

	<p><b>Assets Growth and Regeneration Committee</b></p> <p><b>30 November 2015</b></p>
<p style="text-align: right;"><b>Title</b></p>	<p><b>Member’s Item – Councillor Cooke</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>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>None</p>
<p style="text-align: right;"><b>Officer Contact Details</b></p>	<p>Faith Mwende: <a href="mailto:faith.mwende@barnet.gov.uk">faith.mwende@barnet.gov.uk</a> 020 8359 4917</p>

<p><b>Summary</b></p>
<p>The report informs Assets Growth and Regeneration Committee of a Member’s Item and requests instruction from the Committee.</p>

<p><b>Recommendation</b></p>
<p><b>1. That the Assets Growth and Regeneration Committee’s instructions are required on whether to bring a detailed report to a future meeting, receive a written briefing or take no further action.</b></p>

**1. WHY THIS REPORT IS NEEDED**

1.1 Councillor Cooke has requested that a Member’s Item be considered on the following matter:

“The following has been disallowed as a Member’s Item for Performance and Contract Management committee so, although I disagree with that decision, I am submitting it to Assets, Regeneration and Growth Committee as suggested:

Please could the committee receive an explanation why, when the report recommending disposal of public land at the rear of Brookdene 71 Holden Road N12 was prepared for the meeting of Assets, Regeneration and Growth committee on 15/12/14, Capita and/or HB Public Law failed to alert the committee (via the then Deputy Chief Operations Officer) that

1. According to a Land Registry record there is a right of way through the private Brookdene site;
2. That right of way ought to be researched before any disposal decision was taken;
3. That right of way is likely to give the Council access to its land from Holden Road, particularly as the private land was sold by a predecessor authority of the Council and no competent authority would cut off access to land it owned;
4. That right of way might give the public access to the public land without any need to cross Dollis Brook;
5. Part of the land recommended for disposal is Metropolitan Open Land;
6. Part of the land recommended for disposal is a Site of Interest for Nature Conservation;
7. Part of the land recommended for disposal is subject to directions from the Environment Agency.”

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Committee are requested to give consideration to the Member’s Item and provide instruction as to whether they wish to receive a detailed report on the issue raised at a future meeting, receive a written briefing or take no further action.

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

- 3.1 Not applicable.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

## **5. IMPLICATIONS OF DECISION**

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

- 5.1.1 As and when issues raised through a Member’s Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies, such as the Health and Wellbeing Strategy, and the Barnet Joint Strategic Needs Assessment.

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

5.2.1 None in the context of this report.

## **5.3 Social Value**

5.3.1 Members Item's provide an avenue for Members to request Officer reports for discussion within a Committee setting at a future meeting.

## **5.4 Legal and Constitutional References**

5.4.1 The Council's Constitution (Meeting Procedure Rules, Section 6) notes that a Member (including Members appointed as substitutes by Council will be permitted to have one matter only (with no sub-items) on the agenda for a meeting of a Committee or Sub-Committee on which s/he serves. Members items must be within the term of reference of the decision making body which will consider the item.

5.3.2 There are no other legal references in the context of this report.

## **5.5 Risk Management**

5.5.1 None in the context of this report.

## **5.6 Equalities and Diversity**

5.6.1 Member's Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

## **5.7 Consultation and Engagement**

5.7.1 None in the context of this report.

## **5.8 Insight**

5.8.1 The process for receiving a Member's Item is set out in the Council's Constitution, as outlined in section 5.4 of this report. The Committee will be requested to consider the item and determine any further action that they may wish in relation to the issues highlighted within the Member's Item.

## **6. BACKGROUND PAPERS**

6.1 E-mail to Governance Service dated 18 November 2015.