

Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at Hendon Town Hall, The Burroughs, NW4 4BG, on 21 January 2014

PRESENT:-

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

Councillors:

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

Apologies for Absence

Councillor Robert Rams Councillor Zakia Zubairi
Councillor Darrel Yawitch

1. PRAYER - THE MAYOR'S CHAPLAIN

The Mayor's Chaplain offered prayer.

2. ANNOUNCEMENT FROM THE CONSERVATIVE CHIEF WHIP

Councillor Anthony Finn, the Conservative Chief Whip, informed Council that Councillor Ansuya Sodha (who had resigned from the Labour Group) had accepted the Conservative Whip and was now officially a member of the Conservative Group.

3. **MINUTES OF THE MEETING HELD ON 5 NOVEMBER 2013**

RESOLVED - That the minutes of the meeting of the Council held on 5 November 2013 be approved as a correct record.

4. **DECLARATIONS OF INTEREST**

Member:	Interest
Councillor Alan Schneiderman	Item 3.4 - Academies Pecuniary interest Councillor Schneiderman works for the Department of Education. Councillor Schneiderman withdrew from the chamber during the voting on this item.

5. **OFFICIAL ANNOUNCEMENTS**

The Worshipful the Mayor announced that the float entered by Barnet in the New Year's Day parade celebrations had won a prize of £2,000 for the Mayor's charity. A plaque was also formally presented as part of having won the special award.

6. **ANY BUSINESS FROM THE LAST MEETING**

There was none.

7. **QUESTIONS TO THE LEADER AND CABINET**

The questions, together with the answers provided and the text of any supplementary questions and answers, are set out in Appendix 1 to the minutes.

8. **HELPING RESIDENTS WITH THE COST OF LIVING - COUNCILLOR DANIEL THOMAS**

Councillor Daniel Thomas moved the Administration Business Item in his name. Councillor Lord Palmer moved Councillor Jack Cohen's amendment. Debate ensued. Upon being put to the vote, the amendment in the name of Councillor Jack Cohen was declared lost. Upon being put to the vote the Administration Business Item in the name of Councillor Daniel Thomas was declared carried.

RESOLVED - Council notes and welcomes the significant uplift in the economy, with growth of 1.5% achieved between March and September of 2013 and the Treasury forecasting growth in GDP of 2.5% for 2014. Council further notes that business confidence is at a twenty year high according to a recent survey by Lloyds Banking Group. Council believes this is evidence of the success of the government's economic approach, which is delivering a sustainable platform for stability and prosperity.

Council does though realise that many residents of the Borough and beyond may still be concerned about the cost of living. Council therefore welcomes a range of local and national measures which are helping people by allowing them to keep more money in their pockets.

Council welcomes the announced 1% council tax cut for Barnet's households this year and the fact that it succeeds a four year freeze. Council notes that by 2017, this administration will have saved the average Barnet household £1160 since 2010 when compared to inflationary linked increases. This is on top of the government's decision to raise the personal allowance (the amount you can earn before paying income tax) to £10,000 by this spring, reducing the income tax bill for 25 million people across the country.

Council notes the Borough's involvement with the Big London Energy Switch, which is already helping people to reduce their fuel bills by an average of £200. Council welcomes the decision to extend this scheme and calls on the Cabinet to continue to promote ways to help people achieve the best market rates. Council also welcomes the government's decision to reduce the Green levies which account for a large proportion of residents' fuel bills, helping prices to fall by some £50 a year on average.

The Chancellor's continued fuel duty freeze has also helped hard working people with the price of filling their vehicles and prevented greater food price increases linked to transportation costs.

Council also welcomes the administration's decision to keep rent rises for existing social housing tenants below inflation, delivering a real-terms reduction, when neighbouring Labour councils were increasing them well above this mark. Council notes the building of the Borough's first council houses in twenty years and the fact that there is increasing affordable home provision through the council's many developments and regeneration projects.

Council calls on the Cabinet to continue to support the hard working residents of the Borough with the cost of living by extending these schemes and policies.

9. RAIL SERVICES IN BARNET - COUNCILLOR GEOF COOKE

Councillor Geof Cooke moved the Opposition Business Item in his name. Councillors Brian Coleman, Dean Cohen and Kath McGuirk moved their amendments. Debate ensued. Councillor Cooke accepted Councillor McGuirk's amendment. Upon being put to the vote the amendment in the name of Councillor Brian Coleman was declared lost. Upon being put to the vote the amendment in the name of Councillor Kath McGuirk was declared lost. Upon being put to the vote the amendment in the name of Councillor Dean Cohen was declared carried. Upon being put to the vote the substantive Opposition Business Item as amended by Councillor Dean Cohen was declared carried.

RESOLVED - Council is strongly in favour of improved rail services in the borough.

Council believes that the successful applicant in the Government Department for Transport's Thameslink, Southern and Great Northern tender, due to be awarded in May 2014, should be required to provide:

- **a long overdue improvement in the train frequency on the Great Northern service from New Barnet, Oakleigh Park and New Southgate stations to a minimum of 4 trains per hour in each direction all day, every day and at least that frequency on the Thameslink line serving Mill Hill Broadway, Hendon and Cricklewood stations to implement the Mayor of London's aspiration for Metro frequency services on all lines in Greater London;**

- a service linking the Great Northern line stations in Barnet with the Thameslink line at St Pancras as soon as the new tunnels are available;
- for journeys within London full alignment of ticketing with Transport for London Tube services including all zone-to-zone fares, all-day Freedom Pass usage and free travel for primary school aged children.

Council notes and welcomes the huge improvement in service standards and passenger numbers when national rail services in other boroughs have been put under the control of TfL as London Overground and the planned expansion of London Overground into West Anglia lines in north east London.

Council believes similar improvements should be made in Barnet services, and in particular:

- Cricklewood and Hendon stations should remain open and not be closed when the proposed new station is opened on the Thameslink line as part of the Brent Cross/Cricklewood development.
- All stations in Barnet should be made step-free as soon as practicable with improvements in signage and customer information.
- Much-needed orbital rail links should be investigated, routes safeguarded and included in financial planning (making use of s106 contributions from planning permissions, without damaging our existing commitments) with particular reference to;
 - a) linkage to the proposed Old Oak Common HS2/Crossrailhub station using existing lines
 - b) possible westward extension of Crossrail 2 from Alexandra Palace and
 - c) reopening the Highgate-Finsbury Park line

Council also believes that National Rail services in London should run 24 hours on weekends as the London Underground is proposed to do.

Council welcomes the planned improvement in speed and frequency on the Northern Underground line.

Council believes that fair, affordable rail fares, good connectivity and fast comfortable services are essential to reduce road congestion, minimise air pollution and stimulate the local economy.

Council asks the Chief Executive to write to the Secretary of State for Transport to communicate these views as soon as possible with copies to Mayor Boris Johnson (as leader of TfL), Theresa Villiers MP, Matthew Offord MP, Mike Freer MP and Assembly Member Andrew Dismore and to take every opportunity to lobby DfT, the Mayor and TfL to make these and other improvements to National Rail and Underground services in Barnet.

10. **VARIATION TO THE ORDER OF BUSINESS**

Councillor Joan Scannell, duly seconded, moved under Council Procedure Rule 6.3, that the order of business relating to Agenda Item 3 be varied so that Non-Executive Business Item 3.5 be heard first. Upon being put to the vote, the Motion was declared carried.

RESOLVED – That the order of business be varied to allow Non-Executive Business Item 3.5 to be debated and voted upon in advance of votes being taken on the other Non-Executive Business Items on the Agenda.

11. **EQUALITIES POLICY - COUNCILLOR BRIAN SALINGER**

Councillor Brian Salinger moved the Non-Executive Business Item in his name. Upon being put to the vote the Non-Executive Business Item in the name of Councillor Brian Salinger was declared carried.

RESOLVED - Council notes and welcomes the publication of the council's updated Equalities Policy and Communities Together Plan, believing it to demonstrate the authority's ongoing commitment to the value of equality and community cohesion in its daily work.

Barnet is one of the most diverse local authorities in the country with many different religious and ethnic communities and residents of all ages, all living and working alongside one another. Levels of harmony are high, with 84% of residents in the latest Residents' Perception Survey believing that people from different backgrounds get on well together in Barnet. It is vital that no one section of the community feels alienated and it is a pre-eminent wish of the council that everyone is looked out for.

Council notes the proposed equalities measures set out for each corporate objective of the council and for each delivery unit and welcomes the opportunity for these to come under regular assessment. Council similarly welcomes the introduction of an annual equalities report of partner organisations, helping to ensure the council encourages best practice across the breadth of services in the Borough.

Council welcomes the adoption of this policy and calls on the administration to continue to promote equality and community cohesion through its policies and partnership work with external agencies.

12. **20MPH SPEED RESTRICTIONS - COUNCILLOR JACK COHEN**

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

RESOLVED - This Council notes a large number of evaluation studies have demonstrated a link between the introduction of 20mph zones/ 20mph limits and a

subsequent reduction in casualties. The size of the reductions and the consistency of results over a wide number of areas are further evidence for this link.

As well as road safety benefits, Council notes the contribution that 20mph zones /20mph limits can have in encouraging more physical activity, such as walking and cycling, by contributing towards a safer environment.

Council notes the establishment of a cross-party Task & Finish Group on 20 Mph Zones and expects that it will consider the various points raised here in the course of its work.

Council therefore requests that the Cabinet Member with responsibility for traffic management carefully reviews any proposals, strategies, and recommendations which arise from the Task & Finish Group that will affect the number of roads subject to 20mph speed restrictions across the Borough.

13. **CONSULTATION ON ACADEMIES - COUNCILLOR ANNE HUTTON**

Councillor Anne Hutton moved the Non-Executive Business Item in her name. Councillor Reuben Thompstone moved his amendment. In accordance with Council Procedure Rule 23.5, the item was voted on without discussion. Upon being put to the vote the amendment was declared carried. Upon being put to the vote the substantive Non-Executive Business Item in the name of Councillor Reuben Thompstone was declared carried.

RESOLVED - Council notes that school governing bodies now have the authority to convert into Academies via an Academy Order, with meaningful consultation.

Council supports schools, governing bodies and parents in choosing to convert to academy status.

The Academies Programme, launched by the previous Labour administration under Tony Blair and produced primarily under the authorship of Lord Adonis was seen as having some areas to improve and Council recognises the work of Michael Gove under the current administration led by David Cameron in ensuring that the well intentioned programme was improved and expanded to give schools even more autonomy in leading and managing their curriculum provision more effectively for the students on their rolls.

Council welcomes the way that the Academies Programme has provided schools with the opportunity to retain a greater range of options in how to provide effective teaching and learning for the benefit of students across the country as evidenced by the recent successes of students across Barnet Schools.

Council therefore calls on the Administration to assist schools wishing to convert to Academy status to follow the current regulations.

14. **REPORT FROM CONSTITUTION, ETHICS AND PROBITY COMMITTEE - 14 JANUARY 2014**

The Worshipful the Mayor, Councillor Melvin Cohen (Chairman of the Committee) introduced the report and moved adoption and reception. Councillors Alison Moore and Jack Cohen moved their amendments. Upon being put tot the vote the amendment in the name of Councillor Alison Moore was declared lost. Separate votes were taken on

Councillor Jack Cohen's amendments. Upon being put to the vote amendments were declared lost. Upon being put to the recommendations were declared carried.

RESOLVED - That

1. **Barnet Council cease operating the Executive form of Governance with effect from its Annual Meeting on 2 June 2014.**
2. **The proposed amendments to the Terms of Reference of the Health Overview and Scrutiny Procedure Rules relating to appointment to Joint Health Overview Scrutiny Committee be approved.**

15. **REFERENCE FROM COUNCIL, 5 NOVEMBER 2013 - NORTH LONDON WASTE AUTHORITY - COUNCILLOR BRIAN COLEMAN**

Councillor Brian Coleman introduced his item. Councillor Dean Cohen moved his amendment. Debate ensued. Upon being put to the vote the amendment in the name of Councillor Dean Cohen was declared carried. Upon being put to the vote the substantive item as amended by Councillor Dean Cohen was declared carried.

RESOLVED - Council notes the cancellation of the procurement project by the North London Waste Authority, which has reportedly cost the Council Tax payers of the 7 North London Boroughs £21 million, and the resulting chaos and confusion. Council believes the situation raises several issues which will require examination:

- 1) **The future of the NLWA and whether it is in Barnet's best interests to remain a member or for Barnet to become a Waste Disposal Authority.**
- 2) **The role of the Chairman and Officers of the NLWA in driving forward the failed procurement and the advice given by the NLWA's advisors.**
- 3) **The future use and ownership of the Pinkham Way site in the light of the failed procurement and the continuing need for a Barnet Council depot.**
- 4) **The future of London Waste Ltd as a Local Authority owned company.**
- 5) **The robustness of the finances of the NLWA, in the light of the change of policy.**
- 6) **The need for waste facilities in Barnet including the proposed facility in the Brent Cross / Cricklewood development and the future of the Summers Lane site.**

However, Council believes it may be too soon to properly determine the outcome of such questions due to the ongoing nature of the situation. Council requests the Administration to revisit these questions at an appropriate juncture, at which time the council's involvement with the NLWA can be effectively reviewed.

16. REPORT OF THE HEAD OF GOVERNANCE

1. RESIGNATION OF A MEMBER

RESOLVED - That Council note (i) the resignation of Councillor Ansuya Sodha from the Labour Group and (ii) Councillor Sodha having accepted the Conservative whip is now a member of the Conservative Group.

2. CALCULATION OF POLITICAL BALANCE

The Head of Governance informed Council that as a consequence of Item 1 above, the political balance calculation set out in the report required amending. The total number of seats set in page 67 being amended as follows;

- Conservative Group gain 3 seats taking their total from 90 to 93
- Labour Group lose 3 seats taking their total from 54 to 51 a net gain of 3 seats for the Conservatives and a net loss of 3 seats for Labour.

Recommendation 1 was also amended to reflect the change.

The Worshipful the Mayor further advised Council that the substantive details with regards to which Committees the seats were to be allocated to, would be dealt with at the Council meeting on 4 March.

RESOLVED IN PRINCIPLE:

1. That Council note the political balance of the Council is 38 Members of the Conservative Group; 21 Members of the Labour Group; 3 Members of the Liberal Democrat Group and 1 Independent (non-aligned) Member.
2. That the allocation of seats as set out above be altered in accordance with the political balance regulations requiring the 3 seats to be allocated proportionately to the political groups represented on Council;
3. As agreed at the Annual Council meeting 2013 that Council does not allocate a seat to the Independent (non-aligned) Member on a Committee or sub-Committee.

3. EXECUTIVE DECISIONS EXEMPTED FROM THE 28 DAY NOTICE AND CALL IN

RESOLVED - That Council note the decision exempted from the Advanced Notification of Executive Decisions.

4. VACANCIES ON SCHOOL GOVERNING BODIES

The Group Secretaries moved the nominations in their name. Councillor Coleman moved his amendment. Upon being put to the vote the amendment was declared lost.

RESOLVED - That the nominations set out in Appendix 1 of the report and those moved from the floor be approved.

5. SUSPENSION OF COUNCIL PROCEDURE RULES

Councillor Jack Cohen moved an amendment to recommendation 2 that the time permitted for the applicant to address Committee is reduced to 3 minutes. Upon being put to the vote the amendment was declared lost.

RESOLVED -

1. That the Council Procedure Rules (Public Participation and Engagement, Paragraphs 4.3) relating to the maximum number of members of the public permitted to speak on a planning application being considered by the Planning & Environment Committee be suspended for the purpose of consideration of the planning application for Brent Cross/Cricklewood at the proposed meeting of the Planning & Environment Committee on Thursday, 30 January 2014. The extent of the suspension shall operate to permit 10 individual members of the public to address the Committee.
2. That Council Procedure Rules Public Participation and Engagement, Paragraph 4.6 be varied at the said Planning & Environment Committee so that a maximum time of 15 minutes be permitted for the applicant to address to ***put his case*** upon the planning application relating to Brent Cross/Cricklewood.

6. CHANGES TO COMMITTEE MEMBERSHIP

Deferred to the next Council meeting as consequence of Item 2 above.

7. CHANGES TO SUB-COMMITTEE MEMBERSHIP

RESOLVED - That Council note:

- Councillor Agnes Slocombe replaces Councillor Ansuya Sodha as substitute Member of the Hendon Area Environment Sub-Committee.
- Councillor Julie Johnson replaces Councillor Ansuya Sodha as a substitute member of the West Area Planning Sub-Committee

8. CHANGES TO OUTSIDE BODIES

RESOLVED – That Councillor Tom Davey replaces Councillor Brian Coleman as a Council representative on the Endowment Fund of the Schools of Queen Elizabeth the First, Barnet.

17. **QUESTIONS TO COUNCIL REPRESENTATIVES ON OUTSIDE BODIES (IF ANY)**

1. **From Councillor Brian Coleman**

- a) What was Mr Tim Judson, Director of the failed procurement project paid in salary, benefits and bonus in the 12 months up to October 31st 2013 and what was the value of any package paid to him on his departure from NLWA?

Response from Councillor Dean Cohen Council Representative on the North London Waste Authority

NLWA response: The information relating to the two years 2011/12 and 2012/13 is set out below.

		Salary (Including fees & allowances)	Bonus (Relates to previous year)	Employer's pension contributions	Total
Procurement Director	2012/13	£100,000	£10,000	£27,830	£137,830
	2011/12	£100,000	£18,000	£28,674	£146,674

With regard to 2013/2014, the North London Waste Authority has considered whether disclosing this information would breach the data protection principles of the Data Protection Act 1998 (DPA). The Authority can only disclose the personal data if to do so would be fair, lawful and will meet one of the conditions in Schedule 2 of the DPA. The Authority has also considered whether the disclosure could breach statute (including section 10 of the DPA, the right to prevent processing likely to cause damage or distress), common law, a duty of confidence or an enforceable contractual term and has concluded that a disclosure at this time would constitute a breach of such provisions. The Authority will continue to publish information relating to payments to senior officers in accordance with the relevant Regulations.

(NLWA have confirmed that Tim Judson left the Authority, following the end of the procurement, with effect from 31 October 2013).

- b) What is the communications budget for NLWA for the current financial year?

Response from Councillor Dean Cohen Council Representative on the North London Waste Authority

NLWA response: For 2013/14 the NLWA approved a core communications budget of £463,000 and a further £290,000 for joint communications work within the seven NLWA constituent boroughs.

2. **From Councillor Brian Coleman**

What have you done as a Trustee in relation to the empty retail property the Trust owns on Chipping Barnet High Street?

Response from Council Representative on the Eleanor Palmer Trust

At a recent meeting with the Eleanor Palmer Trust it was disclosed there were legal issues to be resolved on the property in question after the previous tenants left. The shop has become increasingly grubby and needs to be re-let but unfortunately it can not be smartened up until the legal issues have been resolved and the shop inspected. I would encourage the trustee management to get on with the job and get the solicitors to sort out the legal issues as quickly as possible and start improving our high street in Chipping Barnet. From what I have recently they are doing that.

The meeting finished at 10.00 pm