposed Brexit deal, and the increased likelihood of a no-deal departure from the EU. Council believes both the Government deal and no-deal will have a negative impact on Barnet, its residents, economy and public services.

Council instructs Policy & Resources Committee to bring a report to its next meeting detailing LB Barnet's contingency plans in the event of each of these outcomes in order to ensure service continuity, provide reassurance and support for Council employees, residents and businesses at a time of national uncertainty.

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**Motion in the name Cllr John Marshall**

**AGENDA ITEM 14.6**

Council notes the Finchley Road entrance to Golders Green Station has been closed for many years. This has been an inconvenience for passengers. Increased passenger congestion at the station and in the forecourt needs to be ameliorated. Council instructs the deputy chief executive to write to TfL requesting an early re-commissioning of this entrance.

**Under Full Council Procedure Rule 17.17: If my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.**

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**Motion in the name of Cllr. John Hart**

**AGENDA ITEM 14.7**

Council notes and welcomes the initiative to extend in all Commonwealth countries the protection in each of them, of an area of woodland, jungle or new plantation to be known as the Queen's canopy and thereby saved in perpetuity for the benefit alike of humans and wildlife.

Council considers that the United Kingdom, as mother country of the Commonwealth, should be seen to support this green initiative and offer an area of woodland, open space or forest planting to be known forever, as the Queen's Canopy.

Council instructs the Leader to write in support of this initiative to the appropriate bodies from Barnet.

**Under Full Council Procedure Rule 17.17: If my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.**

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