

Annual Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 25TH MAY, 2021 AT 7.00 PM

VENUE

MIDDLESEX UNIVERSITY, THE BURROUGHS, LONDON, NW4 4BT

SUMMONS AND AGENDA



All Councillors are hereby summoned to attend the Council Meeting for the transaction of the business set out.

Agenda
Tuesday 25th May, 2021

Item	Subject	Page Nos
1.	Prayer	
2.	Apologies for Absence	
3.	Election of Mayor	
4.	Minutes	5 - 22
5.	Declarations of Interest	
6.	Official Announcements	
7.	Report of the Leader	
	Report of Officers	
8.	Report of the Chief Executive - Results of the Local Government By-Elections on 6 May 2021	23 - 28
9.	Report of the Monitoring Officer - Political Proportionality	29 - 38
10.	Report of the Monitoring Officer - 6- Month Councillor Attendance Rule	39 - 42
11.	Report of the Head of Governance - Appointments to Committees	To Follow
12.	Report of the Head of Governance - Appointments to Outside Bodies	To Follow
	Report of Committees	
13.	Report of the Constitution & General Purposes Committee	43 - 240

Andrew Charlwood, Head of Governance
2 Bristol Avenue, Colindale, NW9 4EW

PUBLIC ATTENDANCE

This meeting is taking place at an external venue to allow Covid-secure measures to put in place. There will be extremely limited spaces for the public. We are unable to guarantee access to the venue.

If you wish to attend the meeting please contact governanceservice@barnet.gov.uk

The meeting will be live streamed on the Council's website:

<https://barnet.moderngov.co.uk>

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Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at Virtual, on 2 March 2021

PRESENT:-

AGENDA ITEM 4

The Worshipful the Mayor (Councillor Caroline Stock)
The Deputy Mayor (Councillor Lachhya Bahadur Gurung)

Councillors:

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

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Sara Conway. Councillor Charlie O'Macauley was also absent.

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

The Worshipful the Mayor was present.

3. PRAYER

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

4. DECLARATIONS OF INTEREST

Councillor Paul Edwards, Councillor Melvin Cohen, Councillor John Hart, Councillor Anthony Finn, Councillor John Marshall and Councillor Richard Cornelius declared an interest in item 10.2 of the agenda, the Referral from the Pension Fund Committee: Local

Pension Board Annual Report by virtue of being in receipt of a pension from the London Borough of Barnet.

Councillor Peter Zinkin declared a pecuniary interest in item 10.1 of the agenda, Referral of the Policy and Resources Committee – Business Planning – Corporate Plan, Budget 2021/22 and Medium Term Financial Strategy 2021-25 by virtue of being a Director of London Energy. Councillor Zinkin had been granted a dispensation by the Monitoring Officer.

Councillor John Marshall declared an interest in item 10.1 of the agenda, Referral of the Policy and Resources Committee – Business Planning – Corporate Plan, Budget 2021/22 and Medium Term Financial Strategy 2021-25 by virtue of being a Saracens season ticket holder and a Trustee for Home Start Barnet for most of the financial year.

5. MINUTES OF THE LAST MEETING

An amendment to the minutes was noted by Council, in that Councillor Paul Edwards was present for the meeting on the 19th January 2021, however due to technical difficulties he was unable to participate in the voting.

Following the amendment outlined above being noted, the minutes of the meeting held on the 19th January 2021 were agreed as a correct record.

6. OFFICIAL ANNOUNCEMENTS

The Worshipful the Mayor expressed sincere condolences on behalf of the Council to Councillor Zubairi on the passing of her husband. The Worshipful the Mayor also expressed sincere condolences to the family of former Councillor Julie Johnson who passed away recently.

The Worshipful the Mayor invited Councillor Narenthira to say a few words in memory of Julie Johnson.

The Worshipful the Mayor said a few words on the passing of Captain Sir Thomas Moore and the way in which he had lifted the nation's spirits during the pandemic.

The Worshipful the Mayor invited the Director of Public Health to provide an update on the Council's response to the pandemic.

7. ANY BUSINESS REMAINING FROM LAST MEETING

None.

7.1 RESOLUTION OF APPRECIATION

The Deputy Mayor moved the following resolution:

At a meeting of the Council held at Hendon Town Hall on Tuesday 2nd March 2021 it was resolved that we, the Members of the Council of the London Borough of Barnet, hereby express to The Worshipful the Mayor Councillor Caroline Stock our appreciation of the excellent service she has rendered to the London.

Borough of Barnet as its Mayor during the period May 2019 to May 2021, and for the friendly and conscientious way in which she has performed the duties of that office.

We offer her our sincere gratitude for the concern and empathy she has shown at all times in promoting the welfare of the Borough and its residents, particularly during an extraordinary time in our history and for her willingness to support the many organisations and individuals who called on her time and services during her Mayoralty.

We congratulate her on the success of her appeals for her charities Home-Start Barnet, Cherry Lodge Cancer Care and The Royal Free Charity.

This was duly agreed, with the foregoing resolution to be engrossed over the common seal of the corporation and presented to the Worshipful Mayor at the Annual Meeting.

7.2 THE MAYORALTY FOR THE MUNICIPAL YEAR 2021-22

The Worshipful the Mayor called for the nominations for election of Mayor of the London Borough of Barnet 2021/22. She noted that there was one nomination for the Mayor Designate.

Conservative Group Nomination:

Councillor Daniel Thomas, duly seconded by Councillor David Longstaff, moved that Councillor Alison Cornelius be proposed for the appointment of the Mayor of the London Borough of Barnet at the Annual meeting of the Council on 25 May 2021.

On the nominations being put to the vote, the votes were recorded as follows:

For	60
Against	0
Abstain	0

RESOLVED that Councillor Alison Cornelius be nominated as the Mayor designate for the municipal year 2021/22.

The Mayor designate Councillor Alison Cornelius nominated Councillor Saira Don as the Deputy Mayor designate for the municipal year 2021/22.

Councillor Alison Cornelius thanked those present for her nomination and nominated Councillor Saria Don to be her Deputy Mayor Designate.

RESOLVED that Council note Councillor Saira Don as the Deputy Mayor Designate for the municipal year 2021/22.

8. PETITIONS FOR DEBATE (20 MINUTES)

None.

9. REPORTS FROM THE LEADER

None.

10. REPORTS FROM COMMITTEES

10.1 REFERRAL FROM POLICY AND RESOURCES COMMITTEE - BUSINESS

PLANNING - CORPORATE PLAN, BUDGET 2021/22 AND MEDIUM TERM FINANCIAL STRATEGY 2021-25

Council noted a correction to Agenda item 10.1 (Referral from Policy and Resources Committee – Business Planning – Corporate Plan, Budget 2021/22 and Medium-Term Financial Strategy 2021-25), Appendix E (Summary of Savings Proposal 2021-25). In relation to the saving proposal “ENV 12” the description in the “impact on Customer Satisfaction” column should read “*The opportunity may impact on access to open sites which are under-utilised.*” This correction was required to ensure that the decision properly reflects the recommendations of the Policy and Resources committee made to Full Council.

Councillor Daniel Thomas, Chairman of the Policy and Resources Committee, moved the reception and adoption of the recommendations in the report. Councillor Barry Rawlings moved the Labour Group amendment and Councillor Gabriel Rozenberg moved the Liberal Democrat amendment. Debate ensued.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 and Council Procedure Rule 12.4 requires that voting decisions relating to the budget and Council Tax be recorded.

On the Labour Group’s amendment to the budget being put to the vote, votes were individually recorded for all Members as follows:

Councillor			For	Against	Not Voting	Absent
1.	Golnar	BOKAEI		x		
2.	Jess	BRAYNE		x		
3.	Felix	BYERS		x		
4.	Anne	CLARKE	x			
5.	Pauline	COAKLEY WEBB	x			
6.	Dean	COHEN		x		
7.	Melvin	COHEN		x		
8.	Geof	COOKE	x			
9.	Jo	COOPER	x			
10.	Sara	CONWAY				x
11.	Alison	CORNELIUS		x		
12.	Richard	CORNELIUS		x		
13.	Saira	DON		x		
14.	Val	DUSCHINSKY		x		
15.	Paul	EDWARDS	x			
16.	Claire	FARRIER	x			
17.	Anthony	FINN				x
18.	Nizza	FLUSS		x		
19.	Linda	FREEDMAN		x		

Councillor			For	Against	Not Voting	Absent
20.	Eva	GREENSPAN		x		
21.	Jennifer	GROCOCK		x		
22.	Rohit	GROVER		x		
23.	John	HART		x		
24.	Ross	HOUSTON	x			
25.	Anne	HUTTON	x			
26.	Laithe	JAJEH		x		
27.	Kathy	LEVINE	x			
28.	David	LONGSTAFF		x		
29.	John	MARSHALL		x		
30.	Kath	McGUIRK	x			
31.	Arjun	MITTRA	x			
32.	Alison	MOORE	x			
33.	Ammar	NAQVI	x			
34.	Nagus	NARENTHIRA	x			
35.	Charlie	O-MACAULEY				x
36.	Reema	PATEL	x			
37.	Alex	PRAGER		x		
38.	Wendy	PRENTICE		x		
39.	Sachin	RAJPUT		x		
40.	Barry	RAWLINGS	x			
41.	Danny	RICH	x			
42.	Helene	RICHMAN		x		
43.	Tim	ROBERTS	x			
44.	Gabriel	ROZENBERG		x		
45.	Lisa	RUTTER		x		
46.	Shimon	RYDE		x		
47.	Gill	SARGEANT	x			
48.	Alan	SCHNEIDERMAN	x			
49.	Mark	SHOOTER		x		
50.	Elliot	SIMBERG		x		
51.	Thomas	SMITH		x		

Councillor			For	Against	Not Voting	Absent
52.	Stephen	SOWERBY		x		
53.	Julian	TEARE		x		
54.	Daniel	THOMAS		x		
55.	Ruben	THOMPSTONE		x		
56.	Sarah	WARDLE		x		
57.	Roberto	WEEDEN-SANZ		x		
58.	Laurie	WILLIAMS	x			
59.	Peter	ZINKIN		x		
60.	Zakia	ZUBAIRI	x			
61.	DEPUTY MAYOR Lachhya	GURUNG		x		
62.	MAYOR Caroline	STOCK		x		

Votes were recorded as follows:

For	22
Against	37
Abstain	0
Absent	3
Total	62

RESOLVED that The Labour Group's amendment to the budget was therefore lost.

On the Liberal Democrat Group's amendment to the budget being put to the vote, votes were individually recorded for all Members as follows:

Councillor			For	Against	Not Voting	Absent
1.	Golnar	BOKAEI		x		
2.	Jess	BRAYNE	x			
3.	Felix	BYERS		x		
4.	Anne	CLARKE			x	
5.	Pauline	COAKLEY WEBB			x	
6.	Dean	COHEN		x		
7.	Melvin	COHEN		x		
8.	Geof	COOKE			x	
9.	Jo	COOPER			x	
10.	Sara	CONWAY				x
11.	Alison	CORNELIUS		x		

Councillor			For	Against	Not Voting	Absent
12.	Richard	CORNELIUS		x		
13.	Saira	DON		x		
14.	Val	DUSCHINSKY		x		
15.	Paul	EDWARDS			x	
16.	Claire	FARRIER			x	
17.	Anthony	FINN		x		
18.	Nizza	FLUSS		x		
19.	Linda	FREEDMAN		x		
20.	Eva	GREENSPAN		x		
21.	Jennifer	GROCOCK		x		
22.	Rohit	GROVER		x		
23.	John	HART		x		
24.	Ross	HOUSTON			x	
25.	Anne	HUTTON			x	
26.	Laithe	JAJEH		x		
27.	Kathy	LEVINE			x	
28.	David	LONGSTAFF		x		
29.	John	MARSHALL		x		
30.	Kath	McGUIRK			x	
31.	Arjun	MITTRA			x	
32.	Alison	MOORE			x	
33.	Ammar	NAQVI			x	
34.	Nagus	NARENTHIRA			x	
35.	Charlie	O-MACAULEY				x
36.	Reema	PATEL			x	
37.	Alex	PRAGER		x		
38.	Wendy	PRENTICE		x		
39.	Sachin	RAJPUT		x		
40.	Barry	RAWLINGS			x	
41.	Danny	RICH			x	
42.	Helene	RICHMAN		x		
43.	Tim	ROBERTS			x	
44.	Gabriel	ROZENBERG	x			

Councillor			For	Against	Not Voting	Absent
45.	Lisa	RUTTER		x		
46.	Shimon	RYDE		x		
47.	Gill	SARGEANT			x	
48.	Alan	SCHNEIDERMAN			x	
49.	Mark	SHOOTER		x		
50.	Elliot	SIMBERG		x		
51.	Thomas	SMITH		x		
52.	Stephen	SOWERBY		x		
53.	Julian	TEARE		x		
54.	Daniel	THOMAS		x		
55.	Ruben	THOMPSTONE		x		
56.	Sarah	WARDLE		x		
57.	Roberto	WEEDEN-SANZ		x		
58.	Laurie	WILLIAMS			x	
59.	Peter	ZINKIN		x		
60.	Zakia	ZUBAIRI			x	
61.	DEPUTY MAYOR Lachhya	GURUNG		x		
62.	MAYOR Caroline	STOCK		x		

Votes were recorded as follows:

For	2
Against	36
Abstain	22
Absent	2
Total	62

RESOLVED that The Liberal Democrat Group's amendment to the budget was therefore lost.

On the Administration Group's budget proposals, as set out in the report, appendices and supplement being put to the vote, votes were individually recorded for all Members as follows:

Councillor			For	Against	Not Voting	Absent
1.	Golnar	BOKAEI	x			
2.	Jess	BRAYNE		x		
3.	Felix	BYERS	x			
4.	Anne	CLARKE		x		
5.	Pauline	COAKLEY WEBB		x		
6.	Dean	COHEN	x			
7.	Melvin	COHEN	x			
8.	Geof	COOKE		x		
9.	Jo	COOPER		x		
10.	Sara	CONWAY				x
11.	Alison	CORNELIUS	x			
12.	Richard	CORNELIUS	x			
13.	Saira	DON	x			
14.	Val	DUSCHINSKY	x			
15.	Paul	EDWARDS		x		
16.	Claire	FARRIER		x		
17.	Anthony	FINN	x			
18.	Nizza	FLUSS	x			
19.	Linda	FREEDMAN	x			
20.	Eva	GREENSPAN	x			
21.	Jennifer	GROCOCK	x			
22.	Rohit	GROVER	x			
23.	John	HART	x			
24.	Ross	HOUSTON		x		
25.	Anne	HUTTON		x		
26.	Laithe	JAJEH	x			
27.	Kathy	LEVINE		x		
28.	David	LONGSTAFF	x			
29.	John	MARSHALL	x			
30.	Kath	McGUIRK		x		
31.	Arjun	MITTRA		x		
32.	Alison	MOORE		x		
33.	Ammar	NAQVI		x		
34.	Nagus	NARENTHIRA		x		
35.	Charlie	O-MACAULEY				x

Councillor			For	Against	Not Voting	Absent
36.	Reema	PATEL		X		
37.	Alex	PRAGER	X			
38.	Wendy	PRENTICE	X			
39.	Sachin	RAJPUT	X			
40.	Barry	RAWLINGS		X		
41.	Danny	RICH		X		
42.	Helene	RICHMAN	X			
43.	Tim	ROBERTS		X		
44.	Gabriel	ROZENBERG		X		
45.	Lisa	RUTTER	X			
46.	Shimon	RYDE	X			
47.	Gill	SARGEANT		X		
48.	Alan	SCHNEIDERMAN		X		
49.	Mark	SHOOTER	X			
50.	Elliot	SIMBERG	X			
51.	Thomas	SMITH	X			
52.	Stephen	SOWERBY	X			
53.	Julian	TEARE	X			
54.	Daniel	THOMAS	X			
55.	Ruben	THOMPSTONE	X			
56.	Sarah	WARDLE	X			
57.	Roberto	WEEDEN-SANZ	X			
58.	Laurie	WILLIAMS		X		
59.	Peter	ZINKIN	X			
60.	Zakia	ZUBAIRI		X		
61.	DEPUTY MAYOR Lachhya	GURUNG	X			
62.	MAYOR Caroline	STOCK	X			

Votes were recorded as follows:

For	36
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Against	24
Abstain	0
Absent	2
Total	62

RESOLVED that Council:

In respect of the Corporate Plan (included as Appendix A)

- 1. Approved the Corporate Plan attached at Appendix A.**

In respect of the Budget and Council Tax for 2021/22 and the Medium-Term Financial Strategy 2021-25, that Council:

- 2. Approved the Medium-Term Financial Strategy attached as Appendix B and the detailed revenue budgets in Appendix D1, including the proposed savings and funding for pressures in 2021/22;**
- 3. Approved that the budget for 2021/22 is prepared on the basis of an increase of 1.99% for the general element Council Tax in 2021/22 as discussed in paragraph 1.5.14 to 1.5.18;**
- 4. Approved that the budget for 2021/22 is prepared on the basis of an increase of 3.00% for the Social Care Precept, to help fund social care paragraph 1.5.18 to 1.5.19;**
- 5. Approved the resolutions relating to Council Tax contained within Appendix C Council Tax Resolutions;**
- 6. Approved, on the advice of the Chief Finance Officer, that it determines that the council's basic amount of Council Tax for 2021/22 as set out in Council Tax resolution Appendix C 2(iv) is not excessive in accordance with the principles approved under section 52ZB and 52ZC of the Local Government Finance Act 1992, set out in the Referendums relating to Council Tax increases (Principles) (England) Report 2021/22.**
- 7. Approved in accordance with Section 38(2) of the Local Government Finance Act 1992 the Chief Executive be instructed to place a notice in the local press of the amounts set under recommendation 6 above within a period of 21 days following the Council's decision;**
- 8. Noted the use of the Local Council Tax Support Grant in 2021/22 as set in paragraphs 1.5.21 to 1.5.22;**
- 9. Noted within Section 1.8 that the financial position in 2020/21 remains stable despite the pressures on the council arising from the pandemic, and that an overall breakeven position is currently anticipated for this year (after making some targeted contributions to reserves).**
- 10. Considered the issues that have emerged from the consultation discussed in Appendix G when making their decisions. The committee make the decisions below also being mindful of the equalities impact assessments including the cumulative equalities impact assessments;**

In respect of Debt Write-offs requested relating to the current financial year that Council:

11. Approved the debt write-offs for Council Tax and Business Rates in paragraphs 1.9.2 to 1.9.7, Housing Benefit Overpayments in paragraphs 1.9.8 to 1.9.9, HRA and GF Tenant Rents in paragraphs 1.9.10 to 1.19.18 and Sundry Debt in paragraphs 1.19.19 to 1.19.20;

In respect of proposed capital expenditure, the Capital Strategy, and the policy on Minimum Revenue Provision (MRP) that Council:

12. Approved the Capital Programme as set out in Appendix J1 and set out in paragraph 1.11.2, and that the Chief Officers be authorised to take all necessary actions for implementation.

13. Approved the changes to the existing Capital Programme in relation to slippage discussed in paragraphs 1.11.3 to 1.11.6, additions discussed in paragraphs 1.11.7 to 1.11.22 and summarised in Appendix J1;

14. Approved delegation to Chief Financial Officer to adjust capital programme and financing in 2021/22 in line with the 2020/21 outturn position;

15. Approved the Capital Strategy as set out in Appendix J2;

16. Approved the change in MRP policy for 2020/21 as discussed in section 1.12;

17. Noted, subject to approval of the change in the MRP policy, the S151 Officer's intention to make an additional Voluntary Revenue Provision (VRP) in 2020/21 as outlined in paragraphs 1.12.10 to 1.12.13;

In respect of the Treasury Management Strategy that Council:

18. Approved the Treasury Management Strategy for 2021/22 as set out in Section 1.13 and Appendix K1 and the Mid-Year Review Report for 2020/21 in Appendix K2;

In respect of the Housing Revenue Account (HRA) and proposed tenant rent increases that Council:

19. Approved the following in relation to the Housing Revenue Account:

- a) The proposed rent be increased by CPI+1% for council dwellings as set out in paragraphs 1.14.4 to 1.14.6 to take effect from 1 April 2021;**
- b) The proposed increases to service charges for council dwellings as set out in paragraphs 1.14.11 to 1.14.13 to take effect from 1 April 2021; and,**
- c) The proposed rent increase of 1.5% for council garages as set out in paragraphs 1.14.11 to 1.14.13 to take effect from 1 April 2021.**

20. Approved the proposed temporary accommodation rents be increased in line with the Local Housing Allowance (LHA) rate as in paragraphs 1.14.7 to 1.14.10 to take effect from 1 April 2021;

In respect of the Dedicated Schools Grant (DSG) that Council:

- 21. Approved the Gross Schools Budget of £379.223m for 2021/22 as per paragraphs 1.5.42 to 1.5.52;
- 22. Approved Post 16 Funding of £5.209m as per paragraph 1.5.45;
- 23. Approved that any changes to the Schools Budget reasonably required as a result of the final 2021/22 DSG and Post-16 settlement are delegated for decisions to the Executive Director – Children & Young People in consultation with the Director of Finance;

In respect of general Fees and Charges and other matters that Council:

- 24. Agreed the fees and charges as detailed in Appendix F1 to F5 and approved the proposed parking charges for green spaces in Appendix F6 and discussed in paragraph 1.4.12;
- 25. Agreed the Adult Social Care Fees and Charges consultation report in Appendix F7 and discussed in paragraph 1.4.11;
- 26. Having regard to the summary equality impact assessment (EIA) and cumulative assessment set out in Section 5.6. Appendix H provides the cumulative impact and individual Delivery Unit assessments;
- 27. Approved of the revised reserves and balances policy as set out in Appendix L and indicative amounts as set out in paragraph 1.6.3 and the Director of Finance’s assessment of adequacy of General Fund Balances in section 1.6.2. Approved to delegate to the Director of Finance, authorisation to adjust balances in 2020/21 after 2019/20 accounts are closed and the amount of balances carry forward required are known;
- 28. Approved the underlying Financial strategy of the Council as set out in the paragraph 1.5.1;
- 29. Agreed the corporate risk register as set out in section 1.10 and Appendix I.

10.2 REFERRAL FROM THE PENSION FUND COMMITTEE: LOCAL PENSION BOARD ANNUAL REPORT - TO FOLLOW

Councillor Mark Shooter, Chairman of the Pension Fund 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 votes were recorded as follows:

For	60
Against	0
Abstain	0
Absent	2
Total	62

RESOLVED that the Council noted the Annual report of the Local Pension Board, as outlined in Annex 1 and Appendices A-C.

11. REPORTS OF OFFICERS

11.1 REPORT OF THE HEAD OF GOVERNANCE - MEMBER'S ALLOWANCES SCHEME 2021/22

The Worshipful the Mayor moved reception and adoption of the recommendations in the report.

The Head of Governance asked Council to note that the Administration Group had requested that the Members Allowance Scheme be unchanged from the 2020/21 Scheme. As such, a revised Appendix B which retained the allowances at the same levels as 2021/21 had been published and circulated.

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

For	60
Against	0
Abstain	0
Absent	2
Total	62

RESOLVED that Council:

1. Have regard to the recommendations of the Independent Panel on the Remuneration of Councillors in London as attached as Appendix A.
2. Approve the Members' Allowances Scheme 2021/22 attached in the Revised Appendix B with effect from 1 April 2021.
3. Note that Council note that following approval the Scheme, a notice will be advertised pursuant to Regulation 16 of the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

11.2 REPORT OF HEAD OF GOVERNANCE - CHANGES TO CALENDAR OF MEETINGS AND APPOINTMENTS TO COMMITTEES

The Worshipful the Mayor moved reception and adoption of the recommendations in the report.

The Head of Governance asked Council to note an additional change to the calendar of meetings The Constitution and General Purposes Committee had been moved from the 23rd March to the 12th April 2021.

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

For	60
Against	0
Abstain	0
Absent	2
Total	62

RESOLVED that Council:

- 1. Noted the changes to the calendar of meetings as outlined in Appendix A.**
- 2. Approved the agreed the appointment of Salar Rida to the position of Employee Representative for the Local Pension Board as outlined in Appendix B.**

The Mayor declared the meeting closed.

The meeting finished at 20.57

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Minutes

OF THE EXTRAORDINARY MEETING OF THE COUNCIL
OF THE LONDON BOROUGH OF BARNET
held virtually on 26 April 2021

PRESENT:-

The Worshipful the Mayor (Councillor Caroline Stock)
The Deputy Mayor (Councillor Lachhya Bahadur Gurung)

Councillors:

Golnar Bokaei	Jennifer Grocock	Gabriel Rozenberg
Jess Brayne	Rohit Grover	Lisa Rutter
Felix Byers	Ross Houston	Shimon Ryde
Anne Clarke	David Longstaff	Gill Sargeant
Alison Cornelius	John Marshall	Alan Schneiderman
Pauline Coakley Webb	Kath McGuirk	Mark Shooter
Dean Cohen	Arjun Mittra	Elliot Simberg
Melvin Cohen	Alison Moore	Thomas Smith
Sara Conway	Ammar Naqvi	Stephen Sowerby
Richard Cornelius	Nagus Narenthira	Julian Teare
Saira Don	Reema Patel	Daniel Thomas
Val Duschinsky	Alex Prager	Reuben Thompstone
Paul Edwards	Wendy Prentice	Sarah Wardle
Claire Farrier	Sachin Rajput	Laurie Williams
Nizza Fluss	Barry Rawlings	Peter Zinkin
Linda Freedman	Helene Richman	Zakia Zubairi
Eva Greenspan	Tim Roberts	

1. THE WORSHIPFUL THE MAYOR TO READ THE NOTICE OF THE MEETING

The Worshipful the Mayor thanked all Members for attending the meeting. She advised Council that the required notice had been given.

2. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Geoff Cooke, Anthony Finn, John Hart, Anne Hutton, Laithe Jajeh, Kathy Levine, Charlie O-Macauley, Danny Rich and Roberto Weeden-Sanz.

3. DECLARATIONS OF INTEREST

None.

4. REPORT OF THE MONITORING OFFICER

None.

5. PROPOSED MUNICIPAL LINK WITH POKHARA MUNICIPALITY, NEPAL

The Worshipful the Mayor thanked all Members for attending the Extraordinary Council meeting to pass a resolution to develop a municipal link with the Pokhara Municipality in Nepal.

The Worshipful the Mayor advised Council that she had called an Extraordinary Council meeting to enable the resolution to be passed before the end of the current municipal year (25 May 2021) and the end of term of office of the current Deputy Mayor.

Council were informed that due to the pre-election restrictions, only the Mayor and Deputy Mayor would address Council before proceeding to vote on the resolution. The Worshipful the Mayor informed Council that she hoped that there would be an opportunity for Members of all parties to be able to speak about the municipal link at a ceremony to be held later in May.

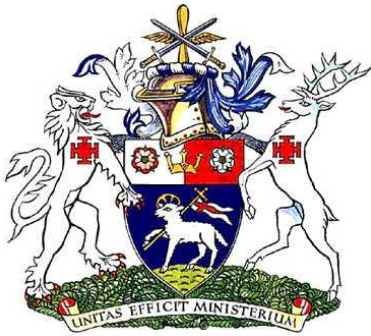
The Worshipful the Mayor **MOVED** the proposed municipal link with the Pokhara Municipality, Nepal. This was duly **SECONDED** by the Deputy Mayor, Councillor Lachhya Gurung, who spoke of his links to the Gurkhas, Pokhara Municipality and the Nepalese community in Barnet.

Upon being put to the vote Council unanimously

RESOLVED that:

- 1. That the Council of the London Borough of Barnet record and acknowledge the formation of the municipal link between the London Borough of Barnet and the Pokhara Municipality, Nepal, which has been established for the purposes of furthering goodwill between the two communities through the exchange of views and ideas and by personal contact among the citizens of the borough and municipality, and that the Council sincerely hope that the link will prosper and flourish in the coming years.**
- 2. That an endorsement of vellum of the foregoing resolution over the common seal of the corporation be presented to the representatives of the municipality of Pokhara.**

The meeting finished at 7.15 pm



Annual Council

25 May 2021

Title	Results of the Local Government By-Elections on 6 May 2021
Report of	Chief Executive and Returning Officer
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1 – Results of By-Borough Elections – 6 May 2021
Officer Contact Details	John Bailey – Head of Electoral Services john.bailey@barnet.gov.uk , 0208 359 3008

Summary

On 6 May 2021 there were by-elections in the Edgware and East Barnet wards. The successful candidates were Nick Mearing-Smith, Edgware (Conservative) and Nicole Richer, East Barnet (Conservative). This report sets out details and number of votes recorded for each candidate and the names of the persons elected as Councillor at the by-elections.

Officers Recommendation

That Council note the return of Councillors elected at the Borough Council elections held on Thursday 6 May 2021 as set out in Appendix 1.

1. WHY THIS REPORT IS NEEDED

- 1.1 The Returning Officer for the Authority reports the names of those persons who have been elected to the London Borough of Barnet at the Local Government Elections held on 6 May 2021.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Following the Local Government Elections on 6 May 2021 the Returning Officer reports the final results to Full Council.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None in the context of this report.

4. POST DECISION IMPLEMENTATION

- 4.1 None in the context of this report.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 None in the context of this report.

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

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 None in the context of this report.

5.4 Insight

- 5.4.1 None in the context of this report.

5.5 Social Value

- 5.5.1 None in the context of this report.

5.6 Risk Management

- 5.6.1 None in the context of this report.

5.7 Equalities and Diversity

- 5.6.1 None in the context of this report.

5.8 Corporate Parenting

5.7.1 None in the context of this report.

5.9 Consultation and Engagement

5.9.1 These results were publicised with immediate effect on the Council's Twitter feed and subsequently published on 8 May 2021 on the Council's website at:
www.barnet.gov.uk/elections-and-voting/elections/election-results

6. BACKGROUND PAPERS

6.1 None.

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Appendix 1

By Election for a Councillor for the East Barnet Ward of the London Borough of Barnet on Thursday 6th May 2021.

I, John Hooton, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the said election is as follows:

Gabrielle Louise BAILEY	Green Party candidate	547
Sean James HOOKER	Liberal Democrats	415
Linda LUSINGU	Labour Party	2,257
Alex MEROLA	The For Britain Movement	49
Nicole Alison RICHER	Conservative Party Candidate	2,549

And I therefore declare that **Nicole Alison RICHER** is duly elected

The number of ballot papers rejected is as follows:

<i>Want of Official Mark</i>	0
<i>Voting for more than one candidate</i>	2
<i>Writing or mark by which a voter could be identified</i>	0
<i>Blank or Void for Uncertainty</i>	47

Turnout: 48.5%

By Election for a Councillor for the Edgware Ward of the London Borough of Barnet on Thursday 6th May 2021.

I, John Hooton, being the Returning Officer at the above election, do hereby give notice that the number of votes recorded for each Candidate at the said election is as follows:

Andrea Lesley BILBOW	Labour Party	1,456
Nick MEARING-SMITH	Conservative Party Candidate	3,427
Sam MURRAY	Green Party candidate	343
Roger Martin TICHBORNE	Liberal Democrats	254

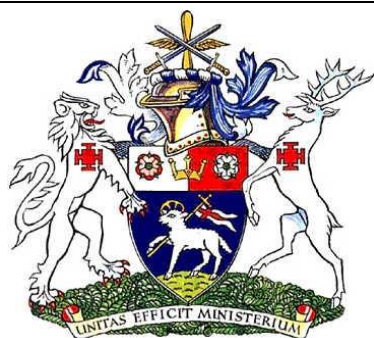
And I therefore declare that **Nick MEARING-SMITH** is duly elected

The number of ballot papers rejected is as follows:

<i>Want of Official Mark</i>	0
<i>Voting for more than one candidate</i>	5
<i>Writing or mark by which a voter could be iden</i>	2
<i>Blank or Void for Uncertainty</i>	48

Turnout: 44.2%

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Annual Council

AGENDA ITEM 9

25 May 2021

Title	Political Proportionality
Report of	Monitoring Officer
Wards	All Wards
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A – Calculation of Political Balance
Officer Contact Details	Andrew Charlwood, Head of Governance, andrew.charlwood@barnet.gov.uk 020 8359 2014

Summary

On 6th May 2021 by-elections were held the East Barnet and Edgware wards. In addition, on 27th April 2021 Councillor Shimon Ryde resigned from the Conservative Group. The by-elections and the resignation have altered the political balance of the Council.

Officers Recommendations

1. That Council note the political balance of the Council is:

- 37 Members of the Conservative Group;
- 23 Members of the Labour Group;
- 2 Members of the Liberal Democrat Group; and
- 1 Independent Member

2. Council agree the allocation of seats as set out in the tables above in order to comply with the political balance regulations requiring seats to be allocated proportionately to the political groups on Council.

3. That Council agree to amend the Constitution to:

- **Increase the number of seats on the Financial Performance & Contracts Committee from eight to 10; and**
- **Decrease the number of seats on the Health Overview & Scrutiny Committee from nine to eight.**

1. WHY THIS REPORT IS NEEDED

- 1.1 On 10th September 2020 a casual vacancy arose in the Edgware Ward following the sad passing of Councillor Brian Gordon. On 17th March 2021, Councillor Jo Cooper resigned as the councillor for the East Barnet Ward. By-elections for both wards were held on 6th May 2021. On 27th April 2021, Councillor Shimon Ryde resigned from the Conservative Group. The outcome of the by-elections and the resignation have altered the political balance of the Council. Details of the revised political balance of the Council is set out in Appendix A.

2. REASONS FOR RECOMMENDATIONS

- 2.1 A recalculation of political balance is required for the reasons set out in section 1.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None.

4. POST DECISION IMPLEMENTATION

- 4.1 The Constitution will be amended to reflect the revised number of seats on the Financial Performance & Contracts Committee and Health Overview & Scrutiny Committee.
- 4.2 Council will be asked to make appointments to the committees listed in Appendix A.

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 There are no resource implications.

5.3 Social Value

- 5.3.1 N/A

5.4 Legal and Constitutional References

- 5.4.1 As set out in Appendix A.

5.4.2 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).”

5.5 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

5.9 Insight

5.9.1 N/A

6. BACKGROUND PAPERS

6.1 None

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Calculation of Political Balance (Proportionality)

The Council must allocate seats on Committees and other prescribed bodies to give effect to the political balance rules. The rules for the allocation of seats are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 and Local Government Regulations 1990.

Section 15(5) of the Local Government and Housing Act 1989 sets out the principles as follows:

- a) that not all the seats on the body are allocated to the same political group;
- b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
- d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

For political balance, a group is required to have at least two members in order to be formally constituted as a political group.

The Council can only depart from these rules by passing a resolution with no member voting against the resolution.

The political proportionality rules also apply to those outside bodies dealing with local government matters to which the Council representatives.

This proportionality report is based on the principles described above. This report is requested to be agreed by Council to ensure the seats are allocated using the appropriate principles as based in law.

When calculating political balance, to comply with sections (c) and (d) of Section 15(5) of the Local Government and Housing Act 1989 it is usual practice to round up the seat allocation when the strict allocation comes above 0.5 and round down when the strict allocation comes below 0.5.

To achieve political balance and give the Liberal Democrats their overall seat entitlement (5 seats), there are some instances where all Groups (Conservative, Labour and Liberal Democrats) will be given slightly less or more than their strict entitlement specifically: Policy & Resources Committee; Financial Performance & Contracts Committee; Adults & Safeguarding Committee; Children, Education & Safeguarding Committee; Planning Committee; Licensing Committee; and Health Overview & Scrutiny Committee. Rounding in this way is necessary to achieve political balance overall.

In addition, to achieve political balance, there has had to be a slight variation to the number of seats on some committees as follows:

- Increase the number of seats on the Financial Performance & Contracts Committee by two (from eight to 10) members, with one seat going for the Conservatives and one seat for the Liberal Democrats.
- Reduce the number of seats on the Health Overview & Scrutiny Committee by one (from nine to eight) members, with one seat being lost by the Labour Group.

The net impact of the changes is to increase the total number of committee seats by one (from 156 to 157)

The political composition of the Council is as follows:

	Council	Conservative	Labour	Liberal Democrats	Independent
Members	63	37	23	2	1
Percentage	100%	58.73%	36.51%	3.17%	1.59%

Non-Politically Proportionate Bodies

Bodies to which proportionality does not or need not apply:

- Health and Wellbeing Boards – Section 15 of the Local Government and Housing Act 1989 (and Section 16 and Schedule 1), namely the duty to allocate seats on committees on a proportional basis to political groups, does not apply to Health and Wellbeing Boards under regulation 7 Part 2 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny Regulations 2013 SI 2013/218.
- Standards Committee – Council agreed on 8 December 2015 to waive the requirements under the Local Government and Housing Act 1989 for political balance for the Standards Committee, and that each of the two political Groups on the Council shall have two seats on the Committee (with two substitute members for each Group)
- Consultative bodies established for consultation with staff are not regarded as council committees subject to the political balance rules. Each has a special composition.
- The Council appoints or nominates Members to a variety of special statutory bodies, or informal or consultative bodies that are not council committees of the Council. The political balance rules do not apply to these bodies.

Area Committees

Regulation 16A Local Government (Committees and Political Groups) Regulations 1990 SI 1553/1990 provides an exception from the political balance requirements where a committee is established to discharge functions of the authority or to advise the authority or another committee of the authority in respect of any part of the area of the authority, and –

- (i) the authority is a county, district or London borough council; and
- (ii) the voting members of the committee consist solely of persons who are elected for electoral divisions or wards which are wholly or partly within that part; and

- (iii) the area of that part does not exceed two-fifths of the total area of the authority; or
- (iv) the population of that part, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.

This allows the Area Committees to be constituted on a Ward Member basis.

Achieving Political Balance:

An allocation of seats is set out on the following page. The number of Members, and any specific requirements of membership, are taken from the Council's Constitution, Article 7 (Committees, Forums, Working Groups and Partnerships):

Seat Allocations on Politically Proportional Bodies

COMMITTEE	NUMBER OF MEMBERS	CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
Policy & Resources	13	7 (7.63)	5 (4.75)	1 (0.41)	0 (0.21)
Financial Performance & Contracts	10	6 (5.87)	3 (3.65)	1 (0.32)	0 (0.13)
Children, Education and Safeguarding	11	7 (6.46)	4 (4.02)	0 (0.35)	0 (0.17)
Environment	10	6 (5.87)	4 (3.65)	0 (0.32)	0 (0.16)
Housing & Growth	10	6 (5.87)	4 (3.65)	0 (0.32)	0 (0.16)
Community Leadership & Libraries	10	6 (5.87)	4 (3.65)	0 (0.32)	0 (0.16)
Adults and Safeguarding	11	7 (6.46)	3 (4.02)	1 (0.35)	0 (0.17)
Licensing	12	7 (7.05)	4 (4.38)	1 (0.38)	0 (0.17)
Audit	7	4 (4.11)	3 (2.56)	0 (0.22)	0 (0.11)
Strategic Planning	12	7 (7.05)	4 (4.38)	1 (0.38)	0 (0.17)
Planning A	7	4 (4.11)	3 (2.56)	0 (0.22)	0 (0.11)
Planning B	7	4 (4.11)	3 (2.56)	0 (0.22)	0 (0.11)
Planning C	7	4 (4.11)	3 (2.56)	0 (0.22)	0 (0.11)
Health Overview & Scrutiny	8	5 (4.70)	3 (2.92)	0 (0.25)	0 (0.13)
Constitution & General Purposes	7	4 (4.11)	3 (2.56)	0 (0.22)	0 (0.11)
Pension Fund	7	4 (4.11)	3 (2.56)	0 (0.22)	0 (0.11)
Urgency Committee	3	2 (1.76)	1 (1.10)	0 (0.10)	0 (0.05)
Chief Officer Appointment Panel	5	3 (2.94)	2 (1.82)	0 (0.16)	0 (0.08)
Total	157	93	59	5	0
Percentages	100%	59.24%	37.58%	3.19%	0%

Seat Allocations on Non-Politically Proportional Bodies

Area Based Committees

Committee	Membership	Seat Allocations		
		Cons	Lab	Lib Dem
Finchley and Golders Green Area	7	4	3	0
Chipping Barnet Area	7	5	2	0
Hendon Area	7	5	2	0

East Barnet is a split ward. Prior to the 6 May by-election, there had been two Labour Members and one Conservative Member. The East Barnet seat on the Chipping Barnet Area Committee had therefore been allocated to the Labour Group. Following the by-election, there are now two Conservative Members and one Labour Member. The East Barnet seat on the Chipping Barnet Area Committee should now be allocated to the Conservative Group.

Bodies where the political balance requirements have been waived

Committee	Membership	Seat Allocations		
		Cons	Lab	Lib Dem
Standards	4	2	2	0

Committee	Membership	Seat Allocations		
		Cons	Lab	Lib Dem
Health & Wellbeing Board	3	3	0	0

Special statutory bodies or informal or consultative bodies that are not council committees – Membership requirements as detailed in Article 7.

Committees
Local Pension Board
Residents Forums (Finchley and Golders Green; Chipping Barnet; and Hendon)
Local Strategic Partnership (Barnet Partnership Board)
Children’s Partnership Board
Safer Communities Partnership Board

RECOMMEND that:

1. Council note the political balance of the Council is:
 - 37 Members of the Conservative Group;
 - 23 Members of the Labour Group;
 - 2 Members of the Liberal Democrat Group; and
 - 1 Independent Councillor
2. Council agree the allocation of seats as set out in the tables above in order to comply with the political balance regulations requiring seats to be allocated proportionately to the political groups on Council.
3. That Council agree to amend the Constitution to:
 - Increase the number of seats on the Financial Performance & Contracts Committee from eight to 10; and
 - Decrease the number of seats on the Health Overview & Scrutiny Committee from nine to eight.



Annual Council

AGENDA ITEM 10

25 May 2021

Title	6-Month Councillor Attendance Rule
Report of	Monitoring Officer
Wards	All Wards
Status	Public
Urgent	Yes
Key	No
Enclosures	None
Officer Contact Details	<p>Jessica Farmer, Monitoring Officer, jesscia.farmer@harrow.gov.uk</p> <p>Andrew Charlwood, Head of Governance, andrew.charlwood@barnet.gov.uk</p>

Summary

On 7 May 2021 the legislation which permits local authorities to hold virtual meeting expired and there is now a legal requirement that Members attend Council and committee meetings in person. Coronavirus is still present in the community and may present a risk to some Members. Council are therefore requested to agree a waiver for all Members of the authority to May 2022 should they unable to attend a meeting of the Authority for 6 months due to the Coronavirus related risks associated with attending an in-person Council or committee meeting.

Officers Recommendation

Council agree a waiver for all members of the Authority until the end of May 2022 should they be unable to attend a meeting of the Authority for 6 months due to the Coronavirus related risks or illness which prevent them from attending an in-person Council or committee meeting.

1. WHY THIS REPORT IS NEEDED

- 1.1 Section 85(1) of the Local Government Act 1972 states that “if a member of a Local Authority fails, throughout a period of 6 consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.” The requirement remained unchanged by the Coronavirus Act 2020 or regulations made under that Act.
- 1.2 Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions.
- 1.3 Several committee meetings were cancelled following the onset of the Coronavirus pandemic. From April to mid-June some committee meetings took place virtually, but these were restricted to business-critical decisions only or for quasi-judicial matters (e.g. planning and licensing). Consequently, during the period March to July 2020 many meetings were cancelled or postponed and this meant that several Members might not have been able to attend a meeting for close to 6-months through no fault of their own.
- 1.4 Following a review of all Members attendances it has become evident that some Members may fall foul of the attendance requirement and that Council need to approve a waiver. An Extraordinary Council meeting took place on 23 July 2020 to agree a waiver for all Members of the Authority until May 2021 should they become unable to attend a meeting of the Authority for 6 months as a result of: a) Illness; b) Maternity, paternity, adoption or other parental leave; c) Cancellation of meetings which the member would otherwise have been expected to attend; or d) Problems accessing a virtual meeting which the member would otherwise be expected to attend.
- 1.5 The legislation which permitted local authorities to hold virtual meetings (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020) expired on 7 May 2021. Consequently, Council and committee meetings must now take place in-person.
- 1.6 Whilst the risk of Coronavirus has been significantly reduced due to the national vaccination programme and the continuation of Covid-secure measures within the community, there is still a potential transmission risk. Due to this risk, some Members may be physically unable to attend Council or committee meetings for various reasons (e.g. due to pre-existing medical conditions which increase may risk).

1.7 Council are therefore requested to agree a waiver for all members of the Authority until May 2022 should they become unable to attend a meeting of the Authority for 6 months due to the risks associated with attending an in-person meeting.

2. REASONS FOR RECOMMENDATIONS

2.1 As set out in 1. above.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Council could decide not to grant a waiver. However, this is not recommended as some Members be automatically disqualified which could result in by-elections at a cost to the Authority.

4. POST DECISION IMPLEMENTATION

4.1 The decision of Council is sufficient to grant a waiver to any affected Members.

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 There are no resource implications arising from this decision. If not agreed, the proposal may result in by-elections at a cost to the Authority.

5.3 Social Value

5.3.1 N/A

5.4 Legal and Constitutional References

5.4.1 See section 1.1 and 1.5.

5.5 Risk Management

5.5.1 Failure to agree a waiver for all Members of the authority could result in some Members being automatically disqualified because of circumstances beyond their control. This could upset the political balance of the Council, result in some communities lacking representation and may have a negative reputational impact.

5.6 Equalities and Diversity

5.6.1 These proposals have no direct implications in respect to equalities and diversity.

5.7 **Corporate Parenting**

5.7.1 N/A

5.8 **Consultation and Engagement**

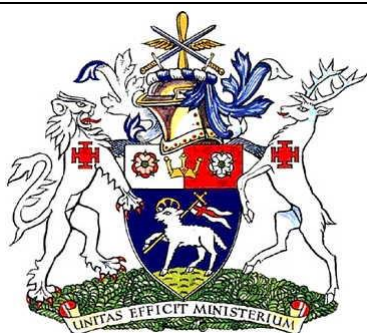
5.8.1 The Leader has been consulted on the proposal to grant a waiver and has agreed that this should be reported to Council for decision.

5.9 **Insight**

5.9.1 N/A

6. **BACKGROUND PAPERS**

6.1 Extraordinary Council, 23 May 2020, 6-Month Councillor Waiver:
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=10688&Ver=4>



Annual Council

25 May 2021

<p>Title</p>	<p>Report of the Constitution & General Purposes Committee – Constitution Review</p>
<p>Report of</p>	<p>Monitoring Officer Head of Governance</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>Annex 1 – Report to Constitution and General Purposes Committee – 12 April 2021</p> <p>Annex 1 a) – Minutes of the Constitution and General Purposes Committee – 12 April 2021</p> <p>Appendix A – Article 7 – Committees, Forums, Working Groups and Partnerships (Tracked)</p> <p>Appendix B – Article 7 – Committees, Forums, Working Groups and Partnerships (Clean)</p> <p>Appendix C – Contract Procedure Rules (Tracked)</p> <p>Appendix D – Contract Procedure Rules (Clean)</p> <p>Appendix E – Article 10 – Decision-Making (Tracked)</p> <p>Appendix F – Article 10 – Decision-Making (Clean)</p> <p>Appendix G – HR Regulations (Tracked)</p> <p>Appendix H – HR Regulations (Clean)</p> <p>Appendix I – Members Code of Conduct (Tracked)</p> <p>Appendix J – Members Code of Conduct (Clean)</p> <p>Appendix K – Full Council Procedure Rules (Tracked)</p> <p>Appendix L – Full Council Procedure Rules (Clean)</p> <p>Appendix M – Article 3 (Residents and Public Participation) (Tracked)</p>

	Appendix N – Article 3 (Residents and Public Participation) (Clean)
Officer Contact Details	Andrew Charlwood, Head of Governance, 020 8359 2014, andrew.charlwood@barnet.gov.uk

Summary

The Constitution and General Purposes Committee at a meeting held on 12 April 2021 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 Constitution amendments proposed by the Committee.

Recommendations

1. **That Council note the report of the Constitution & General Purposes Committee held on 12 April 2021 (Annex 1) and note that the Committee approved the changes as proposed except for the following section of the proposed Contract Procedure Rules changes which would be re-considered at the next meeting:**

“CSG Procurement have advised that they are not able to undertake financial evaluation of tenders valued at less than £189,330 for goods or services or less than £4,733,252 for works as they cannot raise financial qualifications for all sub threshold procurements this goes against the Public Contracts Regulations 2015 to reduce burden on suppliers for lower value/lower risk opportunities. The second bullet point has been retained and merged with the text in section 8.4.”
2. **That Council note that the Committee agreed that the Chairman be consulted on any Constitution amendments required due to the proposed changes to the Area Committee (Community Infrastructure Levy) Funding changes (being reported to the Policy & Resources Committee on 24 May 2021) and that these are reported directly to Council as follows:**
 - i) **Amend Article 7 (Committees, Forums, Working Groups and Partnerships), Terms of Reference of Area Committees, section 5) to delete the following wording “...up to a maximum of £25,000 per scheme / project in each case...” with the revised wording to read:**

“Determine the allocation of Community Infrastructure Levy funding within the constituency subject to sufficient of the budget allocated to the committee being unspent.”
 - ii) **Amend Article 3 (Residents and Public Participation), section 3.5 to add an additional bullet point under 3. Having considered the issues the Chairman can take the following actions:...**

“decide that a Road Safety and Parking issue be referred to the Executive Director, Environment” and add to the following bullet point an exclusion that a Road Safety and Parking issue can be referred to an Area Committee.

- 3. That Council approve the Constitution amendments as set out in Appendices A to N as amended by 1. and 2. above.**
- 4. That Council authorise the Monitoring Officer to implement these revisions and publish a revised Constitution.**

1. WHY THIS REPORT IS NEEDED

- 1.1 As set out in the report attached at Annex 1.
- 1.2 The Constitution & General Purposes Committee held on 12 April 2021 agreed to "...recommend to Council that the Constitution be amended to incorporate the changes set out in this report and the amended versions attached at Appendices A and J."
- 1.3 The Committee also agreed to delegate authority to the Chairman to agree any Constitution amendments required due to the proposed changes to the Area Committee (Community Infrastructure Levy) Funding changes being reported to the Policy & Resources Committee on 24 May 2021. Council are requested to note that following finalisation of the revisions to Area Committee CIL Funding arrangements, the amendment required is to remove the spending cap for each scheme by deleting the following wording from Article 7, Terms of Reference of Area Committees, section 5): "...up to a maximum of £25,000 per scheme / project in each case..." with the revised wording to read:

"Determine the allocation of Community Infrastructure Levy funding within the constituency subject to sufficient of the budget allocated to the committee being unspent."

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 decisions at section 1.2 above reflect 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.
- 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.

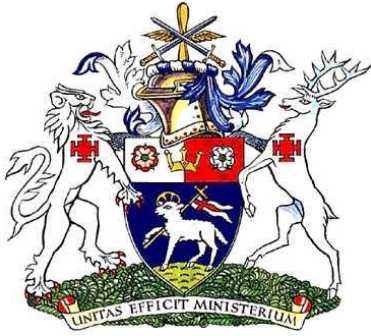
5.6 Consultation and Engagement

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

12 April 2021

Title	Constitution Review
Report of	Monitoring Officer Head of Governance
Wards	Not Applicable
Status	Public
Urgent	No
Key	No
Enclosures	<p>Appendix A – Article 7 – Committees, Forums, Working Groups and Partnerships (Tracked)</p> <p>Appendix B – Article 7 – Committees, Forums, Working Groups and Partnerships (Clean)</p> <p>Appendix C – Contract Procedure Rules (Tracked)</p> <p>Appendix D – Contract Procedure Rules (Clean)</p> <p>Appendix E – Article 10 – Decision-Making (Tracked)</p> <p>Appendix F – Article 10 – Decision-Making (Clean)</p> <p>Appendix G – HR Regulations (Tracked)</p> <p>Appendix H – HR Regulations (Clean)</p> <p>Appendix I – Members Code of Conduct (Tracked)</p> <p>Appendix J – Members Code of Conduct (Clean)</p>
Officer Contact Details	Andrew Charlwood, Head of Governance, 020 8359 2014, andrew.charlwood@barnet.gov.uk

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 appendices.

Officers Recommendation

- 1. 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 Appendices A and B.**
- 2. That the Monitoring Officer be delegated authority to delete 'Covid-19 Enforcement' from the terms of reference of the Community Leadership and Libraries Committee at the appropriate time following consultation with the Chairman.**

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(s)	Issue Identified	Changes Proposed
1.	N/A	N/A	<p><u>Late Proposed Amendments to Committee Reports and Recommendations</u></p> <p>At the meeting of the Committee held on 12 January 2021, the Committee considered the following issue:</p> <p>“Governance Officers have highlighted that there has been an increased frequency of late amendments moved by Members for committees. Late amendments can be problematic as they need to be circulated to committee members and published online so there is clarity on what is being voted upon. The Council Procedure Rules require amendments to be submitted by 10.30am the day before the meeting. The Committee are requested to consider if it is appropriate to introduce a deadline for all other committees.”</p> <p>No specific changes were proposed and it was noted that if the Committee agreed that introducing a deadline is acceptable, amendments would be drafted for the next meeting.</p> <p>It was suggested that the cut-off could be 10.00am on the day of the meeting.</p> <p>At the meeting, the Committee debated the issue. The Monitoring Officer advised the Committee that substantial late amendments could result in new information being introduced at meetings. In some cases, officers would not have had sufficient time to consider the implications of the amendments and provide advice to a committee. It was highlighted that committee reports followed a clearance process</p>	<p>No Constitution amendments are proposed, but the Committee are requested to consider and agree the following protocol regarding amendments to committee reports:</p> <p>“Where they are aware of the amendments in advance, a Member may propose amendments to committee reports or recommendations by submitting the amendment in writing to the Head of Governance or his/her representative by 10.30am on the day of the meeting. The amendment must be relevant to the report or decision being taken by the committee.</p> <p>Where reports are published as ‘to follow’ items, amendments will be accepted after the deadline including during the meeting.</p> <p>Amendments will also be allowed at the meeting.”</p> <p>Subject to the Committee agreeing the proposal, a note will be sent to all Members and Governance Officers.</p> <p>The Committee can review this protocol at any point should there be any issues with its application in practice.</p>

		<p>which allowed all issues to be considered.</p> <p>A Member highlighted that reports were occasionally published as ‘to follow’ and suggested that where this was the case, there needed to be a degree of flexibility. It was proposed that the following wording could be added "Where reports are published after the deadline, amendments will be accepted after the deadline including during the meeting." It was also suggested that the deadline be 10.30am the same working day to be consistent with other deadlines in Constitution.</p> <p>Officers advised Members that this issue could be dealt with by way of a protocol agreed by the Committee rather than a Constitution amendment as this would enable the principle to be agreed and applied for a period before considering how effective it was.</p> <p>Following debate, it was agreed that a protocol be drafted for the next meeting of the Committee for consideration and agreement.</p> <p>The Committee agreed that a protocol regarding late amendments would be drafted for consideration and debate at the next meeting.</p>	
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2.	Article 7 (Committees, Forums and Working Groups)	7.5 Responsibility for Functions – Theme Committees and FP&C Committee	<p><u>Performance Reporting</u></p> <p>There is currently some ambiguity regarding which committees' performance information should be reported to.</p> <p><u>Strategic Contracts</u></p> <p>The Financial Performance & Contracts (FP&C) Committee has within its terms of reference responsibility for oversight and scrutiny of the council's major strategic contracts. However, strategic contracts are not defined and as such there been some ambiguity about what is within or outside the terms of reference of the committee.</p> <p>It is recommended that strategic contracts should be defined as the Customer Support Group (provided by Capita CSG), Development and Regulatory Services (provided by Capita Re) and The Barnet Group Ltd and that the committee's terms of reference should be amended accordingly.</p> <p><u>Barnet Group Performance</u></p> <p>Barnet Homes performance currently sits in the terms of reference of the Housing & Growth (H&G) Committee which is responsible for "housing matters including...housing strategy, homelessness, social housing and housing grants." Your Choice Barnet performance sits in the terms of reference of the Adults & Safeguarding (A&S) Committee. The chairs of the H&G Committee and FP&C Committee have informally agreed that The Barnet Group Ltd</p>	<p>Amend the terms of reference of the Financial Performance & Contracts Committee to including the following as the council's major strategic contracts: Customer Support Group; Development and Regulatory Services; The Barnet Group Ltd (Barnet Homes); and HB Public Law.</p> <p>Amend the terms of reference of the Children, Education and Safeguarding Committee to include Barnet Education & Learning Service.</p> <p>Amend the terms of reference of the Adults and Safeguarding Committee to include Your Choice Barnet.</p> <p>Amend the terms of reference of the Housing and Growth Committee to exclude Barnet Homes.</p>
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			<p>(Barnet Homes) performance should go to the FP&C Committee as the H&G Committee already has a significant workload and lack the capacity to effectively monitor the performance of Barnet Homes. The terms of reference of both committees need to be amended to reflect this agreement to avoid duplicate reporting. The Your Choice Barnet element of The Barnet Group Ltd services will be reported to the A&S Committee</p> <p><u>Barnet Education & Learning Service</u></p> <p>Cambridge Education performance used to be reported to the FP&C Committee, but following the cessation of that contractual arrangement and the creation of Barnet Education & Learning Service (BELS), the chairs of FPC and Children, Education & Safeguarding (CE&S) Committee have agreed that BELS should be reported to CE&S Committee. The terms of reference of the CE&S Committee need to be amended to make this clear.</p>	
3.	Article 7 (Committees, Forums and Working Groups)	7.5 Responsibility for Functions – Pension Fund Committee	<p>Officers in the Pensions team have undertaken a review of the committee’s terms of reference to update them and replace various out of date terminology (e.g. replace Statement of Investment Principles with Investment Statement Strategy).</p> <p>The proposed revisions also include “To monitor the administration of the Pension Fund.” to make it clear that monitoring the performance of the Pension Fund Administrator (currently West Yorkshire Pension Fund) is a function of the Pension Fund Committee.</p>	Amend the terms of reference of the Pension Fund Committee as per the tracked changes in Article 7.

4.	Article 7 (Committees, Forums and Working Groups)	7.5 Responsibility for Functions - Area Committee	<p>The terms of reference of Area Committees are currently unclear regarding how matters referred from Forums to Area Committees will be dealt with. It is recommended that the terms of reference of the Area Committees be amended to improve clarity in this area.</p> <p>In addition, the Policy & Resources Committee on 8 February 2021 agreed that the funding limit for each Community Infrastructure Levy (CIL) scheme or project should be increased from £25,000 to £30,000.</p>	<p>Amend the terms of reference of the Area Committees as follows:</p> <p>4) Consider matters referred from Residents Forums and determine how they are to be taken forward in consultation with the relevant Area Committee Lead Officer and subject to any Community Infrastructure Levy (CIL) funding requirement being agreed by the Committee.</p> <p>In section 5) increase the funding limit from £25,000 to £30,000.</p>
5.	Article 7 (Committees, Forums and Working Groups)	7.5 Responsibility for Functions - Children's Partnership Board	<p>The current Membership of the Children's Partnership Board requires updating to reflect changes to organisations and posts.</p>	<p>Delete reference to Barnet Clinical Commissioning Group (Barnet CCG) and replace with North Central London Clinical Commissioning Group (NCL CCG)</p> <p>Delete post of Barnet CCG Director of Commissioning and replace with the following posts: Director for Adults Joint Commissioning and CYP Health Commissioning; and Children's Clinical Lead NHS</p> <p>Amend the quorum to: Delete reference to Barnet Police and replace with schools Delete reference to Barnet CCG and replace with NCL CCG</p>

6.	Article 7 (Committees, Forums and Working Groups)	7.5 Responsibility for Functions – Community Leadership & Libraries Committee, Environment Committee and Safer Communities Partnership Board	<p>Officers have been undertaking a review of community safety governance and are recommending some changes to the terms of reference of the various bodies engaged in this area to improve clarity:-</p> <p>The terms of reference of the Community Leadership & Libraries (CLL) Committee include responsibility for Community Safety issues. There is currently some ambiguity about where environmental crime sits (i.e. which elements of sit in the terms of reference of the CLL Committee and which are in the terms of reference of the Environment Committee).</p> <p>It is a requirement for a committee system authority to still nominate a committee to undertake the crime and disorder scrutiny function in accordance with the Police and Justice Act 2006 (Crime and Disorder (Overview and Scrutiny Regulations) 2009. A reference to the legislation was previously in the terms of reference of CLL Committee, but was removed in 2017. It is recommended that it is included again.</p> <p>The terms of reference of the Safer Communities Partnership Board state that it is a subgroup of the Barnet Partnership Board. The Barnet Partnership Board has not met since 2017 and so the reference to it should be removed from the terms of reference of the Safer Communities Partnership Board.</p>	<p>Amend the terms of reference of the Community Leadership & Libraries Committee to include:</p> <ul style="list-style-type: none"> - Environmental Crime (excluding littering, fly-tipping, fly-posting and graffiti) - To act as the Crime and Disorder Scrutiny Committee in accordance with the Police and Justice Act 2006 (Crime and Disorder (Overview and Scrutiny Regulations) 2009 <p>Amend the terms of reference of the Environment Committee to include:</p> <ul style="list-style-type: none"> - littering, fly-tipping, fly-posting and graffiti <p>Delete the following wording from the terms of reference of the Safer Communities Partnership Board:</p> <p>It is a thematic subgroup of the Barnet Partnership Board which has overall strategic responsibility and has delegated to the SCPB the responsibility for delivering the Strong Safe Communities for Everyone theme of the Sustainable Community Strategy.</p>
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		<p>2.2 – Scope</p>	<p>The current Contract Procedure Rules are silent on the Council releasing grant funding to applicants via the Corporate Grants Scheme. It is recommended that the wording of section 2.2, which relates to non-procurement activities, be expanded to include grant allocations awarded via the Corporate Grants Scheme. In circumstances where the Council receives a grant award from an external source, the provisions of the Contract Procedure Rules would apply as is currently the case.</p>	
		<p>4.2</p>	<p>The authorisation and acceptance thresholds are set out in the Contract Procedure Rules and are duplicated in Article 10. It is proposed to make a minor change to the wording in section 4.2 to reflect that the table is in both documents.</p>	
		<p>4.3</p>	<p>Authorisation for procurements can be via the Annual Procurement Forward Plan which is agreed by the Policy & Resources Committee. The Monitoring Officer is concerned that some significant high expenditure is reported in the Procurement Forward Plan with very little supporting information. To improve oversight and scrutiny of high value decisions, it is recommended that the authorisation section of the Contract Procedure Rules be amended to put in place some additional controls for items listed in the Annual Procurement Forward Plan as follows:</p> <ul style="list-style-type: none"> ➤ Decisions below £500,000 as per the Authorisation and Acceptance Thresholds and Article 10, Table B. ➤ Decisions with a value between £500,000 and up to £1 million require a Chief Officer in 	

			<p>consultation with Committee Chairman Delegated Powers Report</p> <ul style="list-style-type: none"> ➤ Decisions more than £1 million subject to authorisation by appropriate theme committee. <p>5 Amended various sections (5.2, 5.7 and 5.8) to reflect changes which have come into effect following the UK's exit from the EU.</p> <p>6 Amended sections 6.1 and 6.2 to include the Director of Resources (Section 151 Officer) as an additional approver of the use of a Single Tender Action</p> <p>8 CSG Procurement have advised that they are not able to undertake financial evaluation of tenders valued at less than £189,330 for goods or services or less than £4,733,252 for works as they cannot raise financial qualifications for all sub threshold procurements this goes against the Public Contracts Regulations 2015 to reduce burden on suppliers for lower value/lower risk opportunities. The second bullet point has been retained and merged with the text in section 8.4.</p> <p>9 Amended various sections (9.2 and 9.3) to reflect changes which have come into effect following the UK's exit from the EU.</p> <p>Authorisation and Acceptance Thresholds</p> <p>The Authorisation and Acceptance Thresholds has been completely reviewed to improve clarity authorisation thresholds and documentation at each stage. Notable revisions are as follows:</p> <p>Amend B value to £10,000 to £24,999 to align with the Procurement Operating Model where there are</p>	
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			<p>two options: (a) service area undertake competitive quotation to minimum two suppliers, using procurement templates via email: or (b) service support competitive quotation to minimum two suppliers using procurement templates via procurement portal. Variation/extension £25,000 replaces £50,000</p> <p>Amend C value to £25,000 to £189,329 to aligns with Procurement Operating Model, advertising on Contracts Finder if not subject to framework closed list, requirements for signed contract more than £25K value. Issue of Contract Award notice upon signature of contract.</p> <p>Amend E to reflect new requirements at section 4.3</p>	
9.	Article 10 – Decision Making	Section 10.7 – Urgency	<p>The current wording in Article 10 relating to urgent decisions only refers to the Urgency Committee. Other urgency provisions exist which are not referenced in this section and it is recommended that Article 10 is expanded to include them.</p> <p>Some committee reports or delegated decision may be marked as 'urgent' which has the effect of exempting them from referral to Council or the parent body. It is proposed to add a section which requires officer to provide reasons why a report is urgent which must be reviewed and approved by a Chairman in the case of a committee report, or a Chief Officer in the case of a delegated powers report.</p>	<p>Amend Article 10, Section 10.7 to include the following wording:</p> <p>“Reports to committees marked as urgent are exempt from referral to Council or parent committee (see Article 2, Section 2.3 (e)). Where a report is marked as urgent, the reason for urgency must be clearly stated in the body of the report and consultation must occur with the Chairman in the case of a committee report, or the relevant Chief Officer in the case of a delegated powers report.”</p>

		<p>New Section 10.8 – Key Decisions</p> <p>Table B</p>	<p>The current wording of Article 10 doesn't include a definition of a Key Decision. For clarity, it is recommended that the key decision definition contained in Article 2 (Members of the Council) is also included in Article 10.</p> <p>Table B (Authorisation and Acceptance) needs to be updated to reflect the revised table in the Contract Procedure Rules.</p>	<p>Add a new section 10.8 (Key Decisions) with the following wording and renumber all subsequent sections:</p> <p>“A key decision is one which will result in the council incurring expenditure or savings of £500,000 or more, or is significant in terms of its effects on communities living or working in an area comprising two or more Wards.”</p> <p>Update Table B as identified.</p>
10.	Article 3 – Residents and Public Participation	Section 3.3 – Written Comments to Committees	<p>Section 3.3 currently states that a maximum of two written comments from residents may be submitted per agenda item which will be accepted in order of receipt. Any other comments received will not be accepted. Governance Officers have been applying this provision and publishing only the first two comments received on any agenda item. However, the Committee are requested to consider whether the limitation of two comments per item should be removed. In practice, this will just mean that all written comments received are included in a questions and comments document published alongside the committee papers. If this is agreed, the following wording would be deleted from section 3.3.</p> <p>“A maximum of two written comments from residents may be submitted per agenda item. These will be accepted in order of receipt. Any additional written comments received will not be accepted.”</p>	<p>If the Committee agree with the proposal, the wording identified will be deleted from Section 3.3.</p>

11.	HR Regulations	<p>Officer Title References</p> <p>Section 2.2 – Varying Terms and Conditions of Employment</p> <p>Section 6 – Pensions Administration</p>	<p>The post of Human Resources Director no longer exists and had been replaced by an Assistant Director – Human Resources & Organisational Development. Reference in the HR Regulations need to be updated accordingly.</p> <p>The Assistant Director – Human Resources & Organisational Development has identified that the approval of individual recruitment and/or retention premia should require Member approval and this is therefore recommended to be deleted.</p> <p>In recent changes to senior management responsibilities, pensions administration has transferred from Human Resources to the Section 151 Officer. It is therefore proposed to delete the section on Pensions Administration from the HR Regulations. All functions and responsibilities in relation to pensions administration are covered in the Director of Resources (Section 151 Officer) Scheme of Delegation: https://barnet.moderngov.co.uk/ecSDDisplay.aspx?NAME=SD1065&ID=1065&RPID=23798557</p>	<p>Delete references to the Human Resources Director and replace with Assistant Director – Human Resources & Organisational Development</p> <p>Delete the following wording from Section 2.2: “Where an Individual Recruitment and/or Retention Premia is to be included for a position on grades LBB1 to LBB7, the Head of Paid Service, Directors or Assistant Directors must consult with the Chairman of the Constitution & General Purposes Committee and record the results of that consultation through a Delegated Powers Report.”</p> <p>Delete section 6 – Pensions Administration</p>
12.	Members Code of Conduct	<p>Section 3 (General Obligations)</p> <p>New Section 9.</p>	<p>The Monitoring Officer has recommended that some additional wording be added to section 2 to support Members to refer residents to officers in the event that they become vexatious or otherwise difficult to deal with.</p> <p>The Monitoring Officer has recommended that an additional section be added to the Code which grants time limited general dispensations to all</p>	<p>Add a new section 2 (h) with the following wording: “When dealing with enquiries from residents do refer these to officers if the requests become vexatious or are otherwise difficult to deal with.”</p> <p>Add a new section 9 with the additional wording as tracked into Appendices I and J</p>

		Appendix A, Section 9. – Personal Wellbeing	<p>Members in the following areas: housing; schools (relating to their children’s education or as a governor); housing benefit; council tax benefit; and membership of the local government pension scheme.</p> <p>The Monitoring Officer has identified that sections 8. and 9. of the Code contain repetitious wording. It is proposed to delete section 8. and retain section 9.</p>	Delete section 8 and re-number the subsequent section
13.	Full Council Procedure Rules	<p>Section 16 (Question Time)</p> <p>Section 16 (Question Time)</p> <p>Section 9.3 and section 17 (General Rules that Apply to Parts 3 and 4) – Members</p>	<p>It is proposed to amend deadlines for receipt of Council questions from 10 clear working days to 14 clear working days to allow additional time for drafting and clearing of answers to ensure that issues or queries raised in questions are fully responded to.</p> <p>The Leader and Committee Chairman have reported that, in some instances, there have been delays in receiving written briefings on Council questions from directors and/or senior officers. It is proposed that a deadline be added to the Constitution to make it clear when directors and/or senior officers need to provide responses to the Leader or Committee Chairmen to ensure that all Members receive the Council Questions and Responses document in good time for the Council meeting.</p> <p>It is proposed to amend the deadlines relating to Motions as follows:</p> <ol style="list-style-type: none"> 1. for receipt of Members Motions from six to eight days; and 2. for receipt of amendments to motions from 	<p>Amend the deadline in section 16.3 from 10 clear working days to 14 clear working days/</p> <p>Add a new section 16.5 with the following wording and renumber subsequent sections:</p> <p>“Where the Leader or a Committee Chairman delegate responsibility to a director or senior officer to provide a draft response to a council question these must be provided no later than 7 clear working days before the meeting.”</p> <p>A Member may amend a Motion or report by submitting the amendment in writing to the Head of Governance by 10.30am two clear working days before the meeting</p>

		Motions	<p>10.30am the working day before the meeting to 10.30am the second clear working day before the meeting.</p> <p>This is proposed to allow the Mayor additional time to review the validity of motions and/or amendments following receipt.</p>	
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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 Annual Council on 25 May 2021 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".
- 5.4.2 Sections 19 – 22 of the Police and Justice Act 2006 require every local authority to ensure that it has a crime and disorder committee with power to review or scrutinise crime and disorder issues and to make reports or recommendations to the local authority. discharge of those functions.
- 5.4.3 Localism Act 2011, Section 33 provides that a proper officer may grant dispensations to Members in relation to pecuniary interests. These are time limited and the period may not exceed four years.

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>

Decisions of the Constitution and General Purposes Committee

12 April 2021

Members Present:-

Councillor Melvin Cohen (Chairman)
Councillor Laithe Jajeh (Vice-Chairman)

Councillor Richard Cornelius Councillor Geof Cooke
Councillor Helene Richman Councillor Alison Moore
Councillor Barry Rawlings

1. MINUTES

RESOLVED that the minutes of the meeting held on 12 January 2021 be approved as a correct record.

2. ABSENCE OF MEMBERS

None.

3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENTS (IF ANY)

None.

6. MEMBERS ITEM (IF ANY)

None.

7. EMERGENCY CHANGES TO POLLING ARRANGEMENTS

The Head of Electoral Services, John Bailey, presented a report which set out polling arrangements put in place by the Constituency Returning Officer for Barnet and Camden for the Mayor of London and London Assembly elections taking place on 6 May 2021. The Committee noted that a comprehensive review of polling districts and polling places would take place in the lead up to the implementation of new ward boundaries in May 2022 and that lessons learnt from this election would be applied.

That the Committee note for information the changes to polling place arrangements made on behalf of the Constituency Returning Officer and included within the report at Appendix A.

8. RESTRUCTURE OF SERVICES WITHIN THE ADULTS AND HEALTH DIRECTORATE

The Executive Director Adults and Health, Dawn Wakeling, presented a report on a proposed restructure of services within the Adults & Health Directorate.

The Executive Director Adults and Health agreed to update the Committee via email on the outcome of the restructure process once implemented.

RESOLVED that:

- 1. The Committee approve the proposed changes to the adult social care staffing structure to take effect in April 2021.**
- 2. The Committee note formal consultation has been undertaken with a summary of the feedback from this is included within the report.**

9. CREATION OF NEW POST (ASSISTANT DIRECTOR, PARKING) AND DELETION OF OLD POST (HEAD OF PARKING & INFRASTRUCTURE)

The Executive Director for Environment, Geoff Mee, presented a report which proposed the creation of a new post of Assistant Director Parking and deletion of old post of Head of Parking & Infrastructure.

Following request from the Committee, the Head of Governance undertook to arrange that all Members be sent:

- 1. An updated Senior Management Structure once the Assistant Director Parking post had been recruited to; and**
- 2. A directory of Council services.**

RESOLVED that:

- 1. The Committee approve the creation of and recruitment to an Assistant Director, Parking within the Environment Directorate Senior Management Team to manage the Council's fully integrated parking service, as set out in the report.**
- 2. The Committee approve the deletion of the post of Head of Parking and Infrastructure.**
- 3. The Committee note that the Assistant Director, Highways and Transportation role (vacant) is not being recruited to and there will therefore be no increase in Assistant Director level roles.**

10. MEMBER DEVELOPMENT PROGRAMME 2018 - 2022 UPDATE

The Head of Governance, Andrew Charlwood, presented a report which updated the Committee on the implementation of the Member Development Programme 2018 – 2022.

The Chairman and committee members congratulated Members and officers on Barnet achieving Charter Status for the Member Development Programme.

RESOLVED that:

- 1. That the Committee note the sessions delivered since October 2020 as set out in Appendix A.**
- 2. That the Committee agree the forward plan of Member Development sessions as set out in Appendix B.**
- 3. That the Committee note the Member Development Programme has now been awarded Chartered Status and note the feedback and proposed next steps in regard to the Member Development Programme as outlined in Appendix C.**
- 4. The Committee note that a detailed report on the Member Development and Induction Programme for 2022 to 2026 will be reported to the Committee on 4 October 2021.**

11. CONSTITUTION REVIEW

The Monitoring Officer, Jessica Farmer, and the Head of Governance, Andrew Charlwood, presented a report which contained various Constitution amendments.

RESOLVED that:

- 1. The Committee recommend to Council that the Constitution be amended to incorporate the changes set out in the report and the amended versions attached at Appendices A to J except for the following section of the proposed Contract Procedure Rules changes which would be re-considered at the next meeting:**
“CSG Procurement have advised that they are not able to undertake financial evaluation of tenders valued at less than £189,330 for goods or services or less than £4,733,252 for works as they cannot raise financial qualifications for all sub threshold procurements this goes against the Public Contracts Regulations 2015 to reduce burden on suppliers for lower value/lower risk opportunities. The second bullet point has been retained and merged with the text in section 8.4.”
- 2. The Monitoring Officer be delegated authority to delete ‘Covid-19 Enforcement’ from the terms of reference of the Community Leadership and Libraries Committee at the appropriate time following consultation with the Chairman.**

- 3. The Committee agree the following protocol in relation to amendments to committee reports:**

“Where they are aware of the amendments in advance, a Member may propose amendments to committee reports or recommendations by submitting the amendment in writing to the Head of Governance or his/her representative by 10.30am on the day of the meeting. The amendment must be relevant to the report or decision being taken by the committee.

Where reports are published as ‘to follow’ items, amendments will be accepted after the deadline including during the meeting.

Amendments will also be allowed at the meeting.”

- 4. The Committee agree that the Chairman be consulted on any Constitution amendments required due to the proposed changes to the Area Committee (Community Infrastructure Levy) Funding changes (being reported to the Policy & Resources Committee on 24 May 2021) and that these are reported directly to Council on 25 May 2021.**

The meeting finished at 8.30 pm

Article 7 – Committees, Forums, Working Groups and Partnerships

Committees

- 7.1 The Council will appoint the committees set out below at 7.5 to discharge the functions described.

Sub-Committees and Working Groups

- 7.2 Following the Annual Meeting of the Council, and at any time during the year, committees may appoint: sub-committees and/or working groups and, if appropriate, agree their terms of reference, a Chairman and, if considered necessary, a Vice-Chairman and substitute members of the sub-committee or working group.

Appointment of Members to Committees

- 7.3 The Council will appoint the Members, Chairman and Vice Chairman to serve on the Committee subject to the right of a political group within the meaning of the Local Government and Housing Act 1989 and any regulations made under that Act to make nominations for those appointments at the meeting that makes the appointments before the appointments are made.

Local Strategic Partnership

- 7.4 A Local Strategic Partnership is an advisory Committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet's local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies. In Barnet, the functions of a Local Strategic Partnership are discharged by the Barnet Partnership Board

- 7.5 Responsibility for Functions*

**If any report appears to come within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee.*

Terms of Reference of all Committees are set out below:

Body responsible	Functions	Membership
<p>Policy and Resources Committee</p>	<p>(1) To be responsible for:</p> <ul style="list-style-type: none"> • Strategic policy, finance and corporate risk management including recommending: Capital and Revenue Budget (including all fees and charges); Medium Term Financial Strategy; and Corporate Plan to Full Council • Finance including: <ul style="list-style-type: none"> ➤ Treasury management Local taxation ➤ Insurance ➤ Corporate procurement ➤ Grants ➤ Writing-off debt ➤ Virements ➤ Effective use of resources • Procurement Forward Plan • Local Plans (except for matters reserved to Full Council) • Information Technology • Strategic Partnerships • Customer Services and Resident Engagement • Emergency Planning • Equalities <p>(2) To be responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council.</p> <p>(3) Consider for approval budget and business plan of the Barnet Group Ltd</p>	<p>13</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>7 substitutes</p> <p>Quorum 3</p>

<p>Financial Performance and Contracts Committee</p>	<p>(1) Responsible for the oversight and scrutiny of:</p> <p>(a) the overall financial performance of the council</p> <p>(b) the performance of services other than those which are the responsibility of the: Adults & Safeguarding Committee; Assets, Regeneration & Growth Committee; Children, Education & Safeguarding Committee; Community Leadership & Libraries Committee; Environment Committee; or Housing Committee</p> <p>(c) the council’s major strategic contracts <u>(Customer Support Group, Development and Regulatory Services, The Barnet Group Ltd (Barnet Homes) and HB Public Law)</u> including (but not limited to):</p> <ul style="list-style-type: none"> ➤ Analysis of performance ➤ Contract variations ➤ Undertaking deep dives to review specific issues ➤ Monitoring the trading position and financial stability of external providers ➤ Making recommendations to the Policy & Resources Committee and/or theme committees on issues arising from the scrutiny of external providers <p>(2) At the request of the Policy & Resources Committee and/or theme committees consider matters relating to contract or supplier performance and other issues and making recommendations to the referring committee</p> <p>(3) To consider any decisions of the West London Economic Prosperity Board which have been called in, in accordance with this Article.</p>	<p>8</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
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<p>Children, Education and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to children, schools and education.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including variations or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee <u>(including Barnet Education & Learning Service)</u>.</p> <p>(5) To receive and consider reports as appropriate from the Corporate Parenting Advisory Panel.</p> <p>(6) Receive regular updates from the Lead Member for Children's Services (Chairman of Children, Education and Safeguarding Committee) covering key matters.</p> <p>(7) Receive an annual report from the Safeguarding Children's Board.</p> <p>(8) Determining arrangements for making nominations to the governing bodies of Local Authority administered schools.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>Requirement to have a Lead Member for Children's Services.</p> <p>6 substitutes Quorum 3</p>
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<p>Adults and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to vulnerable adults, adult social care and leisure services.</p> <p>(2) Work with partners on the Health and Well Being Board to ensure that social care, interventions are effectively and seamlessly joined up with public health and healthcare and promote the Health and Well Being Strategy and its associated sub strategies.</p> <p>(3) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(4) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(5) To receive reports on relevant performance information <u>(including The The Barnet Group Ltd (Your Choice Barnet) performance)</u> and risk on the services under the remit of the Committee.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>7 substitutes</p> <p>Quorum 3</p>
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<p>Environment Committee</p>	<p>(1) Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, <u>littering, fly-tipping, fly-posting, graffiti</u>, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Housing and Growth Committee</p>	<p>(1) Responsibility for:</p> <ul style="list-style-type: none"> • housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing. • regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement. <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

	<p>Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information <u>(excluding The Barnet Group Ltd (Barnet Homes) performance)</u> and risk on the services under the remit of the Committee.</p>	
<p>Community Leadership & Libraries Committee</p>	<p>(1) Responsibility for libraries, culture, civic events, the mayoralty, <u>voluntary, community and faith sector strategy and engagement</u>, community safety, <u>environmental crime (excluding littering, fly-tipping, fly-posting and graffiti)</u>, registration and nationality service, <u>food security and Covid-19 enforcement</u>.</p> <p><u>(2) To act as the Crime and Disorder Scrutiny Committee in accordance with the Police and Justice Act 2006 (Crime and Disorder (Overview and Scrutiny Regulations) 2009</u></p> <p>(23) To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid)</p> <p>(34) To submit to the Policy and Resources Committee proposals on the Committee's budget for the following year (including fees and charges) in accordance with the budget timetable and make recommendations on issues relating to virements, underspends or overspends. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

Community Leadership & Libraries Sub-Committee	To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid) when there is no scheduled meeting of the full Committee which falls within the eight week statutory deadline for determining applications	3 Chairman, Vice-Chairman and Opposition Spokesperson Appointed by Community Leadership and Libraries Committee 3 substitutes Quorum 2
Area Committees Finchley & Golders Green; Chipping Barnet; and Hendon	In relation to the area covered: 1) Responsibility for all constituency specific matters relating to the street scene including parking, road safety, transport, allotments, parks and trees. 2) Consider constituency specific matters as agreed with the Chairman. 3) Consider matters relating to Town Centre regeneration and designating conservation areas. 4) Consider matters raised-referred from <u>at Residents Forums and determine how they are to be taken forward, including whether to request a report for a future meeting, refer to an Officer and/or ward councillors in consultation with the relevant Area Committee Lead Officer and subject to any Community Infrastructure Levy (CIL) funding requirement being agreed by the Committee.</u> 5) Determine the allocation of Community Infrastructure Levy funding within the constituency up to a maximum of £25,000 per scheme / project in each case subject to sufficient of the budget allocated to the committee being unspent.	7 Chairman, Vice Chairman, Members and substitutes appointed by Council. One Member and one substitute member for each Ward. Quorum 3
Licensing Committee	(1) All policy matters relating to licensing, with licencing hearings concerning all licencing matters delegated to sub-committees. .	12 Chairman, Vice Chairman, Members

		No substitute members Quorum 3
Licensing Sub-Committees	All functions in relation to licensing as delegated by the Licensing Committee. Members appointed from the membership of the Licensing Committee	3 Quorum 3 Chairman appointed at each meeting of a Sub-Committee.
Audit Committee	<p>To provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.</p> <p><u>Anti-Fraud Activity</u> To monitor the effective development and operation of the Council's Corporate Anti-Fraud Team (CAFT).</p> <p><u>Regulatory Framework.</u> To review any issue referred to it by the Chief Executive and to oversee the production of the authority's Annual Governance Statement and to recommend its adoption.</p> <p><u>Accounts</u> To review and approve the annual statement of accounts and consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</p> <p><u>Annual Report</u> The Audit Committee shall prepare a report to Full Council on annual basis on its activity and effectiveness.</p> <p><u>Treasury Management</u> To review the implementation of the Treasury Management Strategy.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>The membership should also include two independent, non-voting Members with a period of appointment of four years.</p> <p>6 substitutes</p> <p>Quorum 3</p>

<p>Strategic Planning Committee</p>	<p>To determine Applications for Planning Permission, including permissions in principle, made under the Town and Country Planning Act 1990 where the recommendation is for approval and the development:</p> <ul style="list-style-type: none"> • is within the categories which must be referred to the Mayor of London under the London Mayor Order; • does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure; or • is by or on behalf of the Council and, in the opinion of the relevant Chief Planning Officer], it is a significant development <p>The confirmation of Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015.</p> <p>The confirmation of Town and Village Green Registration Applications under the Commons Act 2006, including considering the recommendations of a non-statutory inquiry chaired by an independent person.</p> <p>Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning.</p> <p>Consider for approval and confirmation Neighbourhood Development Orders and Community Right to Build Orders.</p> <p>Recommending the creation of Conservation Areas to Full Council</p> <p>Consider approving Article 4 Directions for consultation</p> <p>Take action under Part 8 of the Anti-Social Behaviour Act 2003 relating to high hedges</p> <p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that</p>	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>11 substitutes</p> <p>Quorum 3</p>
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	<p>compensation is as a result of an Article 4 Direction.</p> <p>Any other planning application or planning matter referred to this Committee by relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Reports on all matters reserved to the Committee shall be made direct to the Committee and not through a Planning Committee.</p> <p>Any Planning Committee agenda item referred to this Committee for consideration and determination.</p> <p>To consider additions, deletions or amendments to the entries in the Council's Brownfield Land Register, including any referrals from the Planning Committees, and conduct any other functions related to the Brownfield Land Register.</p>	
<p>Planning Committees A, B and C</p>	<p>To determine the following application types, except where they are referable under the Constitution to the Strategic Planning Committee:</p> <ul style="list-style-type: none"> • Applications for Planning Permission made under the Town and Country Planning Act 1990; • Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990; • Applications for Consent to Display an Advertisement made under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; • Applications for permissions in principle made under the Town and Country Planning Act 1990 and any application to add, delete or amend any entries in the Council's Brownfield Land Register" after 	<p>7 for each Committee</p> <p>6 substitutes</p> <p>Quorum 3</p>

	<p>the words “To determine the following application types, except where they are referable under the Constitution to the Planning Committee”</p> <p>Where the recommendation is for:</p> <ul style="list-style-type: none"> • approval and there is significant local public objection (defined as 5 or more objectors who have objected in writing in response to a planning application) • approval or refusal and there is a Councillor referral of an application which affects their Ward which that Member has ‘called-in’ to committee identifying a planning consideration. <p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.</p> <p>Any other application or planning matter referred to this Committee by the relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Applications to undertake treatment to trees included within a Tree Preservation Order</p> <p>Applications for a Hedgerow removal notice made under the Hedgerow Regulations 1997.</p> <p>Applications to demolish buildings on the Council’s Local List.</p>	
<p>Constitution and General Purposes Committee</p>	<p>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.</p> <p>To consider and make recommendations to the Council on:</p> <p>(i) how it can satisfy the continuing duty to promote and maintain high standards of conduct by Members;</p> <p>(ii) on the Code of Conduct for Members;</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

	<p>(iii) on ethical standards in general across the authority.</p> <p>To have responsibility for overseeing the Council’s governance arrangements including:</p> <ul style="list-style-type: none"> • Electoral Services including: elections and electoral registration performance; and polling places and polling district boundaries • Determine Members requests for non-committee information as specified in the Members Information Management Policy • Endorsing the calendar of meetings prior to Council approval • Health and Safety Strategy and Performance • Member Development • Staff matters generally (other than those within the remit of Chief Officer Appointment Panel) including: <ul style="list-style-type: none"> ➤ salaries and terms and conditions; ➤ approval of staffing restructures involving 20 or more employees; ➤ deciding on chief officer salary or severance packages over £100,000; ➤ approving the chief officer structure; ➤ pay and reward strategy; ➤ HR policies which go over and above statutory requirements; ➤ develop the annual pay policy statement for Full Council approval <p>When considering a report on staffing matters, a representative of the trade unions may submit a request to speak which requires the consent of the Chairman, or be questioned by the Committee before a decision is made. Each representative will have up to 3 minutes to address the committee.</p>	
Standards Committee	To investigate and determine allegations of a breach of the Code of Conduct for Members in the context of satisfying the Council’s continuing duty to promote and maintain high	4 (2 Members each from the Administration and the Opposition) and an Independent

	standards of conduct for Members.	Person 2 substitutes each from the Administration and the Opposition. Quorum 2
Pension Fund Committee	<p><u>To have responsibility for all aspects of the governance, investment and administration of the LB Barnet Pension fund, including, but not limited to the following:</u></p> <p>(1) <u>To ensure compliance with all Local Government Pension Scheme statutes, regulations and best practice.</u></p> <p>(2) <u>To consider approval and act in accordance with statutory Pension Fund documents:</u></p> <ul style="list-style-type: none"> • <u>Investment Strategy Statement</u> • <u>Funding Strategy Statement</u> • <u>Governance Policy Statement</u> • <u>Pension Administration Strategy</u> • <u>Communication Policy Statement.</u> <p><u>To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so.</u></p> <p>(3) <u>If required, to appoint and monitor:</u></p> <ul style="list-style-type: none"> • <u>Investment advisors</u> • <u>Pension Fund investment managers</u> • <u>Pension Fund actuaries</u> • <u>Performance management company</u> • <u>Custodians</u> • <u>Pension Administrator</u> <p>(4) <u>To review and challenge at least quarterly the performance of the Pension Fund's investments taking into consideration the benchmarks and targets set out in the Investment Strategy Statement and investment management contracts and to consider advice from the investment advisor(s).</u></p> <p>(5) <u>To monitor the administration of the</u></p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>To invite a recognised representative from the trades unions and a representative from Middlesex University (the largest scheduled / admitted body) to committee meetings</p> <p>These representatives are appointed to advise the committee on behalf of the interests they represent, but are not to have any voting rights. Further invites to scheduled/admitted bodies to be decided by the chairman of the committee.</p> <p>6 substitutes – 3 from each political group</p> <p>Quorum 3</p>

	<p><u>Pension Fund.</u></p> <p><u>(6) To approve admissions agreements with any admission body.</u></p> <p><u>(7) To consider actuarial valuations and their impact on the Pension Fund.</u></p> <p><u>(8) To review and consider approval of the Pension Fund's Annual Report and Statement of Accounts, together with recommendations from external and internal auditors.</u></p> <p><u>(9) To consider recommendations from the Local Pension Board.</u></p> <p><u>(10) To determine how the various administering authority discretions are operated for the Fund.</u></p> <p>To consider approval and act in accordance with statutory Pension Fund documents:</p> <ul style="list-style-type: none"> • Statement of Investment Principles • Funding Strategy Statement • Governance Policy Statement • Pension Administration Strategy • Communication Policy Statement <p>To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so</p> <p>To meet review and consider approval of the Pension Fund Statement of Accounts, income and expenditure and balance sheet or record of payments and receipts</p> <p>To receive and consider approval of the Pension Fund Annual Report.</p> <p>To appoint independent investment advisors.</p> <p>To appoint Pension Fund investment managers.</p> <p>To appoint Pension Fund actuaries.</p> <p>To appoint a performance management</p>	
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	<p>company.</p> <p>To appoint custodians.</p> <p>To review and challenge at least quarterly the Pension Fund investment managers' performance against the Statement of Investment Principles in general and investment performance benchmarks and targets in particular. One of these meetings to be the annual review, at which the representative from the council's performance management organisation attends to comment on the relative performance of the fund managers.</p> <p>To consider actuarial valuations and their impact on the Pension Fund.</p>	
Local Pension Board	<p>The Board is responsible for assisting with:</p> <ul style="list-style-type: none"> ○ securing compliance with Local Government Pension Scheme (LGPS) Government regulations and any other legislation relating to the governance and administration of the LGPS ○ securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator. ○ such other matters that the LGPS regulations may specify <p>Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund.</p> <p><i>The Local Pension Board maintain separate detailed terms of reference which are approved annually</i></p>	<p>7 Members comprising:</p> <p>3 employers side representatives (1 councillor and 2 employer representatives from an admitted body)</p> <p>3 employee side representatives (1 active member and 2 deferred member)</p> <p>1 independent member/advisor</p>
Chief Officer Appointment Panel	<p>To deal with Chief Officer Appointments, Discipline and Capability matters.</p> <p>Members comprise:</p> <p>Chairman – Leader of the Council Deputy Leader of the Council. One Administration Member Leader of the Opposition</p>	<p>5</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One substitute from each political group</p>

	One Opposition Member	Quorum 3
Health and Wellbeing Board	<p>(1) To jointly assess the health and social care needs of the population with NHS commissioners, and use the findings of a Barnet Joint Strategic Needs Assessment (JSNA) to inform all relevant local strategies and policies across partnership.</p> <p>(2) To agree a Health and Wellbeing Strategy (HWBS) for Barnet taking into account the findings of the JSNA and strategically oversee its implementation to ensure that improved population outcomes are being delivered.</p> <p>(3) To work together to ensure the best fit between available resources to meet the health and social care needs of the whole population of Barnet, 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 resources to be overseen include money for social care being allocated through the NHS; dedicated public health budgets; the Better Care Fund; and Section 75 partnership agreements between the NHS and the Council.</p> <p>(4) To provide collective leadership and enable shared decision making, ownership and accountability</p> <p>(5) To promote partnership and, as appropriate, integration, across all necessary areas, including joined-up commissioning plans and joined-up approach to securing external funding across the NHS, social care, voluntary and community sector and public health.</p> <p>(6) To explore partnership work across North Central London where appropriate.</p> <p>(5) Specific responsibilities for:</p> <ul style="list-style-type: none"> Overseeing public health and promoting prevention agenda across the partnership 	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>Vice Chairman is Chair of Barnet CCG Governing Body</p> <p>Three Members of the Council</p> <p>Director of Public Health</p> <p>Strategic Director for Children & Young People</p> <p>Strategic Director for Adults, Communities & Health</p> <p>Barnet Clinical Commissioning Group-Board members x 3</p> <p>Barnet Clinical Commissioning Group-Chief Officer</p> <p>Barnet Healthwatch representative</p> <p>Barnet voluntary and community sector representative</p> <p>Independent Chair of the Adults and Children's Safeguarding Boards (Non-Voting Member)</p> <p>Each member may nominate a substitute if</p>

	<ul style="list-style-type: none"> Developing further health and social care integration. 	<p>they cannot attend.</p> <p>Requirement for proportionality is waived and voting rights allowed to members other than Members of the Council.</p> <p>Quorum 3</p> <p>The Quorum should consist of at least one Councillor and one health representative</p>
Health Overview and Scrutiny Committee	<p>(1) To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service and NHS bodies located within the London Borough of Barnet and in other areas.</p> <p>(2) To make reports and recommendations to Council, Health and Well Being Board, the Secretary of State for Health and/or other relevant authorities on health issues which affect or may affect the borough and its residents.</p> <p>(3) To recommend to Council entering into or appointing to joint overview and scrutiny committees that include the London Borough of Barnet and other boroughs for the purpose of responding to consultations by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.</p>	<p>10</p> <p>Chairman, Vice-Chairman, Members and substitutes to be appointed by Council</p>
Urgency Committee	<p>To consider any item of business which needs a decision as a matter of urgency and where a meeting of the relevant Committee is not scheduled to take place within the time period within which the decision is required.</p>	<p>3 Appointed by Council</p> <p>Quorum 2</p>

<p>Residents Forums</p> <p><u>Chipping Barnet Residents Forum</u> Underhill, High Barnet, East Barnet, Oakleigh, Brunswick Park, Coppetts and Totteridge Wards.</p> <p><u>Hendon Residents Forum</u> Hale, Edgware, Burnt Oak, West Hendon, Colindale, Hendon and Mill Hill Wards</p> <p><u>Finchley and Golders Green Residents Forum</u> Woodhouse, West Finchley, Finchley Church End, Garden Suburb, Golders Green, Childs Hill and East Finchley Wards</p>	<p>Residents Forums provide an opportunity for any resident to raise matters affecting the area except matters relating to licensing and planning applications.</p>	<p>A Chairman and Vice-Chairman of each appointed by the Council.</p>
<p>Local Strategic Partnership (Barnet Partnership Board)</p>	<p>A Local Strategic Partnership is an advisory committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet’s local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies</p>	<p>Leader of the Council</p> <p>Council representatives to be appointed by Annual Council</p> <p>Senior representatives from:</p> <ul style="list-style-type: none"> • Met Police • Middlesex University • Barnet Clinical Commissioning Group • Community Barnet • Brent Cross Shopping Centre • Barnet and Southgate College • Job Centre Plus

<p>Children's Partnership Board</p>	<p>Barnet's Children's Partnership Board brings together all services for children and young people in the borough, to focus on hearing the voice of children and young people and improving their outcomes.</p> <p>Senior representatives from partner organisations make up the Children's Partnership Board which keeps strategic oversight of the Barnet Children and Young People's Partnership Plan. Each organisation has agreed to be responsible for implementing this plan which will be monitored by the Board.</p> <p>The legal framework underpinning Barnet's Children's Partnership Board arrangements is the 'duty to cooperate' and improve the well-being of children across the Borough, set out in S10 of the Children Act 2004. The terms of reference and membership will be the subject of annual review to take account of local or national changes and developments.</p> <p><u>General Responsibilities and Functions</u></p> <p>The Children's Partnership Board is accountable for the following:</p> <ul style="list-style-type: none"> • Ensuring the voice of children and young people is heard in Barnet • Developing and delivering the Children & Young People's Plan. • Ensuring that the collective resources of the partners are being used to the best effect to meet the priorities in the Children & Young People's Plan. • Resolving issues that block progress against the priorities. • Reviewing Plans and Strategies relating to Children and Young People in Barnet prior to consideration by executive groups (e.g. Children, Education & Safeguarding Committee, Health & Wellbeing Board, etc.) • Working with the Voluntary Sector in a particular approach to enable the best outcomes for children and young people 	<p>The Board will be chaired by the Executive Director for Children's Services</p> <p>Members are able to delegate a deputy of suitable authority if they are unable to attend, by agreement with the chairman.</p> <p>Current partners and members are:</p> <ul style="list-style-type: none"> • LB Barnet – Lead Member for Children's Services; Executive Director for Children's Services; Assistant Director Education Strategy & Partnerships; Commissioning Strategy & Policy Advisor; Assistant Director Commissioning & Strategy; Voice of the Child Participation Officer; Housing Commissioning Lead; Commissioning Lead Growth & Development; Senior Communications & Campaigns Manager; Public Health Consultant; • <u>Barnet CCG North Central London Clinical Commissioning Group (NCL CCG) – Director of Commissioning; Children's Clinical Lead NHS Director for Adults Joint Commissioning and CYP Health</u>
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	<p>This includes shared responsibility for:</p> <ul style="list-style-type: none"> • Meeting the priorities in the Children & Young People’s Plan • Jointly developing, delivering and resourcing strategies and action plans necessary to meet the priorities • Addressing barriers to meeting the priorities and to identifying future needs, including communication, information and data sharing • Keeping Children’s workforce informed and involved, providing clear direction, development and training as necessary • Releasing staff to develop and attend network events • Clarifying and simplifying governance structures and decision-making • Ensuring that children, young people and families have a voice in decision making that affects them • Monitoring performance towards agreed outcomes and taking remedial action where necessary. • Building upon good practice and developing an evidence-based approach to what works. <p>The partnerships remit includes the needs of all children and young people in Barnet under the age of 19, young people up to the age of 25 leaving care and young people up to the age of 25 with disabilities and/or learning difficulties. These responsibilities include effective transition arrangements, where necessary.</p> <p><u>Roles and Responsibilities of Board Members</u></p> <p>All members of the Board are required to agree to undertake the following:</p> <ul style="list-style-type: none"> • Attendance at all Board meetings (or representation provided by as senior replacement). • Members will be responsible for an effective two-way communication system whereby the decisions and aims of the Board are widely disseminated and 	<p><u>Commissioning Children’s Clinical Lead NHS;</u></p> <ul style="list-style-type: none"> • Metropolitan Police – Inspector; • Schools – Three representative headteachers, one each from Barnet primary, secondary and special schools • Barnet Education & Learning Service – Chief Executive; • Voluntary Sector – Chief Executive, Inclusion Barnet; Chief Executive, Young Barnet Foundation; • Young Persons Representatives – Member of Barnet Youth Parliament 1; Member of Barnet Youth Parliament 2 • Multi-Faith Representative - Chair, Barnet Multi-Faith Forum; • Parent / Carer Group Representative – Chair of the Parent Carer Forum <p>Quorum 5 – must include the following:</p> <ul style="list-style-type: none"> • Chairman (or deputy) • At least one representative of the LB Barnet • At least one representative <u>NCL CCG</u><u>Barnet CCG</u> • At least one representative of <u>Barnet Police</u><u>Schools</u> • At least one member representing the voluntary sector
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	<p>relevant organisational issues from members' own agencies are communicated to the Board.</p> <ul style="list-style-type: none"> • Provide leadership on strategic issues to members of the Board • Champion the objectives of the Children and Young People's Plan and ensure relevant activities within the plan are implemented by their organisation. • Contribute to the development of a strategic three to five-year vision <p>Meetings will be held quarterly and dates for each year will be set in advance.</p>	
<p>Safer Communities Partnership Board</p>	<p>The Safer Communities Partnership Board (SCPB) is the inter-agency mechanism in Barnet to reduce crime and anti-social behaviour and reoffending and promote social cohesion. It acts as the Crime and Disorder Reduction Partnership as defined (and required) by the 1998 Crime and Disorder Act and subsequent amendments including the 2006 Police and Justice Act and the 2009 Policing and Crime Act.</p> <p>The SCPB operates within the constitutional requirements of Barnet Council, the Metropolitan Police and other partner agencies, who ensure that the Board's approaches to policy formulation and resource allocation are consistent with those of the agencies concerned. It is a thematic subgroup of the Barnet Partnership Board which has overall strategic responsibility and has delegated to the SCPB the responsibility for delivering the Strong Safe Communities for Everyone theme of the Sustainable Community Strategy.</p> <p>It is taking forward one of the objectives in the strategy to develop an Integrated Offender Management system that brings together the different agencies involved in managing the punishment and rehabilitation of offenders in a much more efficient and joined up way, reducing the risks of reoffending and ensuring far more offenders complete their drug rehabilitation successfully.</p>	<p>Meetings will be quarterly and a quorum will comprise four members provided this consists of:</p> <p>The Chairman (Barnet Councillor) and Vice Chairman (Metropolitan Police)</p> <p>At least one other representative each of the Council and the Metropolitan Police.</p> <p>Other current partners are:</p> <ul style="list-style-type: none"> • London Probation Trust • National Probation Service • London Fire Brigade • Barnet Clinical Commissioning Group • MOPAC (Mayor's Office Policing/Crime) • Barnet Safer Neighbourhood Board • Middlesex University • North West London Magistrates' Court • Inclusion Barnet • Victim Support, North London Division • Department for Work

	Barnet Safer Communities Partnership is an unincorporated body and therefore it does not have a legal personality. Its members work collectively within their own individual legal frameworks.	and Pensions • CommUNITY Barnet
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Substitute Members – Rules

- 7.6 A substitute Member may only attend, speak or vote at a meeting in place of a member usually from the same political group who is unable to attend the meeting. In the case of Area Committees, substitutions are made on the basis of ward.
- 7.7 Details of membership substitutions or apologies for absence will be detailed in the formal record of the meeting.

Quorum – Rules

- 7.8 If a Committee or Sub-Committee is inquorate, it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed for up to 15 minutes. When 15 minutes have elapsed, the Head of Governance or their representative will count the number of Members present and if there is no quorum, s/he will advise the meeting that no business can be transacted and the meeting will be cancelled.
- 7.9 If the Chairman finds that a quorum of Members is not present at any time during the meeting, the Chairman must adjourn the meeting until such time as a quorum is returned.

Chairman of Meetings

- 7.10 In exceptional circumstances, the Chairman may change the date or start time of any meeting, cancel or postpone any meeting or call any additional meeting by seeking and gaining the agreement of a majority of Members of the Committee.
- 7.11 If the Chairman is absent from a meeting the Vice-Chairman will take the Chair. If both are absent, the Head of Governance (or their representative) will open the meeting and he/she will seek nominations for the position of Chairman. A Chairman must be elected for the business of the meeting to be transacted.
- 7.12 Any procedural issues or challenges to the conduct of the meeting that arise during the course of a meeting shall be determined by the person presiding at the meeting.

Minutes

- 7.13 Apologies for absence, declaration of interests and the confirmation of the minutes of previous meetings are the first items of business at the meeting, (other than Licencing Sub-Committees) except when there is a need to elect a Chairman.
- 7.14 Minutes can only be amended to correct factual inaccuracy in the record, and not to make any retrospective amendment to the decisions made. The meeting will not proceed further until the minutes are approved, either amended or un-amended. Upon approval as a correct record, the Chairman shall sign the minutes.

Urgent Business

- 7.15 When an urgent matter has arisen after the publication and dispatch of an appropriate agenda the following procedure applies:
- 7.16 The Chairman has the authority to agree to take urgent items not on the agenda. The Chair will consult with the Vice-Chairman and Opposition Spokesperson for the committee. The Chairman (with advice from the Monitoring Officer as appropriate) needs to be satisfied as to the need for urgency under the following criteria:
- the item has arisen between the compilation of the agenda and the date of the meeting.
 - the item requires an urgent decision in the public interest which cannot be dealt with by other means
- 7.17 In all cases the reason for the urgency shall be clearly stated and recorded in the minutes of the meeting and the urgent item will be taken as the Chairman may decide.
- 7.18 If a decision on an issue is required as a matter of urgency [and there is no meeting scheduled] and if time allows under the provisions of the Access to Information Rules then a Committee comprising of the Leader, the Deputy Leader, and the Leader of the Opposition will be called. The decision may be within the terms of reference of another committee, but this will not invalidate the decision as the arrangements to discharge the function in cases of urgency is through a committee comprising the three specified members. The Committee must consult with the Chairman of the relevant Committee.

Six Month Rule

- 7.19 The Six-Month Rule shall apply whereby matters dealt with cannot be raised again within this period

Financial Performance and Contracts Committee Call-in Procedure

- 7.20 The following procedure applies after a decision has been made by the West London Economic Prosperity Board (a Joint Committee in accordance with section 102 of the Local Government Act 2000).

Article 7 – Committees, Forums, Working Groups and Partnerships

- 7.21 Paragraph 24.4 of the Function and Procedure rules of the West London Economic Prosperity Board read as follows
- “Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Borough concerned have been concluded.”
- 7.22 Where a decision is made by the Board the decision shall be published. Once the decision is published then it may be implemented on the expiry of 7 working days after publication unless 10 members of the Council wish to call it in.
- 7.23 The notice seeking to invoke the call-in procedure must be communicated to the Head of Governance who will then notify the West London Economic Prosperity Board.
- 7.24 A notice seeking to invoke the call-in procedure must state at least one of the following grounds in support of the request for a call-in of the decision:
- Inadequate consultation with stakeholders prior to the decision;
 - The absence of adequate evidence on which to base the decision;
 - The action is not proportionate to the desired outcome;
 - A potential human rights challenge;
 - Insufficient consideration of legal and financial advice;
 - The decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework of the Council;
- 7.25 A meeting of the Financial Performance and Contracts Committee (or Sub-Committee of the Committee created for this purpose), will be convened within 7 clear working days of the request for call-in.
- 7.26 The call-in procedure set out above shall not apply where the decision being taken by the West London Economic Prosperity Board is urgent. For the purposes of this call-in procedure a decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the West London Economic Prosperity Board and the interests of Barnet. Reports to the West London Economic Prosperity Board must state that the report is urgent and provide the reasons for urgency.
- 7.27 The Chairman of the Financial Performance and Contracts Committee must agree that the decision proposed should be treated as a matter of urgency

Suspension of business at Committee and Sub-Committee meetings

- 7.28 No business at any meeting of a Committee or Sub-Committee shall be transacted after three hours after the start time of the meeting and any business transacted after that time shall be null and void. After three hours and without further debate the Chairman shall immediately put to the vote any motion or amendment, which has been formally moved and seconded.

- 7.29 At any meeting of the Council, Strategic Planning Committee and Planning Committees, the Mayor or Chairman at their sole discretion may extend the period for the transaction of business to three and a half hours after the start time of the meeting. This will be recorded in the Committee's decisions.

Voting and Recording of Votes

- 7.30 The mode of voting at all meetings of the Council, its Committees, Sub-Committees or Working Groups shall be determined by a show of hands except where otherwise provided by law or in these standing orders.
- 7.31 In cases where a vote is taken, the minutes of the meeting should record the number of votes for and against the matter together with the number of abstentions.
- 7.32 The Chairman will always have the right to exercise a casting vote in the event of equality of voting on a motion or amendment,
- 7.33 A Member of any committee can request that his/her vote be recorded in the minutes.

Filming and Recording of Meetings

- 7.34 Discreet, unlit, non-disruptive filming and recording of Council and Committee meetings by members of the public from the public gallery is allowed.

Article 7 – Committees, Forums, Working Groups and Partnerships

Committees

- 7.1 The Council will appoint the committees set out below at 7.5 to discharge the functions described.

Sub-Committees and Working Groups

- 7.2 Following the Annual Meeting of the Council, and at any time during the year, committees may appoint: sub-committees and/or working groups and, if appropriate, agree their terms of reference, a Chairman and, if considered necessary, a Vice-Chairman and substitute members of the sub-committee or working group.

Appointment of Members to Committees

- 7.3 The Council will appoint the Members, Chairman and Vice Chairman to serve on the Committee subject to the right of a political group within the meaning of the Local Government and Housing Act 1989 and any regulations made under that Act to make nominations for those appointments at the meeting that makes the appointments before the appointments are made.

Local Strategic Partnership

- 7.4 A Local Strategic Partnership is an advisory Committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet's local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies. In Barnet, the functions of a Local Strategic Partnership are discharged by the Barnet Partnership Board

- 7.5 Responsibility for Functions*

**If any report appears to come within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee.*

Terms of Reference of all Committees are set out below:

Body responsible	Functions	Membership
<p>Policy and Resources Committee</p>	<p>(1) To be responsible for:</p> <ul style="list-style-type: none"> • Strategic policy, finance and corporate risk management including recommending: Capital and Revenue Budget (including all fees and charges); Medium Term Financial Strategy; and Corporate Plan to Full Council • Finance including: <ul style="list-style-type: none"> ➤ Treasury management Local taxation ➤ Insurance ➤ Corporate procurement ➤ Grants ➤ Writing-off debt ➤ Virements ➤ Effective use of resources • Procurement Forward Plan • Local Plans (except for matters reserved to Full Council) • Information Technology • Strategic Partnerships • Customer Services and Resident Engagement • Emergency Planning • Equalities <p>(2) To be responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council.</p> <p>(3) Consider for approval budget and business plan of the Barnet Group Ltd</p>	<p>13</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>7 substitutes</p> <p>Quorum 3</p>

<p>Financial Performance and Contracts Committee</p>	<p>(1) Responsible for the oversight and scrutiny of:</p> <p>(a) the overall financial performance of the council</p> <p>(b) the performance of services other than those which are the responsibility of the: Adults & Safeguarding Committee; Assets, Regeneration & Growth Committee; Children, Education & Safeguarding Committee; Community Leadership & Libraries Committee; Environment Committee; or Housing Committee</p> <p>(c) the council’s major strategic contracts (Customer Support Group, Development and Regulatory Services, The Barnet Group Ltd (Barnet Homes) and HB Public Law) including (but not limited to):</p> <ul style="list-style-type: none"> ➤ Analysis of performance ➤ Contract variations ➤ Undertaking deep dives to review specific issues ➤ Monitoring the trading position and financial stability of external providers ➤ Making recommendations to the Policy & Resources Committee and/or theme committees on issues arising from the scrutiny of external providers <p>(2) At the request of the Policy & Resources Committee and/or theme committees consider matters relating to contract or supplier performance and other issues and making recommendations to the referring committee</p> <p>(3) To consider any decisions of the West London Economic Prosperity Board which have been called in, in accordance with this Article.</p>	<p>8</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
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<p>Children, Education and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to children, schools and education.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee’s budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee (including Barnet Education & Learning Service).</p> <p>(5) To receive and consider reports as appropriate from the Corporate Parenting Advisory Panel.</p> <p>(6) Receive regular updates from the Lead Member for Children’s Services (Chairman of Children, Education and Safeguarding Committee) covering key matters.</p> <p>(7) Receive an annual report from the Safeguarding Children’s Board.</p> <p>(8) Determining arrangements for making nominations to the governing bodies of Local Authority administered schools.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>Requirement to have a Lead Member for Children’s Services.</p> <p>6 substitutes Quorum 3</p>
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<p>Adults and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to vulnerable adults, adult social care and leisure services.</p> <p>(2) Work with partners on the Health and Well Being Board to ensure that social care, interventions are effectively and seamlessly joined up with public health and healthcare and promote the Health and Well Being Strategy and its associated sub strategies.</p> <p>(3) To submit to the Policy and Resources Committee proposals relating to the Committee’s budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(4) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(5) To receive reports on relevant performance information (including The The Barnet Group Ltd (Your Choice Barnet) performance) and risk on the services under the remit of the Committee.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>7 substitutes</p> <p>Quorum 3</p>
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<p>Environment Committee</p>	<p>(1) Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, littering, fly-tipping, fly-posting, graffiti, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Housing and Growth Committee</p>	<p>(1) Responsibility for:</p> <ul style="list-style-type: none"> • housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing. • regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement. <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

	<p>Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information (excluding The Barnet Group Ltd (Barnet Homes) performance) and risk on the services under the remit of the Committee.</p>	
<p>Community Leadership & Libraries Committee</p>	<p>(1) Responsibility for libraries, culture, civic events, the mayoralty, voluntary, community and faith sector strategy and engagement, community safety, environmental crime (excluding littering, fly-tipping, fly-posting and graffiti), registration and nationality service, food security and Covid-19 enforcement.</p> <p>(2) To act as the Crime and Disorder Scrutiny Committee in accordance with the Police and Justice Act 2006 (Crime and Disorder (Overview and Scrutiny Regulations) 2009</p> <p>(3) To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid)</p> <p>(4) To submit to the Policy and Resources Committee proposals on the Committee's budget for the following year (including fees and charges) in accordance with the budget timetable and make recommendations on issues relating to virements, underspends or overspends. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

<p>Community Leadership & Libraries Sub-Committee</p>	<p>To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid) when there is no scheduled meeting of the full Committee which falls within the eight week statutory deadline for determining applications</p>	<p>3</p> <p>Chairman, Vice-Chairman and Opposition Spokesperson Appointed by Community Leadership and Libraries Committee</p> <p>3 substitutes Quorum 2</p>
<p>Area Committees</p> <p>Finchley & Golders Green; Chipping Barnet; and Hendon</p>	<p>In relation to the area covered:</p> <p>1) Responsibility for all constituency specific matters relating to the street scene including parking, road safety, transport, allotments, parks and trees.</p> <p>2) Consider constituency specific matters as agreed with the Chairman.</p> <p>3) Consider matters relating to Town Centre regeneration and designating conservation areas.</p> <p>4) Consider matters referred from Residents Forums and determine how they are to be taken forward in consultation with the relevant Area Committee Lead Officer and subject to any Community Infrastructure Levy (CIL) funding requirement being agreed by the Committee.</p> <p>5) Determine the allocation of Community Infrastructure Levy funding within the constituency subject to sufficient of the budget allocated to the committee being unspent.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One Member and one substitute member for each Ward.</p> <p>Quorum 3</p>

Licensing Committee	(1) All policy matters relating to licensing, with licencing hearings concerning all licencing matters delegated to sub-committees.	12 Chairman, Vice Chairman, Members No substitute members Quorum 3
Licensing Sub-Committees	All functions in relation to licensing as delegated by the Licensing Committee. Members appointed from the membership of the Licensing Committee	3 Quorum 3 Chairman appointed at each meeting of a Sub-Committee.
Audit Committee	<p>To provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.</p> <p><u>Anti-Fraud Activity</u> To monitor the effective development and operation of the Council's Corporate Anti-Fraud Team (CAFT).</p> <p><u>Regulatory Framework.</u> To review any issue referred to it by the Chief Executive and to oversee the production of the authority's Annual Governance Statement and to recommend its adoption.</p> <p><u>Accounts</u> To review and approve the annual statement of accounts and consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</p>	7 Chairman, Vice Chairman, Members and substitutes appointed by Council. The membership should also include two independent, non-voting Members with a period of appointment of four years. 6 substitutes Quorum 3

	<p><u>Annual Report</u> The Audit Committee shall prepare a report to Full Council on annual basis on its activity and effectiveness.</p> <p><u>Treasury Management</u> To review the implementation of the Treasury Management Strategy.</p>	
Strategic Planning Committee	<p>To determine Applications for Planning Permission, including permissions in principle, made under the Town and Country Planning Act 1990 where the recommendation is for approval and the development:</p> <ul style="list-style-type: none"> • is within the categories which must be referred to the Mayor of London under the London Mayor Order; • does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure; or • is by or on behalf of the Council and, in the opinion of the relevant Chief Planning Officer], it is a significant development <p>The confirmation of Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015.</p> <p>The confirmation of Town and Village Green Registration Applications under the Commons Act 2006, including considering the recommendations of a non-statutory inquiry chaired by an independent person.</p> <p>Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning.</p> <p>Consider for approval and confirmation Neighbourhood Development Orders and Community Right to Build Orders.</p> <p>Recommending the creation of Conservation Areas to Full Council</p>	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>11 substitutes</p> <p>Quorum 3</p>

	<p>Consider approving Article 4 Directions for consultation</p> <p>Take action under Part 8 of the Anti-Social Behaviour Act 2003 relating to high hedges</p> <p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.</p> <p>Any other planning application or planning matter referred to this Committee by relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Reports on all matters reserved to the Committee shall be made direct to the Committee and not through a Planning Committee.</p> <p>Any Planning Committee agenda item referred to this Committee for consideration and determination.</p> <p>To consider additions, deletions or amendments to the entries in the Council's Brownfield Land Register, including any referrals from the Planning Committees, and conduct any other functions related to the Brownfield Land Register.</p>	
<p>Planning Committees A, B and C</p>	<p>To determine the following application types, except where they are referable under the Constitution to the Strategic Planning Committee:</p> <ul style="list-style-type: none"> • Applications for Planning Permission made under the Town and Country Planning Act 1990; • Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990; • Applications for Consent to Display an Advertisement made under the Town and Country Planning (Control of 	<p>7 for each Committee</p> <p>6 substitutes</p> <p>Quorum 3</p>

	<p>Advertisements) (England) Regulations 2007;</p> <ul style="list-style-type: none"> • Applications for permissions in principle made under the Town and Country Planning Act 1990 and any application to add, delete or amend any entries in the Council’s Brownfield Land Register” after the words “To determine the following application types, except where they are referable under the Constitution to the Planning Committee” <p>Where the recommendation is for:</p> <ul style="list-style-type: none"> • approval and there is significant local public objection (defined as 5 or more objectors who have objected in writing in response to a planning application) • approval or refusal and there is a Councillor referral of an application which affects their Ward which that Member has ‘called-in’ to committee identifying a planning consideration. <p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.</p> <p>Any other application or planning matter referred to this Committee by the relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Applications to undertake treatment to trees included within a Tree Preservation Order</p> <p>Applications for a Hedgerow removal notice made under the Hedgerow Regulations 1997.</p> <p>Applications to demolish buildings on the Council’s Local List.</p>	
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<p>Constitution and General Purposes Committee</p>	<p>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.</p> <p>To consider and make recommendations to the Council on:</p> <p>(i) how it can satisfy the continuing duty to promote and maintain high standards of conduct by Members;</p> <p>(ii) on the Code of Conduct for Members;</p> <p>(iii) on ethical standards in general across the authority.</p> <p>To have responsibility for overseeing the Council’s governance arrangements including:</p> <ul style="list-style-type: none"> • Electoral Services including: elections and electoral registration performance; and polling places and polling district boundaries • Determine Members requests for non-committee information as specified in the Members Information Management Policy • Endorsing the calendar of meetings prior to Council approval • Health and Safety Strategy and Performance • Member Development • Staff matters generally (other than those within the remit of Chief Officer Appointment Panel) including: <ul style="list-style-type: none"> ➤ salaries and terms and conditions; ➤ approval of staffing restructures involving 20 or more employees; ➤ deciding on chief officer salary or severance packages over £100,000; ➤ approving the chief officer structure; ➤ pay and reward strategy; ➤ HR policies which go over and above statutory requirements; ➤ develop the annual pay policy statement for Full Council approval 	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
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	When considering a report on staffing matters, a representative of the trade unions may submit a request to speak which requires the consent of the Chairman, or be questioned by the Committee before a decision is made. Each representative will have up to 3 minutes to address the committee.	
Standards Committee	To investigate and determine allegations of a breach of the Code of Conduct for Members in the context of satisfying the Council's continuing duty to promote and maintain high standards of conduct for Members.	4 (2 Members each from the Administration and the Opposition) and an Independent Person 2 substitutes each from the Administration and the Opposition. Quorum 2
Pension Fund Committee	<p>To have responsibility for all aspects of the governance, investment and administration of the LB Barnet Pension fund, including, but not limited to the following:</p> <p>(1) To ensure compliance with all Local Government Pension Scheme statutes, regulations and best practice.</p> <p>(2) To consider approval and act in accordance with statutory Pension Fund documents:</p> <ul style="list-style-type: none"> • Investment Strategy Statement • Funding Strategy Statement • Governance Policy Statement • Pension Administration Strategy • Communication Policy Statement. <p>To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so.</p> <p>(3) If required, to appoint and monitor:</p> <ul style="list-style-type: none"> • Investment advisors • Pension Fund investment managers • Pension Fund actuaries 	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>To invite a recognised representative from the trades unions and a representative from Middlesex University (the largest scheduled / admitted body) to committee meetings</p> <p>These representatives are appointed to advise the committee on behalf of the interests they represent, but are not to have any voting rights. Further invites to scheduled/admitted bodies to be decided by the chairman of the committee.</p>

	<ul style="list-style-type: none"> • Performance management company • Custodians • Pension Administrator <p>(4) To review and challenge at least quarterly the performance of the Pension Fund’s investments taking into consideration the benchmarks and targets set out in the Investment Strategy Statement and investment management contracts and to consider advice from the investment advisor(s).</p> <p>(5) To monitor the administration of the Pension Fund.</p> <p>(6) To approve admissions agreements with any admission body.</p> <p>(7) To consider actuarial valuations and their impact on the Pension Fund.</p> <p>(8) To review and consider approval of the Pension Fund’s Annual Report and Statement of Accounts, together with recommendations from external and internal auditors.</p> <p>(9) To consider recommendations from the Local Pension Board.</p> <p>(10) To determine how the various administering authority discretions are operated for the Fund.</p>	<p>6 substitutes – 3 from each political group</p> <p>Quorum 3</p>
<p>Local Pension Board</p>	<p>The Board is responsible for assisting with:</p> <ul style="list-style-type: none"> ○ securing compliance with Local Government Pension Scheme (LGPS) Government regulations and any other legislation relating to the governance and administration of the LGPS ○ securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator. ○ such other matters that the LGPS regulations may specify <p>Ensure the effective and efficient governance</p>	<p>7 Members comprising:</p> <p>3 employers side representatives (1 councillor and 2 employer representatives from an admitted body)</p> <p>3 employee side representatives (1 active member and 2 deferred member)</p> <p>1 independent</p>

	<p>and administration of the LGPS for the LBB Pension Fund.</p> <p><i>The Local Pension Board maintain separate detailed terms of reference which are approved annually</i></p>	member/advisor
Chief Officer Appointment Panel	<p>To deal with Chief Officer Appointments, Discipline and Capability matters.</p> <p>Members comprise:</p> <p>Chairman – Leader of the Council Deputy Leader of the Council. One Administration Member</p> <p>Leader of the Opposition One Opposition Member</p>	<p>5</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One substitute from each political group</p> <p>Quorum 3</p>
Health and Wellbeing Board	<p>(1) To jointly assess the health and social care needs of the population with NHS commissioners, and use the findings of a Barnet Joint Strategic Needs Assessment (JSNA) to inform all relevant local strategies and policies across partnership.</p> <p>(2) To agree a Health and Wellbeing Strategy (HWBS) for Barnet taking into account the findings of the JSNA and strategically oversee its implementation to ensure that improved population outcomes are being delivered.</p> <p>(3) To work together to ensure the best fit between available resources to meet the health and social care needs of the whole population of Barnet, 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 resources to be overseen include money for social care being allocated through the NHS; dedicated public health budgets; the Better Care Fund; and Section 75 partnership agreements between the NHS and the Council.</p> <p>(4) To provide collective leadership and enable shared decision making, ownership</p>	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>Vice Chairman is Chair of Barnet CCG Governing Body</p> <p>Three Members of the Council</p> <p>Director of Public Health</p> <p>Strategic Director for Children & Young People</p> <p>Strategic Director for Adults, Communities & Health</p> <p>Barnet Clinical Commissioning Group-Board members x 3</p> <p>Barnet Clinical Commissioning Group-</p>

	<p>and accountability</p> <p>(5) To promote partnership and, as appropriate, integration, across all necessary areas, including joined-up commissioning plans and joined-up approach to securing external funding across the NHS, social care, voluntary and community sector and public health.</p> <p>(6) To explore partnership work across North Central London where appropriate.</p> <p>(5) Specific responsibilities for:</p> <ul style="list-style-type: none"> • Overseeing public health and promoting prevention agenda across the partnership • Developing further health and social care integration. 	<p>Chief Officer</p> <p>Barnet Healthwatch representative</p> <p>Barnet voluntary and community sector representative</p> <p>Independent Chair of the Adults and Children’s Safeguarding Boards (Non-Voting Member)</p> <p>Each member may nominate a substitute if they cannot attend.</p> <p>Requirement for proportionality is waived and voting rights allowed to members other than Members of the Council.</p> <p>Quorum 3</p> <p>The Quorum should consist of at least one Councillor and one health representative</p>
<p>Health Overview and Scrutiny Committee</p>	<p>(1) To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service and NHS bodies located within the London Borough of Barnet and in other areas.</p> <p>(2) To make reports and recommendations to Council, Health and Well Being Board, the Secretary of State for Health and/or other relevant authorities on health issues which affect or may affect the borough and its residents.</p> <p>(3) To recommend to Council entering into or appointing to joint overview and scrutiny committees that include the London Borough</p>	<p>10</p> <p>Chairman, Vice-Chairman, Members and substitutes to be appointed by Council</p>

	of Barnet and other boroughs for the purpose of responding to consultations by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.	
Urgency Committee	To consider any item of business which needs a decision as a matter of urgency and where a meeting of the relevant Committee is not scheduled to take place within the time period within which the decision is required.	3 Appointed by Council Quorum 2
Residents Forums <u>Chipping Barnet Residents Forum</u> Underhill, High Barnet, East Barnet, Oakleigh, Brunswick Park, Coppetts and Totteridge Wards. <u>Hendon Residents Forum</u> Hale, Edgware, Burnt Oak, West Hendon, Colindale, Hendon and Mill Hill Wards <u>Finchley and Golders Green Residents Forum</u> Woodhouse, West Finchley, Finchley Church End, Garden Suburb, Golders Green, Childs Hill and East Finchley Wards	Residents Forums provide an opportunity for any resident to raise matters affecting the area except matters relating to licensing and planning applications.	A Chairman and Vice-Chairman of each appointed by the Council.

<p>Local Strategic Partnership (Barnet Partnership Board)</p>	<p>A Local Strategic Partnership is an advisory committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet’s local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies</p>	<p>Leader of the Council</p> <p>Council representatives to be appointed by Annual Council</p> <p>Senior representatives from:</p> <ul style="list-style-type: none"> • Met Police • Middlesex University • Barnet Clinical Commissioning Group • Community Barnet • Brent Cross Shopping Centre • Barnet and Southgate College • Job Centre Plus
<p>Children’s Partnership Board</p>	<p>Barnet’s Children’s Partnership Board brings together all services for children and young people in the borough, to focus on hearing the voice of children and young people and improving their outcomes.</p> <p>Senior representatives from partner organisations make up the Children’s Partnership Board which keeps strategic oversight of the Barnet Children and Young People’s Partnership Plan. Each organisation has agreed to be responsible for implementing this plan which will be monitored by the Board.</p> <p>The legal framework underpinning Barnet’s Children’s Partnership Board arrangements is the ‘duty to cooperate’ and improve the well-being of children across the Borough, set out in S10 of the Children Act 2004. The terms of reference and membership will be the subject of annual review to take account of local or national changes and developments.</p> <p><u>General Responsibilities and Functions</u></p>	<p>The Board will be chaired by the Executive Director for Children’s Services</p> <p>Members are able to delegate a deputy of suitable authority if they are unable to attend, by agreement with the chairman.</p> <p>Current partners and members are:</p> <ul style="list-style-type: none"> • LB Barnet – Lead Member for Children’s Services; Executive Director for Children’s Services; Assistant Director Education Strategy & Partnerships; Commissioning Strategy & Policy Advisor; Assistant Director Commissioning & Strategy; Voice of the

	<p>The Children’s Partnership Board is accountable for the following:</p> <ul style="list-style-type: none"> • Ensuring the voice of children and young people is heard in Barnet • Developing and delivering the Children & Young People’s Plan. • Ensuring that the collective resources of the partners are being used to the best effect to meet the priorities in the Children & Young People’s Plan. • Resolving issues that block progress against the priorities. • Reviewing Plans and Strategies relating to Children and Young People in Barnet prior to consideration by executive groups (e.g. Children, Education & Safeguarding Committee, Health & Wellbeing Board, etc.) • Working with the Voluntary Sector in a particular approach to enable the best outcomes for children and young people <p>This includes shared responsibility for:</p> <ul style="list-style-type: none"> • Meeting the priorities in the Children & Young People’s Plan • Jointly developing, delivering and resourcing strategies and action plans necessary to meet the priorities • Addressing barriers to meeting the priorities and to identifying future needs, including communication, information and data sharing • Keeping Children’s workforce informed and involved, providing clear direction, development and training as necessary • Releasing staff to develop and attend network events • Clarifying and simplifying governance structures and decision-making • Ensuring that children, young people and families have a voice in decision making that affects them • Monitoring performance towards agreed outcomes and taking remedial action where necessary. • Building upon good practice and developing an evidence-based approach to what works. 	<p>Child Participation Officer; Housing Commissioning Lead; Commissioning Lead Growth & Development; Senior Communications & Campaigns Manager; Public Health Consultant;</p> <ul style="list-style-type: none"> • North Central London Clinical Commissioning Group (NCL CCG) – Director for Adults Joint Commissioning and CYP Health Commissioning Children’s Clinical Lead NHS; • Metropolitan Police – Inspector; • Schools – Three representative headteachers, one each from Barnet primary, secondary and special schools • Barnet Education & Learning Service – Chief Executive; • Voluntary Sector – Chief Executive, Inclusion Barnet; Chief Executive, Young Barnet Foundation; • Young Persons Representatives – Member of Barnet Youth Parliament 1; Member of Barnet Youth Parliament 2 • Multi-Faith Representative - Chair, Barnet Multi-Faith Forum; • Parent / Carer Group Representative – Chair of the Parent
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	<p>The partnerships remit includes the needs of all children and young people in Barnet under the age of 19, young people up to the age of 25 leaving care and young people up to the age of 25 with disabilities and/or learning difficulties. These responsibilities include effective transition arrangements, where necessary.</p> <p><u>Roles and Responsibilities of Board Members</u></p> <p>All members of the Board are required to agree to undertake the following:</p> <ul style="list-style-type: none"> • Attendance at all Board meetings (or representation provided by as senior replacement). • Members will be responsible for an effective two-way communication system whereby the decisions and aims of the Board are widely disseminated and relevant organisational issues from members' own agencies are communicated to the Board. • Provide leadership on strategic issues to members of the Board • Champion the objectives of the Children and Young People's Plan and ensure relevant activities within the plan are implemented by their organisation. • Contribute to the development of a strategic three to five-year vision <p>Meetings will be held quarterly and dates for each year will be set in advance.</p>	<p>Carer Forum</p> <p>Quorum 5 – must include the following:</p> <ul style="list-style-type: none"> • Chairman (or deputy) • At least one representative of the LB Barnet • At least one representative NCL CCG • At least one representative of Schools • At least one member representing the voluntary sector
<p>Safer Communities Partnership Board</p>	<p>The Safer Communities Partnership Board (SCPB) is the inter-agency mechanism in Barnet to reduce crime and anti-social behaviour and reoffending and promote social cohesion. It acts as the Crime and Disorder Reduction Partnership as defined (and required) by the 1998 Crime and Disorder Act and subsequent amendments including the 2006 Police and Justice Act and the 2009 Policing and Crime Act.</p> <p>The SCPB operates within the constitutional requirements of Barnet Council, the</p>	<p>Meetings will be quarterly and a quorum will comprise four members provided this consists of:</p> <p>The Chairman (Barnet Councillor) and Vice Chairman (Metropolitan Police)</p> <p>At least one other representative each of the Council and the</p>

	<p>Metropolitan Police and other partner agencies, who ensure that the Board’s approaches to policy formulation and resource allocation are consistent with those of the agencies concerned.</p> <p>It is taking forward one of the objectives in the strategy to develop an Integrated Offender Management system that brings together the different agencies involved in managing the punishment and rehabilitation of offenders in a much more efficient and joined up way, reducing the risks of reoffending and ensuring far more offenders complete their drug rehabilitation successfully.</p> <p>Barnet Safer Communities Partnership is an unincorporated body and therefore it does not have a legal personality. Its members work collectively within their own individual legal frameworks.</p>	<p>Metropolitan Police.</p> <p>Other current partners are:</p> <ul style="list-style-type: none"> • London Probation Trust • National Probation Service • London Fire Brigade • Barnet Clinical Commissioning Group • MOPAC (Mayor’s Office Policing/Crime) • Barnet Safer Neighbourhood Board • Middlesex University • North West London Magistrates’ Court • Inclusion Barnet • Victim Support, North London Division • Department for Work and Pensions • CommUNITY Barnet
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Substitute Members – Rules

- 7.6 A substitute Member may only attend, speak or vote at a meeting in place of a member usually from the same political group who is unable to attend the meeting. In the case of Area Committees, substitutions are made on the basis of ward.
- 7.7 Details of membership substitutions or apologies for absence will be detailed in the formal record of the meeting.

Quorum – Rules

- 7.8 If a Committee or Sub-Committee is inquorate, it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed for up to 15 minutes. When 15 minutes have elapsed, the Head of Governance or their representative will count the number of Members present and if there is no quorum, s/he will advise the meeting that no business can be transacted and the meeting will be cancelled.
- 7.9 If the Chairman finds that a quorum of Members is not present at any time during the meeting, the Chairman must adjourn the meeting until such time as a quorum is returned.

Chairman of Meetings

- 7.10 In exceptional circumstances, the Chairman may change the date or start time of any meeting, cancel or postpone any meeting or call any additional meeting by seeking and gaining the agreement of a majority of Members of the Committee.
- 7.11 If the Chairman is absent from a meeting the Vice-Chairman will take the Chair. If both are absent, the Head of Governance (or their representative) will open the meeting and he/she will seek nominations for the position of Chairman. A Chairman must be elected for the business of the meeting to be transacted.
- 7.12 Any procedural issues or challenges to the conduct of the meeting that arise during the course of a meeting shall be determined by the person presiding at the meeting.

Minutes

- 7.13 Apologies for absence, declaration of interests and the confirmation of the minutes of previous meetings are the first items of business at the meeting, (other than Licencing Sub-Committees) except when there is a need to elect a Chairman.
- 7.14 Minutes can only be amended to correct factual inaccuracy in the record, and not to make any retrospective amendment to the decisions made. The meeting will not proceed further until the minutes are approved, either amended or un-amended. Upon approval as a correct record, the Chairman shall sign the minutes.

Urgent Business

- 7.15 When an urgent matter has arisen after the publication and dispatch of an appropriate agenda the following procedure applies:
- 7.16 The Chairman has the authority to agree to take urgent items not on the agenda. The Chair will consult with the Vice-Chairman and Opposition Spokesperson for the committee. The Chairman (with advice from the Monitoring Officer as appropriate) needs to be satisfied as to the need for urgency under the following criteria:
- the item has arisen between the compilation of the agenda and the date of the meeting.
 - the item requires an urgent decision in the public interest which cannot be dealt with by other means
- 7.17 In all cases the reason for the urgency shall be clearly stated and recorded in the minutes of the meeting and the urgent item will be taken as the Chairman may decide.
- 7.18 If a decision on an issue is required as a matter of urgency [and there is no meeting scheduled] and if time allows under the provisions of the Access to
- Article 7 – Committees, Forums, Working Groups and Partnerships

Information Rules then a Committee comprising of the Leader, the Deputy Leader, and the Leader of the Opposition will be called. The decision may be within the terms of reference of another committee, but this will not invalidate the decision as the arrangements to discharge the function in cases of urgency is through a committee comprising the three specified members. The Committee must consult with the Chairman of the relevant Committee.

Six Month Rule

- 7.19 The Six-Month Rule shall apply whereby matters dealt with cannot be raised again within this period

Financial Performance and Contracts Committee Call-in Procedure

- 7.20 The following procedure applies after a decision has been made by the West London Economic Prosperity Board (a Joint Committee in accordance with section 102 of the Local Government Act 2000).

- 7.21 Paragraph 24.4 of the Function and Procedure rules of the West London Economic Prosperity Board read as follows

“Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Borough concerned have been concluded.”

- 7.22 Where a decision is made by the Board the decision shall be published. Once the decision is published then it may be implemented on the expiry of 7 working days after publication unless 10 members of the Council wish to call it in.

- 7.23 The notice seeking to invoke the call-in procedure must be communicated to the Head of Governance who will then notify the West London Economic Prosperity Board.

- 7.24 A notice seeking to invoke the call-in procedure must state at least one of the following grounds in support of the request for a call-in of the decision:

- Inadequate consultation with stakeholders prior to the decision;
- The absence of adequate evidence on which to base the decision;
- The action is not proportionate to the desired outcome;
- A potential human rights challenge;
- Insufficient consideration of legal and financial advice;
- The decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework of the Council;

- 7.25 A meeting of the Financial Performance and Contracts Committee (or Sub-Committee of the Committee created for this purpose), will be convened within 7 clear working days of the request for call-in.

- 7.26 The call-in procedure set out above shall not apply where the decision being taken by the West London Economic Prosperity Board is urgent. For the

purposes of this call-in procedure a decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the West London Economic Prosperity Board and the interests of Barnet. Reports to the West London Economic Prosperity Board must state that the report is urgent and provide the reasons for urgency.

- 7.27 The Chairman of the Financial Performance and Contracts Committee must agree that the decision proposed should be treated as a matter of urgency

Suspension of business at Committee and Sub-Committee meetings

- 7.28 No business at any meeting of a Committee or Sub-Committee shall be transacted after three hours after the start time of the meeting and any business transacted after that time shall be null and void. After three hours and without further debate the Chairman shall immediately put to the vote any motion or amendment, which has been formally moved and seconded.
- 7.29 At any meeting of the Council, Strategic Planning Committee and Planning Committees, the Mayor or Chairman at their sole discretion may extend the period for the transaction of business to three and a half hours after the start time of the meeting. This will be recorded in the Committee's decisions.

Voting and Recording of Votes

- 7.30 The mode of voting at all meetings of the Council, its Committees, Sub-Committees or Working Groups shall be determined by a show of hands except where otherwise provided by law or in these standing orders.
- 7.31 In cases where a vote is taken, the minutes of the meeting should record the number of votes for and against the matter together with the number of abstentions.
- 7.32 The Chairman will always have the right to exercise a casting vote in the event of equality of voting on a motion or amendment,
- 7.33 A Member of any committee can request that his/her vote be recorded in the minutes.

Filming and Recording of Meetings

- 7.34 Discreet, unlit, non-disruptive filming and recording of Council and Committee meetings by members of the public from the public gallery is allowed.

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Contract Procedure Rules

1 APPLICATION

- 1.1 These Contract Procedure Rules provide the governance structure for the Council to procure works, goods and services.
- 1.2 These mandatory Contract Procedure Rules apply to everyone who commissions or procures contracts on behalf of the Council, including external consultants and third party providers.
- 1.3 Approved Officers (Heads of Service and above) are accountable for all Procurement in their respective area of responsibility including following the Contract Procedure Rules and complying with operational procurement guidelines and codes of practice.
- 1.4 All Officers must ensure that the Council's approved processes and standards for Procurement, as set out in the Procurement Toolkit are adhered to. All information governance, insurance, safeguarding, social value (including Support to Local Community), conflict of interest and business continuity requirements must be adhered to in line with the Procurement Toolkit and the Council's Information Governance Policies.
- 1.5 The Director of Commercial & ~~ICT~~ [Customer Services](#) in consultation with the Director of ~~Finance Resources~~ shall maintain and issue the Contract Procedure Rules.
- 1.6 Customer Support Group (CSG) Procurement is responsible for ensuring Council awareness and compliance with all relevant Law. Any significant changes to relevant Law will be reflected in these Contract Procedure Rules.

2 SCOPE

- 2.1 The Contract Procedure Rules apply to all Procurement activities, including expenditure of external funding on Procurement, such as grant allocation, received by the Council from external sources [and may to apply CIL funding allocations agreed by area committees](#) -
- 2.2 The Contract Procedure Rules do not apply to Non-Procurement activities whereby the Council has to pay for a Service which it did not initiate or for payments where it is not appropriate to tender including (but not exclusively) inter-authority and inter-agency payments, subscriptions/memberships, emergency temporary accommodation for vulnerable people, assessments, ~~and~~ recoupment [and Council grant allocations](#). Payments to third parties for these activities are subject to authorisation by Finance.
- 2.3 Where the Council is entering into a Contract as an agent in collaboration with another public body or organisation which is the principal or lead body in the collaboration, these Contract Procedure Rules apply only in so far as they are consistent with the requirements of the principal or lead body

concerned. Where the Council is acting as principal or the lead body, these Contract Procedure Rules will take precedence.

- 2.4 Where the Council's schools have to abide by the Scheme for Financing Schools which requires them to follow Contract Standing Orders (CSO) for Schools, then the CSO for Schools shall take precedence over these Contract Procedure Rules.
- 2.5 These Contract Procedure Rules do not apply to any acquisition or disposal of any interest in land, ~~or to~~ including any transaction in land under section 75 of the National Health Services Act 2006; partnership arrangements between NHS bodies and the Council under section 75 of the National Health Services Act 2006 are not subject to these Contract Procedure Rules though procurement activities undertaken under any such arrangements may be.

3 CONTRACT VALUE CALCULATION

- 3.1 Contract value means the estimated aggregate or recurring value payable in pounds sterling exclusive of Value Added Tax over the entire Contract period including any form of options or extensions of the Contract. Where the Contract term is not fixed the estimated value of the Contract must be calculated by multiplying the monthly spend value by 48 in accordance with Regulation 6 of the Public Contracts Regulations 2015.
- 3.2 Contracts must not be artificially underestimated or disaggregated into two or more separate contracts with the intention of avoiding the application of Contract Procedure Rules or the Law.
- 3.3 In the case of Framework Agreements or Dynamic Purchasing Systems the contract value must be calculated to include the total estimated value, net of VAT, of all the contracts envisaged to be awarded for the total term of the Framework Agreement or the Dynamic Purchasing System.

4 AUTHORISATION

- 4.1 Any Procurement, including extensions and variations to Contracts set out in the Annual Procurement Forward Plan and approved by the Policy and Resources Committee, is deemed as Authorised irrespective of the Contract value, subject to 4.3 below.
- 4.2 Any Procurement which has not been Authorised as set out in 4.1 must be Authorised in accordance with the Authorisation and Acceptance Thresholds set out in these Rules and in Article 10 of the Constitution, Table B.
- 4.3 Any Procurement authorised via the Annual Procurement Forward Plan is subject to the following requirements:

- [Decisions below £500,000 as per the Authorisation and Acceptance Thresholds and Article 10, Table B.](#)
- [Decisions with a value between £500,000 and up to £1 million require a Chief Officer in consultation with Committee Chairman Delegated Powers Report](#)
- [Decisions more than £1 million subject to authorisation by appropriate theme committee.](#)

5 PROCUREMENT METHOD

- 5.1 The method of procurement is set out in [the Authorisation and Acceptance Thresholds and Article 10](#) ~~of the Constitution~~, Table B.
- 5.2 All Procurements for goods and services over £25,000 must be advertised on Contracts Finder within 24 hours of the time when the Procurement is advertised in any other way. Procurement over the ~~EU~~ [tender](#) financial threshold must be advertised [since 1 January 2021](#) in the [Find a Tender OJEU](#) first and then on Contracts Finder. A Contract award notice must also be published on Contracts Finder. CSG Procurement will arrange this [through provision of softcopy authorised contract from service area to procurement.](#)
- 5.3 Commissioners may decide to award a contract in the form of separate lots and may determine the size and subject-matter of such lots. If commissioners decide not to subdivide into lots they must document the main reasons for their decision.
- 5.4 Where the Council accesses an existing Framework Agreement, the Framework Agreement terms and conditions of contract must be used, amended as appropriate as permitted by the Framework Agreement. Before entering into a Framework Agreement due diligence checks must be carried out to demonstrate that the Council can lawfully access the Framework Agreement and that it is fit for purpose and provides value for money.
- 5.5 For activities that result in a contractual obligation for social care placements and special education needs where the decision has been made on the Council's behalf (such as court directed order, personal budget/statement request or an individual's specific needs) the authority to sign off to award an individual funding agreement in accordance with the decision-making framework is contained within the Article 10 (Decision-Making) as set out in the Constitution.
- 5.6 Procurement activity for Contracts for certain health, social, community, educational and cultural related services, "Light-Touch Regime Services" whose value is equal to or over the threshold of £663,540 must be tendered and awarded in compliance with the Public [Procurement Contracts](#) Regulations 2015. Refer to the CSG Procurement Team to advise

on the procedures to be applied in connection with the award of these Contracts.

- 5.7 For Procurements below the [EU-tender](#) financial threshold only Suitability Assessment Questions can be asked. This means there can be no SQ stage.
- 5.8 For Contracts under the [OJEU-tender](#) financial threshold the Director Commercial & [ICT-Customer](#) Services may waive the requirement to seek 2 written quotes subject to a Chief Officer Decision being provided, demonstrating that the market place has been fully tested and the Council has obtained value for money.
- 5.9 The award of Contracts will be based on the most economically advantageous tender assessed from the Council's point of view.
- 5.10 Commissioners shall require tenderers to explain the price or costs proposed in the tender where tenders appear to be abnormally low in relation to the works, goods or services

6 SINGLE TENDER ACTION

- 6.1 A Single Tender Action is the awarding of a Contract to a contractor without undertaking a competitive tendering exercise. This is permitted only in exceptional circumstances and should be approved in advance by the [Director of Resources \(S151 Officer\) and Director](#) Commercial & [ICT-Customer](#) Services ~~Director~~. Procurement advice should be sought in all cases. Exceptional circumstances may include where the works, supplies or services can be supplied only by a particular supplier.
- 6.2 Where a competition has been undertaken and only a single bid has been received the [Director of Resources \(S151 Officer\) and Director](#) Commercial & [ICT-Customer](#) Services ~~Director~~ can approve the award of a Contract, subject to an appropriate review being undertaken and an audit trail being available for inspection.

7 CONCESSION CONTRACTS

- 7.1 Concession Contracts are contracts under which the council outsources works or services to a contractor or provider, who then has the right to commercially exploit those works or services in order to recoup its investment and make a return. The key feature is that the contractor/provider bears the operating risk of the arrangement and so has no guarantee of recouping its investment or operating costs.
- 7.2 Concession Contracts must meet certain requirements and advice should be sought from Legal Services and CSG Procurement.

8 ACCEPTANCE

- 8.1 Acceptance of Contracts must be in accordance with Article 10 Table B of the Constitution, and in all cases is subject to: Budget provision; a compliant Procurement process; and confirmation of acceptable financial status of the contractor.
- 8.2 Acceptance of Contracts with independent providers of individual placements for children or adults will in the first instance be achieved through approved frameworks or approved lists of providers. Where requirements cannot be met through approved frameworks or approved lists, authority is delegated to the relevant officer of a service area under the scheme of delegation in the council's Constitution to enter into contract with a new independent provider.
- 8.3 Acceptance thresholds for Contract extensions and variations are set out in Article 10 Table B of the Constitution.
- 8.4 The financial evaluation of tenders will be undertaken by:
- CSG Procurement if the Contract is valued at less than £189,330 for goods or services or less than £4,733,252 for works, or;
 - A Financial Officer as delegated by the Director of Finance if: (a) the contract is valued at £189,330 or more, for goods or services; or (b) the contract is valued at £4,733,252 or more for works; or (c) the Director of Finance considers that the Contract has a significant impact on the council's finances.

9 CONTRACT SIGNING and SEALING

- 9.1 Every Contract must be in a form approved by Legal services or delegated officer, if its value exceeds £25,000 or where appropriate to the nature of the Contract.
- 9.2 All Contracts awarded following a Procurement process with a Contract value above the [EU-tender](#) financial threshold shall be sealed unless Legal Services or delegated officer directs otherwise.
- 9.3 Contracts and Framework Agreements must be sealed. Call-off Contracts from a Framework Agreement under the [EU-tender](#) financial threshold do not require sealing and need only be signed by a Council Officer in accordance with the Scheme of Delegation.

10 CONTRACT MANAGEMENT

- 10.1 During the life of the Contract Approved Officers must ensure that the Council's approved processes for Contract Management, as set out in the

Contract Management Toolkit are adhered to. In particular to ensure continuous improvement and value for money is achieved all Approved Officers must ensure that those responsible for managing Contracts undergo CSG Procurement approved training

11 EXTENSIONS and VARIATIONS

- 11.1 Contracts that have been originally advertised with extension options and which contain clear extension options can be extended subject to acceptance under Article 10 Table B of the Constitution and under Regulation 72 of the Public Contracts Regulations 2015 certain amendments, and extensions or renewals of an existing Contract can be made without triggering a requirement for a new Procurement exercise, subject to submit financial limits. Where necessary seek advice from Legal and CSG Procurement.
- 11.2 Placement Agreements for individuals in Social Care or Educational Needs may be varied or extended without reference to the Variation or Extension Acceptance levels and documentation set out in Article 10 of the Constitution, Table B.
- 11.3 The value referred to in Article 10 of the Constitution, Table B in the column headed 'Variation or extension Acceptance' is the total value of the original Contract value plus the addition of the value of any extensions and/or variations i.e. the total value of the extended or varied Contract.
- 11.4 In addition to the requirements of Regulation 72 Contracts may only be extended or varied if all of the following conditions have been met:
- the initial Contract was based on a Contract Procedure Rules compliant competitive tender or quotation process;
 - the value of the extension or variation added to the value of the original Contract does not exceed the original Authorisation threshold as defined in Article 10 of the Constitution, Table B;
 - the extension or variation has an approved Budget allocation;
 - if the initial Contract was subject to an EU regulated tender procedure, that the extension option was declared within the OJEU contract notice and the original Acceptance report (Delegated Powers Report/relevant Committee Report);
- 11.5 Where the Procurement results in a Contract which includes a provision for an extension, any Acceptance of that extension needs to be in accordance with Article 10 of the Constitution, Table B.
- 11.6 If any of the conditions at 11.4 or 11.5 cannot be met, then a new Procurement exercise must be commenced.

- 11.7 Where a variation or extension moves the total value of the Contract into a higher threshold, then acceptance must be sought in accordance with Article 10 of the Constitution, Table B.

12 WAIVERS

- 12.1 If the application of these Contract Procedure Rules prevents or inhibits the delivery or continuity of service, Approved Officers (Heads of Service or above) may apply for a waiver. All applications for a waiver of these Contract Procedure Rules must be submitted to Policy and Resources Committee specifically identifying the reason for which a waiver is sought, including justification and risk.
- 12.2 -Approved Officers may take decisions on emergency matters (i.e. an unexpected occurrence requiring immediate action) in consultation with the Chairman of Policy and Resources Committee providing they report to the next available Policy and Resources Committee, setting out the reasons for the emergency waiver. A copy of the relevant Policy and Resources Committee report must be provided to CSG Procurement and stored on the Council's contract repository.

Any waiver should only be granted for a maximum period of 12 months, except in exceptional case

Authorisation and Acceptance Thresholds

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
A	Under £10,000	Council Officer as designated by approved Scheme of Delegation	Under £10k Audit Form	Reasonable means of selection * and evidence of having sourced and considered the local Barnet supplier market	Council Officer as designated by approved Scheme of Delegation	Under £10k Audit Form	Must move to next threshold if £10,000 or above	Under £10k Audit Form	Purchase Order
B	£10,000 - £24,999	Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan	Chief Officer Decision Report	Minimum 2 written Competitive Quotations sought**	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Must move to next threshold if £25,000 or above	Chief Officer Decision Report	Purchase Order
C	£25,000 - £189,329	Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan	Chief Officer Decision Report	Minimum 2 written quotations No SQ – Suitability Assessment Questions only	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Signed Contract Contract Award Notice
D	£189,330 - £500,000	Delegated Powers Report; or Procurement Forward Plan	Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report	Services/Goods – OJEU Tender Works – Competitive Quotation	Council Officer as designated by approved Scheme of Delegation	Officer Delegated Power Report	Council Officer as designated by approved Scheme of Delegation	If within Budget: Officer Delegated Power Report If not within Budget: Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report	Signed and sealed contract Contract Award Notice

Contract Procedure Rules

January-April 2021

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
E	£500,000 and above	Relevant Theme Committee Report; or Procurement Forward Plan	<p>For items authorised via the Procurement Forward Plan:</p> <p>Value between £500,000 and up to £1 million – Chief Officer in consultation with Theme Committee Chairman Delegated Powers Report; and</p> <p>Decisions more than £1 million subject to authorisation by appropriate theme committee.</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,733,252</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,733,252</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social car related services: Light Touch Regime Tender above £633,540</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Theme Committee Report</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Committee Report</p>	Signed and sealed contract Contract Award Notice

Contract Procedure Rules

January-April 2021



Contract Procedure Rules

1 APPLICATION

- 1.1 These Contract Procedure Rules provide the governance structure for the Council to procure works, goods and services.
- 1.2 These mandatory Contract Procedure Rules apply to everyone who commissions or procures contracts on behalf of the Council, including external consultants and third party providers.
- 1.3 Approved Officers (Heads of Service and above) are accountable for all Procurement in their respective area of responsibility including following the Contract Procedure Rules and complying with operational procurement guidelines and codes of practice.
- 1.4 All Officers must ensure that the Council's approved processes and standards for Procurement, as set out in the Procurement Toolkit are adhered to. All information governance, insurance, safeguarding, social value (including Support to Local Community), conflict of interest and business continuity requirements must be adhered to in line with the Procurement Toolkit and the Council's Information Governance Policies.
- 1.5 The Director of Commercial & Customer Services in consultation with the Director of Resources shall maintain and issue the Contract Procedure Rules.
- 1.6 Customer Support Group (CSG) Procurement is responsible for ensuring Council awareness and compliance with all relevant Law. Any significant changes to relevant Law will be reflected in these Contract Procedure Rules.

2 SCOPE

- 2.1 The Contract Procedure Rules apply to all Procurement activities, including expenditure of external funding on Procurement, such as grant allocation, received by the Council from external sources and may to apply CIL funding allocations agreed by area committees
- 2.2 The Contract Procedure Rules do not apply to Non-Procurement activities whereby the Council has to pay for a Service which it did not initiate or for payments where it is not appropriate to tender including (but not exclusively) inter-authority and inter-agency payments, subscriptions/memberships, emergency temporary accommodation for vulnerable people, assessments, recoupment and Council grant allocations. Payments to third parties for these activities are subject to authorisation by Finance.
- 2.3 Where the Council is entering into a Contract as an agent in collaboration with another public body or organisation which is the principal or lead body in the collaboration, these Contract Procedure Rules apply only in so far as they are consistent with the requirements of the principal or lead body

concerned. Where the Council is acting as principal or the lead body, these Contract Procedure Rules will take precedence.

- 2.4 Where the Council's schools have to abide by the Scheme for Financing Schools which requires them to follow Contract Standing Orders (CSO) for Schools, then the CSO for Schools shall take precedence over these Contract Procedure Rules.
- 2.5 These Contract Procedure Rules do not apply to any acquisition or disposal of any interest in land including any transaction in land under section 75 of the National Health Services Act 2006; partnership arrangements between NHS bodies and the Council under section 75 of the National Health Services Act 2006 are not subject to these Contract Procedure Rules though procurement activities undertaken under any such arrangements may be.

3 CONTRACT VALUE CALCULATION

- 3.1 Contract value means the estimated aggregate or recurring value payable in pounds sterling exclusive of Value Added Tax over the entire Contract period including any form of options or extensions of the Contract. Where the Contract term is not fixed the estimated value of the Contract must be calculated by multiplying the monthly spend value by 48 in accordance with Regulation 6 of the Public Contracts Regulations 2015.
- 3.2 Contracts must not be artificially underestimated or disaggregated into two or more separate contracts with the intention of avoiding the application of Contract Procedure Rules or the Law.
- 3.3 In the case of Framework Agreements or Dynamic Purchasing Systems the contract value must be calculated to include the total estimated value, net of VAT, of all the contracts envisaged to be awarded for the total term of the Framework Agreement or the Dynamic Purchasing System.

4 AUTHORISATION

- 4.1 Any Procurement, including extensions and variations to Contracts set out in the Annual Procurement Forward Plan and approved by the Policy and Resources Committee, is deemed as Authorised irrespective of the Contract value, subject to 4.3 below.
- 4.2 Any Procurement which has not been Authorised as set out in 4.1 must be Authorised in accordance with the Authorisation and Acceptance Thresholds set out in these Rules and in Article 10, Table B.
- 4.3 Any Procurement authorised via the Annual Procurement Forward Plan is subject to the following requirements:

- Decisions below £500,000 as per the Authorisation and Acceptance Thresholds and Article 10, Table B.
- Decisions with a value between £500,000 and up to £1 million require a Chief Officer in consultation with Committee Chairman Delegated Powers Report
- Decisions more than £1 million subject to authorisation by appropriate theme committee.

5 PROCUREMENT METHOD

- 5.1 The method of procurement is set out in the Authorisation and Acceptance Thresholds and Article 10, Table B.
- 5.2 All Procurements for goods and services over £25,000 must be advertised on Contracts Finder within 24 hours of the time when the Procurement is advertised in any other way. Procurement over the tender financial threshold must be advertised since 1 January 2021 in the Find a Tender first and then on Contracts Finder. A Contract award notice must also be published on Contracts Finder. CSG Procurement will arrange this through provision of softcopy authorised contract from service area to procurement.
- 5.3 Commissioners may decide to award a contract in the form of separate lots and may determine the size and subject-matter of such lots. If commissioners decide not to subdivide into lots they must document the main reasons for their decision.
- 5.4 Where the Council accesses an existing Framework Agreement, the Framework Agreement terms and conditions of contract must be used, amended as appropriate as permitted by the Framework Agreement. Before entering into a Framework Agreement due diligence checks must be carried out to demonstrate that the Council can lawfully access the Framework Agreement and that it is fit for purpose and provides value for money.
- 5.5 For activities that result in a contractual obligation for social care placements and special education needs where the decision has been made on the Council's behalf (such as court directed order, personal budget/statement request or an individual's specific needs) the authority to sign off to award an individual funding agreement in accordance with the decision-making framework is contained within the Article 10 (Decision-Making) as set out in the Constitution.
- 5.6 Procurement activity for Contracts for certain health, social, community, educational and cultural related services, "Light-Touch Regime Services" whose value is equal to or over the threshold of £663,540 must be tendered and awarded in compliance with the Public Contracts Regulations 2015. Refer to the CSG Procurement Team to advise on the procedures to be applied in connection with the award of these Contracts.

- 5.7 For Procurements below the tender financial threshold only Suitability Assessment Questions can be asked. This means there can be no SQ stage.
- 5.8 For Contracts under the tender financial threshold the Director Commercial & Customer Services may waive the requirement to seek 2 written quotes subject to a Chief Officer Decision being provided, demonstrating that the market place has been fully tested and the Council has obtained value for money.
- 5.9 The award of Contracts will be based on the most economically advantageous tender assessed from the Council's point of view.
- 5.10 Commissioners shall require tenderers to explain the price or costs proposed in the tender where tenders appear to be abnormally low in relation to the works, goods or services

6 SINGLE TENDER ACTION

- 6.1 A Single Tender Action is the awarding of a Contract to a contractor without undertaking a competitive tendering exercise. This is permitted only in exceptional circumstances and should be approved in advance by the Director of Resources (S151 Officer) and Director Commercial & Customer Services. Procurement advice should be sought in all cases. Exceptional circumstances may include where the works, supplies or services can be supplied only by a particular supplier.
- 6.2 Where a competition has been undertaken and only a single bid has been received the Director of Resources (S151 Officer) and Director Commercial & Customer Services can approve the award of a Contract, subject to an appropriate review being undertaken and an audit trail being available for inspection.

7 CONCESSION CONTRACTS

- 7.1 Concession Contracts are contracts under which the council outsources works or services to a contractor or provider, who then has the right to commercially exploit those works or services in order to recoup its investment and make a return. The key feature is that the contractor/provider bears the operating risk of the arrangement and so has no guarantee of recouping its investment or operating costs.
- 7.2 Concession Contracts must meet certain requirements and advice should be sought from Legal Services and CSG Procurement.

8 ACCEPTANCE

- 8.1 Acceptance of Contracts must be in accordance with Article 10 Table B of the Constitution, and in all cases is subject to: Budget provision; a compliant Procurement process; and confirmation of acceptable financial status of the contractor.
- 8.2 Acceptance of Contracts with independent providers of individual placements for children or adults will in the first instance be achieved through approved frameworks or approved lists of providers. Where requirements cannot be met through approved frameworks or approved lists, authority is delegated to the relevant officer of a service area under the scheme of delegation in the council's Constitution to enter into contract with a new independent provider.
- 8.3 Acceptance thresholds for Contract extensions and variations are set out in Article 10 Table B of the Constitution.
- 8.4 The financial evaluation of tenders will be undertaken by:
- CSG Procurement if the Contract is valued at less than £189,330 for goods or services or less than £4,733,252 for works, or;
 - A Financial Officer as delegated by the Director of Finance if: (a) the contract is valued at £189,330 or more, for goods or services; or (b) the contract is valued at £4,733,252 or more for works; or (c) the Director of Finance considers that the Contract has a significant impact on the council's finances.

9 CONTRACT SIGNING and SEALING

- 9.1 Every Contract must be in a form approved by Legal services or delegated officer, if its value exceeds £25,000 or where appropriate to the nature of the Contract.
- 9.2 All Contracts awarded following a Procurement process with a Contract value above the tender financial threshold shall be sealed unless Legal Services or delegated officer directs otherwise.
- 9.3 Contracts and Framework Agreements must be sealed. Call-off Contracts from a Framework Agreement under the tender financial threshold do not require sealing and need only be signed by a Council Officer in accordance with the Scheme of Delegation.

10 CONTRACT MANAGEMENT

- 10.1 During the life of the Contract Approved Officers must ensure that the Council's approved processes for Contract Management, as set out in the Contract Management Toolkit are adhered to. In particular to ensure continuous improvement and value for money is achieved all Approved

Officers must ensure that those responsible for managing Contracts undergo CSG Procurement approved training

11 EXTENSIONS and VARIATIONS

- 11.1 Contracts that have been originally advertised with extension options and which contain clear extension options can be extended subject to acceptance under Article 10 Table B of the Constitution and under Regulation 72 of the Public Contracts Regulations 2015 certain amendments, and extensions or renewals of an existing Contract can be made without triggering a requirement for a new Procurement exercise, subject to submit financial limits. Where necessary seek advice from Legal and CSG Procurement.
- 11.2 Placement Agreements for individuals in Social Care or Educational Needs may be varied or extended without reference to the Variation or Extension Acceptance levels and documentation set out in Article 10 of the Constitution, Table B.
- 11.3 The value referred to in Article 10 of the Constitution, Table B in the column headed 'Variation or extension Acceptance' is the total value of the original Contract value plus the addition of the value of any extensions and/or variations i.e. the total value of the extended or varied Contract.
- 11.4 In addition to the requirements of Regulation 72 Contracts may only be extended or varied if all of the following conditions have been met:
- the initial Contract was based on a Contract Procedure Rules compliant competitive tender or quotation process;
 - the value of the extension or variation added to the value of the original Contract does not exceed the original Authorisation threshold as defined in Article 10 of the Constitution, Table B;
 - the extension or variation has an approved Budget allocation;
 - if the initial Contract was subject to an EU regulated tender procedure, that the extension option was declared within the OJEU contract notice and the original Acceptance report (Delegated Powers Report/relevant Committee Report);
- 11.5 Where the Procurement results in a Contract which includes a provision for an extension, any Acceptance of that extension needs to be in accordance with Article 10 of the Constitution, Table B.
- 11.6 If any of the conditions at 11.4 or 11.5 cannot be met, then a new Procurement exercise must be commenced.
- 11.7 Where a variation or extension moves the total value of the Contract into a higher threshold, then acceptance must be sought in accordance with Article 10 of the Constitution, Table B.

12 WAIVERS

- 12.1 If the application of these Contract Procedure Rules prevents or inhibits the delivery or continuity of service, Approved Officers (Heads of Service or above) may apply for a waiver. All applications for a waiver of these Contract Procedure Rules must be submitted to Policy and Resources Committee specifically identifying the reason for which a waiver is sought, including justification and risk.
- 12.2 Approved Officers may take decisions on emergency matters (i.e. an unexpected occurrence requiring immediate action) in consultation with the Chairman of Policy and Resources Committee providing they report to the next available Policy and Resources Committee, setting out the reasons for the emergency waiver. A copy of the relevant Policy and Resources Committee report must be provided to CSG Procurement and stored on the Council's contract repository.

Any waiver should only be granted for a maximum period of 12 months, except in exceptional case

Authorisation and Acceptance Thresholds

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
A	Under £10,000	Council Officer as designated by approved Scheme of Delegation	Under £10k Audit Form	Reasonable means of selection * and evidence of having sourced and considered the local Barnet supplier market	Council Officer as designated by approved Scheme of Delegation	Under £10k Audit Form	Must move to next threshold if £10,000 or above	Under £10k Audit Form	Purchase Order
B	£10,000 - £24,999	Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan	Chief Officer Decision Report	Minimum 2 written Competitive Quotations sought**	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Must move to next threshold if £25,000 or above	Chief Officer Decision Report	Purchase Order
C	£25,000 - £189,329	Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan	Chief Officer Decision Report	Minimum 2 written quotations No SQ – Suitability Assessment Questions only	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Signed Contract Contract Award Notice
D	£189,330 - £500,000	Delegated Powers Report; or Procurement Forward Plan	Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report	Services/Goods – OJEU Tender Works – Competitive Quotation	Council Officer as designated by approved Scheme of Delegation	Officer Delegated Power Report	Council Officer as designated by approved Scheme of Delegation	If within Budget: Officer Delegated Power Report If not within Budget: Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report	Signed and sealed contract Contract Award Notice

Contract Procedure Rules

April 2021

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
E	£500,000 and above	Relevant Theme Committee Report; or Procurement Forward Plan	<p>For items authorised via the Procurement Forward Plan:</p> <p>Value between £500,000 and up to £1 million – Chief Officer in consultation with Theme Committee Chairman Delegated Powers Report; and</p> <p>Decisions more than £1 million subject to authorisation by appropriate theme committee.</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,733,252</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,733,252</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social care related services: Light Touch Regime Tender above £633,540</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Theme Committee Report</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Committee Report</p>	Signed and sealed contract Contract Award Notice

Contract Procedure Rules

April 2021

Article 10 – Decision Making

10.1 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

- (a) proportionality / the action to be proportionate to the desired outcome;
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights and equalities;
- (d) presumption in favour of openness and transparency;
- (e) clarity of aims and desired outcomes
- (f) consideration of any alternative options;
- (g) the giving of reasons for the decision and the recording of reasons.

10.2 Decision making by Full Council

Decisions reserved to Full Council are set out in Article 4. The Council meeting will follow the Full Council Procedure Rules in Part 2 of the Constitution when considering any matter.

10.3 Decision making by Committees

Apart from matters reserved to Full Council, committees and sub-committees will be responsible under their terms of reference for all decisions which are key (as defined in Article 2). All Theme Committee reports (Policy & Resources; Children, Education, Libraries & Safeguarding; Adults & Safeguarding; Environment; Housing & Growth; Community Leadership) will be in the name of the Chairman and approved by him/her and all reports for all committees will be cleared by the Chairman other than Planning and Licensing Sub-Committees.

10.4 Decision making by Chief Officers jointly with Theme Committee Chairmen

Chief Officers in consultation with Theme Committee Chairmen (Policy & Resources; Children, Education & Safeguarding; Adults & Safeguarding; Environment; Housing & Growth; Community Leadership and Libraries) have delegated authority to make decisions which are not key decisions and which have a value between £189,330 and £500,000. A written report will be prepared for every decision.

10.5 Decision making by Chief Officers

Chief Officers have delegated authority to make decisions in accordance with the powers delegated (see Article 9) and other Officers under the Schemes of Delegation maintained by Chief Officers and published on the council's website. A written report is not necessary (except for decisions which (i) grant a permission or licence; (ii) affect the rights of an individual; or (iii) award a contract or incur expenditure which, in either case, materially affects that

relevant local government body's financial position) but the Chief Officer will maintain a list of all decisions over £50,000 as required under Article 9.

10.6 **Decision making by Council bodies acting as tribunals**

The Council, a councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

10.7 **Urgent Decisions**

If a decision on an issue is required as a matter of urgency an Urgency Committee comprising of the Leader, the Deputy Leader, and the Leader of the Opposition will be called. The Chairman of the relevant Committee should be consulted.

Reports to committees marked as urgent are exempt from referral to Council or parent committee (see Article 2, Section 2.3 (e)). Where a report is marked as urgent, the reason for urgency must be clearly stated in the body of the report and consultation must occur with the Chairman in the case of a committee report, or the relevant Chief Officer in the case of a delegated powers report.

10.8 **Key Decisions**

A key decision is one which will result in the council incurring expenditure or savings of £500,000 or more, or is significant in terms of its effects on communities living or working in an area comprising two or more Wards.

10.9 **Emergency Decisions**

The Chief Executive or relevant Chief Officer is empowered on behalf and in the name of the Council to take decisions in exceptional circumstances on emergency matters which would normally require a committee decision where it is not possible to convene a meeting of a committee provided that:

1. The Leader, or in his/her absence, the Deputy Leader are consulted on the reasons for it being an emergency matter;
2. In respect of matters falling within the terms of reference of a committee: the Chief executive or relevant Chief Officer will consult with the Chairman, or in his/her absence, the Vice-Chairman; and a report on the decision will be reported to the next meeting of the committee.

10.10 **Decisions relating to Property**

(See Table A below) Where the Council is required by law to sell or let or otherwise dispose of its property no decision is required to authorise the transaction.

10.11 Decisions relating to Procurement
(See Table B below).

TABLE A – Land and Property Transactions Authorisation Delegated Powers¹

	Authorisation Level²	Acquisitions	Lease in	Lease out for Rent or Consideration	Licences, Easements and Consents	Compensations, Settlements and Covenants	Disposals	Compulsory transaction
A	<i>Less than £189,330</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Full DPR – Deputy Chief Executive (unless a Less Than Best transaction, which must be reported to Housing and Growth Committee)</i>	<i>Approved Officer</i>
B	<i>£189,330 to £500,000</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>		<i>As B</i>
C	<i>More than £500,000 (Key Decision)</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>As C</i>
D	<i>'Non-Value' Variations post Authorisation</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision – Deputy Chief Executive Report to next Housing and Growth Committee</i>	<i>As A above</i>

¹ This Table applies to Land and Building activity NOT included in the approved Annual Work Plan

² These values may be either Capital or Annualised Income/Expenditure

Authorisation and Acceptance Thresholds

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
A	<u>Under £10,000</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Under £10k Audit Form</u>	<u>Reasonable means of selection * and evidence of having sourced and considered the local Barnet supplier market</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Under £10k Audit Form</u>	<u>Must move to next threshold if £10,000 or above</u>	<u>Under £10k Audit Form</u>	<u>Purchase Order</u>
B	<u>£10,000 - £24,999</u>	<u>Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan</u>	<u>Chief Officer Decision Report</u>	<u>Minimum 2 written Competitive Quotations sought**</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Chief Officer Decision Report</u>	<u>Must move to next threshold if £25,000 or above</u>	<u>Chief Officer Decision Report</u>	<u>Purchase Order</u>
C	<u>£25,000 - £189,329</u>	<u>Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan</u>	<u>Chief Officer Decision Report</u>	<u>Minimum 2 written quotations</u> <u>No SQ – Suitability Assessment Questions only</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Chief Officer Decision Report</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Chief Officer Decision Report</u>	<u>Signed Contract Contract Award Notice</u>
D	<u>£189,330 - £500,000</u>	<u>Delegated Powers Report; or Procurement Forward Plan</u>	<u>Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report</u>	<u>Services/Goods – OJEU Tender Works – Competitive Quotation</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Officer Delegated Power Report</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>If within Budget: Officer Delegated Power Report</u> <u>If not within Budget: Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report</u>	<u>Signed and sealed contract Contract Award Notice</u>

Article 10 - Decision Making

~~February~~ April 2021

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
E	£500,000 and above	Relevant Theme Committee Report; or Procurement Forward Plan	<p>For items authorised via the Procurement Forward Plan:</p> <p>Value between £500,000 and up to £1 million – Chief Officer in consultation with Theme Committee Chairman Delegated Powers Report; and</p> <p>Decisions more than £1 million subject to authorisation by appropriate theme committee.</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,733,252</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,733,252</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social car related services: Light Touch Regime Tender above £633,540</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Theme Committee Report</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Committee Report</p>	Signed and sealed contract Contract Award Notice

Table B – Authorisation and Acceptance Thresholds

	<i>Procurement value</i>	<i>Authorisation to commence a procurement process & Documentation</i>	<i>Procurement method</i>	<i>Acceptance process & Documentation</i>	<i>Variation or extension Acceptance & Documentation</i>	<i>Supplier Notification method and contract</i>
A	<i>Under £10,000 (Purchase Order)</i>	<i>Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Audit trail</i>	<i>Reasonable means of selection* and evidence of having sourced and considered the local Barnet supplier market</i>	<i>Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Audit trail</i>	<i>Must move to next threshold if £10,000 or above Authorisation documentation: Audit trail</i>	<i>Purchase Order</i>
B	<i>£10,000 – £50,000</i>	<i>Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Audit trail; or Procurement Forward Plan</i>	<i>Minimum 2 written Competitive Quotations sought**</i>	<i>Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Chief Officer List of Decisions</i>	<i>Must move to next threshold if above £50,000 Authorisation documentation: Chief Officer List of Decisions</i>	<i>Purchase Order Signed contract over £25k value</i>

C	£50,001 – £189,329	<p><i>Approved Officer</i></p> <p><i>Authorisation documentation: Chief Officer List of Decisions; or Procurement Forward Plan</i></p>	<p><i>Minimum 2 written quotations</i></p> <p><i>No SQ – Suitability Assessment Questions only</i></p>	<p><i>Approved Officer</i></p> <p><i>Authorisation documentation: Chief Officer List of Decisions</i></p>	<p><i>Chief Officer List of Decisions</i></p>	<p><i>Signed contract</i></p>
D	£189,330 – £500,000	<p><i>Authorisation documentation: Full DPR (Chief Officer in consultation with Theme Committee Chairman); or Procurement Forward Plan</i></p>	<p><i>Services/Goods – OJEU Tender</i></p> <p><i>Works – Competitive Quotation</i></p>	<p><i>Authorisation documentation: Full DPR</i></p>	<p><i>If within Budget: Full (Chief Officer) DPR</i></p> <p><i>If not within Budget: Relevant Thematic Committee</i></p>	<p><i>Standstill Notification letter released following statutory officer report review</i></p> <p><i>Publication of report post standstill period</i></p> <p><i>Signed and sealed contract</i></p>

£	£500,000 and above	<p>Authorisation documentation:</p> <p>Relevant Theme Committee Decision; or Procurement Forward Plan</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,733,252</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,733,252</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social care related services: Light Touch Regime Tender above. £663,540</p>	<p>Authorisation documentation:</p> <p>If within Budget—Full DPR (Chief Officer in consultation with Theme Committee Chairman)</p> <p>If not within Budget: Relevant Thematic Committee Report; or Policy and Resources Committee Report</p>	<p>If within Budget: Full DPR (Chief Officer in consultation with Theme Committee Chairman)</p> <p>If not within Budget: Relevant Thematic Committee</p>	<p>Standstill Notification letter released following statutory officer report review Publication of report post standstill period Signed and sealed contract</p>
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Article 10 – Decision Making

10.1 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

- (a) proportionality / the action to be proportionate to the desired outcome;
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights and equalities;
- (d) presumption in favour of openness and transparency;
- (e) clarity of aims and desired outcomes
- (f) consideration of any alternative options;
- (g) the giving of reasons for the decision and the recording of reasons.

10.2 Decision making by Full Council

Decisions reserved to Full Council are set out in Article 4. The Council meeting will follow the Full Council Procedure Rules in Part 2 of the Constitution when considering any matter.

10.3 Decision making by Committees

Apart from matters reserved to Full Council, committees and sub-committees will be responsible under their terms of reference for all decisions which are key (as defined in Article 2). All Theme Committee reports (Policy & Resources; Children, Education, Libraries & Safeguarding; Adults & Safeguarding; Environment; Housing & Growth; Community Leadership) will be in the name of the Chairman and approved by him/her and all reports for all committees will be cleared by the Chairman other than Planning and Licensing Sub-Committees.

10.4 Decision making by Chief Officers jointly with Theme Committee Chairmen

Chief Officers in consultation with Theme Committee Chairmen (Policy & Resources; Children, Education & Safeguarding; Adults & Safeguarding; Environment; Housing & Growth; Community Leadership and Libraries) have delegated authority to make decisions which are not key decisions and which have a value between £189,330 and £500,000. A written report will be prepared for every decision.

10.5 Decision making by Chief Officers

Chief Officers have delegated authority to make decisions in accordance with the powers delegated (see Article 9) and other Officers under the Schemes of Delegation maintained by Chief Officers and published on the council's website. A written report is not necessary (except for decisions which (i) grant a permission or licence; (ii) affect the rights of an individual; or (iii) award a contract or incur expenditure which, in either case, materially affects that

relevant local government body's financial position) but the Chief Officer will maintain a list of all decisions over £50,000 as required under Article 9.

10.6 Decision making by Council bodies acting as tribunals

The Council, a councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

10.7 Urgent Decisions

If a decision on an issue is required as a matter of urgency an Urgency Committee comprising of the Leader, the Deputy Leader, and the Leader of the Opposition will be called. The Chairman of the relevant Committee should be consulted.

Reports to committees marked as urgent are exempt from referral to Council or parent committee (see Article 2, Section 2.3 (e)). Reports to committees marked as urgent are exempt from referral to Council or parent committee (see Article 2, Section 2.3 (e)). Where a report is marked as urgent, the reason for urgency must be clearly stated in the body of the report and consultation must occur with the Chairman in the case of a committee report, or the relevant Chief Officer in the case of a delegated powers report.

10.8 Key Decisions

A key decision is one which will result in the council incurring expenditure or savings of £500,000 or more, or is significant in terms of its effects on communities living or working in an area comprising two or more Wards.

10.9 Emergency Decisions

The Chief Executive or relevant Chief Officer is empowered on behalf and in the name of the Council to take decisions in exceptional circumstances on emergency matters which would normally require a committee decision where it is not possible to convene a meeting of a committee provided that:

1. The Leader, or in his/her absence, the Deputy Leader are consulted on the reasons for it being an emergency matter;
2. In respect of matters falling within the terms of reference of a committee: the Chief executive or relevant Chief Officer will consult with the Chairman, or in his/her absence, the Vice-Chairman; and a report on the decision will be reported to the next meeting of the committee.

10.10 Decisions relating to Property

(See Table A below) Where the Council is required by law to sell or let or otherwise dispose of its property no decision is required to authorise the transaction.

10.11 Decisions relating to Procurement

(See Table B below).

TABLE A – Land and Property Transactions Authorisation Delegated Powers¹

	Authorisation Level²	Acquisitions	Lease in	Lease out for Rent or Consideration	Licences, Easements and Consents	Compensations, Settlements and Covenants	Disposals	Compulsory transaction
A	<i>Less than £189,330</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Full DPR – Deputy Chief Executive (unless a Less Than Best transaction, which must be reported to Housing and Growth Committee)</i>	<i>Approved Officer</i>
B	<i>£189,330 to £500,000</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>		<i>As B</i>
C	<i>More than £500,000 (Key Decision)</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>As C</i>
D	<i>'Non-Value' Variations post Authorisation</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision – Deputy Chief Executive Report to next Housing and Growth Committee</i>	<i>As A above</i>

¹ This Table applies to Land and Building activity NOT included in the approved Annual Work Plan

² These values may be either Capital or Annualised Income/Expenditure

Table B – Authorisation and Acceptance Thresholds

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
A	Under £10,000	Council Officer as designated by approved Scheme of Delegation	Under £10k Audit Form	Reasonable means of selection * and evidence of having sourced and considered the local Barnet supplier market	Council Officer as designated by approved Scheme of Delegation	Under £10k Audit Form	Must move to next threshold if £10,000 or above	Under £10k Audit Form	Purchase Order
B	£10,000 - £24,999	Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan	Chief Officer Decision Report	Minimum 2 written Competitive Quotations sought**	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Must move to next threshold if £25,000 or above	Chief Officer Decision Report	Purchase Order
C	£25,000 - £189,329	Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan	Chief Officer Decision Report	Minimum 2 written quotations No SQ – Suitability Assessment Questions only	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Council Officer as designated by approved Scheme of Delegation	Chief Officer Decision Report	Signed Contract Contract Award Notice
D	£189,330 - £500,000	Delegated Powers Report; or Procurement Forward Plan	Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report	Services/Goods – OJEU Tender Works – Competitive Quotation	Council Officer as designated by approved Scheme of Delegation	Officer Delegated Power Report	Council Officer as designated by approved Scheme of Delegation	If within Budget: Officer Delegated Power Report If not within Budget: Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report	Signed and sealed contract Contract Award Notice

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
E	£500,000 and above	Relevant Theme Committee Report; or Procurement Forward Plan	For items authorised via the Procurement Forward Plan: Value between £500,000 and up to £1 million – Chief Officer in consultation with Theme Committee Chairman Delegated Powers Report; and Decisions more than £1 million subject to authorisation by appropriate theme committee.	Competitive quotation for works contracts for values £500,000 to £4,733,252 Works and Concession Contracts: Full OJEU Tender above £4,733,252 Goods: Full OJEU Tender Services: Full OJEU Tender Health, educational, cultural and social care related services: Light Touch Regime Tender above £633,540	Council Officer as designated by approved Scheme of Delegation	If within Budget: Officer Delegated Power Report If not within budget: Theme Committee Report	Council Officer as designated by approved Scheme of Delegation	If within Budget: Officer Delegated Power Report If not within budget: Committee Report	Signed and sealed contract Contract Award Notice

HR Regulations

Except for the powers reserved to Constitution & General Purposes Committee, Full Council or the Chief Officer Appointment Panel, the offer, appointment, varying and ending of contracts of employment is a matter for the Head of Paid Service. The Head of Paid Service will discharge their responsibilities at an operational level through the ~~Human Resources Director~~ Assistant Director Human Resources & Organisational Development, save as to where such functions may not be discharged by Third Parties. Where a matter sits outside these Regulations then it must be referred to the Head of Paid Service for decision in consultation with the Council's Monitoring Officer.

Where the following issues arise from an organisational restructure, the restructure will be considered to have major implications and a report must be submitted to Constitution & General Purposes Committee for approval:

- The anticipated outcome of statutory consultation will mean that 20 or more employees are put at risk of redundancy/TUPE transferred
- Terms and conditions of employment are to be introduced (this excludes compliance with statutory requirements) or replaced (this means a new term or significant condition).

1. The Council Establishment

Directors, Assistant Directors and Heads of Service are responsible for the provision of timely and accurate information about Establishment changes so that accurate lists are maintained and to ensure that establishment costs are within budget. Any changes to establishment must be recorded through a delegated powers report.

2. Offer, Appointment, Varying and Ending Contracts of Employment

2.1 Officer Employment Procedure Rules.

The Local Government Act 2000, the Local Authorities (Standing Orders) Regulations 2001 and the Local Authorities (Standing Orders) (Amendment) Regulations 2015 require the Council to have rules relating to the recruitment, appointment and dismissal of officers. These are set out below in Section 2.1.

Sections 2.1.3 to 2.1.5 are subject to the following restriction:

*No vacant posts at Assistant Director level or above shall be advertised or recruited to without prior Committee approval and all new posts at Assistant Director level or above shall be created by committee decision (Constitution & General Purposes Committee, Policy and Resources Committee or Urgency Committee) and not by delegated powers.

2.1.1 **Recruitment and appointment**

(a) Declarations

Rule	Action
(i) The council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the council; or of the partner of such persons.	All candidates must complete a code of conduct declaration of interests statement as part of the appointment process.
(ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.	The application will be passed to the Human Resources Director <u>Assistant Director – Human Resources & Organisational Development</u> for the relevant Chief Officer decision.

(b) Seeking support for appointment

(i) The council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the council. The content of this paragraph will be included in any recruitment information.	This forms part of the application process.
(ii) No councillor will seek support for any person for any appointment with the council.	Forms part of the application process.

2.1.2 ***Recruitment of Head of Paid Service and Chief Officers**

Where the council proposes to appoint a chief officer (including any appointment that may be made exclusively from among their existing officers), the council will:

(a) draw up a statement specifying: <ul style="list-style-type: none"> (i) the duties of the officer concerned; and (ii) any qualifications or qualities to be sought in the person to be appointed; (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;	Appointment of Chief Officers is a function reserved to the Chief Officer Appointment Panel and may include an external appointment process
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<p>(c) make arrangements for a copy of the statement mentioned in paragraphs (1) and 2(a) to be sent to any person on request; and</p> <p>(d) Agree the minimum criteria by which objective selection may be made.</p>	
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2.1.3. *Appointment of Head of Paid Service

<p>(a) The Full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a committee of the council. Full Council must also approve the dismissal of the Head of Paid Service</p>	<p>The Chief Officer Appointments Panel will make a recommendation on the appointment of the Head of Paid Service for approval by Full Council.</p>
<p>(b) The full Council may only make or approve the appointment of the Head of Paid Service.</p>	

2.1.4. *Appointment of Chief Officers

<p>(a) A Committee of the council will appoint Chief Officers (as listed in Article 9). Chief Officer appointments made by the Chief Officer Appointment Panel will be reported to Full Council for information.</p>	<p>Appointment of Chief Officers (as listed in Article 9) is a function reserved to the Chief Officer Appointments Panel.</p>
<p>(b) The Chief Executive has authority to make interim Chief Officer appointments for a period of up to a year following consultation with the Leader and the Chief Officer Appointments Panel.</p>	

2.1.5. *Other appointments

(a) Officers below Chief Officer.

<p>Appointment of officers below Chief Officer (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee and may not be made by Councillors.</p>	<p>The Head of Paid Service will ensure that all appointments shall be made in accordance with the Council's contractual terms and conditions.</p>
<p>The Head of Paid Service will consult the Chair of the Chief Officers Appointments Panel before making an appointment of deputy Chief Officers.</p>	<p>The Head of Paid Service will consult the chairman of the Chief Officer Appointments Panel. Appointment of Deputy Chief Officers will be reported to Constitution & General Purposes Committee for information.</p>

(b) Appointment of political assistants

<p>(i) The council may appoint up to three posts to provide assistance to the members of any political group to which members of the council belong to discharge any of their functions as members of the council.</p> <p>(ii) Each post shall first be allocated to a political group in accordance with Section 9 of the Local Government and Housing Act 1989, and will then fall to be filled from time to time in accordance with the wishes of that group. No post shall be allocated to a political group that does not qualify for one.</p> <p>(iii) No appointment shall be made to any such post until the council has allocated a post to each political group that qualifies for one. No more than one post shall be allocated to any one political group.</p>	<p>The Monitoring Officer will be responsible for the allocation of posts.</p> <p>The Head of Paid Service will ensure that all appointments shall be made in accordance with the Council's contractual terms and conditions.</p>
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2.1.6. **Disciplinary action**

<p>(a) Suspension: The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.</p>	<p>The Head of Paid Service will be responsible to ensure that the correct processes are followed. Where the process involves the Head of Paid Service, the Council's Monitoring Officer will be responsible.</p> <p>The Head of Paid Service has the power to appoint a Designated Independent Person. Where the process involves the Head of Paid Service the Monitoring Officer shall have this power</p>
<p>(b) Independent person: No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.</p>	<p>The Head of Paid Service will be responsible to ensure that the correct processes are followed. Where the process involves the Head of Paid Service, the Council's Monitoring Officer will be responsible.</p>
<p>(c) Councillors will not be involved in the disciplinary action against any officer below Chief Officer except where such involvement is necessary for any</p>	<p>The Head of Paid Service will be responsible to ensure that the correct processes within the Council's</p>

investigation or inquiry into alleged misconduct, though the council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of disciplinary action.	contractual Terms and Conditions are followed.
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2.1.7. *Dismissal*

(a) Councillors will not be involved in the dismissal of any officer below chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.	The Head of Paid Service will be responsible to ensure that the correct processes as allowed for within the Council's contractual Terms and Conditions are followed.
(b) Any decision to dismiss the Head of Paid Service, Chief Finance Officer and Monitoring Officer must be taken by full Council	<p>Prior to Full Council considering the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer, the council must set up a panel to give views, advise and make recommendations to Full Council.</p> <p>The council must invite at least two independent persons to sit on this panel.</p> <p>The panel must be appointed at least 20 working days before the relevant meeting of Full Council.</p> <p>Before the taking of a vote at the relevant meeting of Full Council, the authority must take into account: a) any advice, views or recommendations of the Panel; b) the conclusions of the investigation into the proposed dismissal; and c) any representations from the relevant officer.</p>
(c) Decisions to dismiss a Chief Officer shall be taken by the Constitution & General Purposes Committee	

2.2 Varying Terms and Conditions of employment

With the exception of Chief Officers, terms and conditions for employees will be determined by the Head of Paid Service within the agreed negotiating mechanisms. ~~Where an Individual Recruitment and/or Retention Premium is to be included for a position on grades LBB1 to LBB7, the Head of Paid Service, Directors or Assistant Directors must consult with the Chairman of the Constitution & General Purposes Committee and record the results of that consultation through a Delegated Powers Report.~~

Directors, Assistant Directors, Heads of Service are responsible for the provision of timely and accurate information about changes to individual's Terms and Conditions of employment e.g. work place adjustments and flexible working request.

The ~~Human Resources Director~~ Assistant Director – Human Resources & Organisational Development will ensure that contractual variations are properly authorised and allowed for within the Council's contractual Terms and Conditions and are made on an accurate and timely basis.

2.3 Leavers

The Head of Paid Service through the Assistant Director – Human Resources & Organisational Development ~~Human Resources Director~~ will ensure that Leavers are managed in accordance with the Council's contractual Terms and Conditions and changes are made on an accurate and timely basis.

3 Employee Records

Directors, Assistant Directors and Heads of Service are responsible for the provision of timely and accurate information about changes to employee Records e.g. absence information and input of Performance Reviews.

4. Salaries & allowances payable to Council employees and Pensioners

The Assistant Director – Human Resources & Organisational Development ~~Human Resources Director~~ will ensure that properly authorised payments for Salaries and Allowances shall be made in accordance with the Council's contractual terms and conditions and these will be made on an accurate and timely basis.

5. Members Allowances

5.1 The Chief Finance Officer shall make payments of allowances to Members of the Council, co-opted members and members of the public who attend other Council bodies who are entitled to make such claims on submission of the approved form.

5.2 The Assistant Director – Human Resources & Organisational Development ~~Human Resources Director~~ will ensure that these payments are made on an accurate and timely basis.

5.3 The Monitoring Officer will be responsible for notifying the Assistant Director – Human Resources & Organisational Development ~~Human Resources Director~~ of any changes to Members' Allowances.

~~6 Pensions Administration~~

~~6.1—The Head of Paid Service through the Human Resources Director will ensure that on an annual basis that each pensioner residing overseas provides a life certificate.~~

~~6.2—The Human Resources Director will ensure that on an annual basis that the Council's discretions under Regulation 66 of LGPS (administration) regulations 2008 and LGPS (Miscellaneous) Regulations 2012 are provided to the Chief Finance Officer for agreement.~~

~~6.3—The Human Resources Director will ensure that properly authorised payments for Pensions shall be made in accordance with the Council's contractual terms and conditions and these will be made on an accurate and timely basis.~~

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HR Regulations

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2.1.1 **Recruitment and appointment**

(a) Declarations

Rule	Action
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(ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.	The application will be passed to the Assistant Director – Human Resources & Organisational Development for the relevant Chief Officer decision.

(b) Seeking support for appointment

(i) The council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the council. The content of this paragraph will be included in any recruitment information.	This forms part of the application process.
(ii) No councillor will seek support for any person for any appointment with the council.	Forms part of the application process.

2.1.2 ***Recruitment of Head of Paid Service and Chief Officers**

Where the council proposes to appoint a chief officer (including any appointment that may be made exclusively from among their existing officers), the council will:

(a) draw up a statement specifying: <ul style="list-style-type: none"> (i) the duties of the officer concerned; and (ii) any qualifications or qualities to be sought in the person to be appointed; 	Appointment of Chief Officers is a function reserved to the Chief Officer Appointment Panel and may include an external appointment process
(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;	

<p>(c) make arrangements for a copy of the statement mentioned in paragraphs (1) and 2(a) to be sent to any person on request; and</p> <p>(d) Agree the minimum criteria by which objective selection may be made.</p>	
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2.1.3. *Appointment of Head of Paid Service

<p>(a) The Full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a committee of the council. Full Council must also approve the dismissal of the Head of Paid Service</p>	<p>The Chief Officer Appointments Panel will make a recommendation on the appointment of the Head of Paid Service for approval by Full Council.</p>
<p>(b) The full Council may only make or approve the appointment of the Head of Paid Service.</p>	

2.1.4. *Appointment of Chief Officers

<p>(a) A Committee of the council will appoint Chief Officers (as listed in Article 9). Chief Officer appointments made by the Chief Officer Appointment Panel will be reported to Full Council for information.</p>	<p>Appointment of Chief Officers (as listed in Article 9) is a function reserved to the Chief Officer Appointments Panel.</p>
<p>(b) The Chief Executive has authority to make interim Chief Officer appointments for a period of up to a year following consultation with the Leader and the Chief Officer Appointments Panel.</p>	

2.1.5. *Other appointments

(a) Officers below Chief Officer.

<p>Appointment of officers below Chief Officer (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee and may not be made by Councillors.</p>	<p>The Head of Paid Service will ensure that all appointments shall be made in accordance with the Council's contractual terms and conditions.</p>
<p>The Head of Paid Service will consult the Chair of the Chief Officers Appointments Panel before making an appointment of deputy Chief Officers.</p>	<p>The Head of Paid Service will consult the chairman of the Chief Officer Appointments Panel. Appointment of Deputy Chief Officers will be reported to Constitution & General Purposes Committee for information.</p>

(b) Appointment of political assistants

<p>(i) The council may appoint up to three posts to provide assistance to the members of any political group to which members of the council belong to discharge any of their functions as members of the council.</p> <p>(ii) Each post shall first be allocated to a political group in accordance with Section 9 of the Local Government and Housing Act 1989, and will then fall to be filled from time to time in accordance with the wishes of that group. No post shall be allocated to a political group that does not qualify for one.</p> <p>(iii) No appointment shall be made to any such post until the council has allocated a post to each political group that qualifies for one. No more than one post shall be allocated to any one political group.</p>	<p>The Monitoring Officer will be responsible for the allocation of posts.</p> <p>The Head of Paid Service will ensure that all appointments shall be made in accordance with the Council's contractual terms and conditions.</p>
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2.1.6. **Disciplinary action**

<p>(a) Suspension: The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.</p>	<p>The Head of Paid Service will be responsible to ensure that the correct processes are followed. Where the process involves the Head of Paid Service, the Council's Monitoring Officer will be responsible.</p> <p>The Head of Paid Service has the power to appoint a Designated Independent Person. Where the process involves the Head of Paid Service the Monitoring Officer shall have this power</p>
<p>(b) Independent person: No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.</p>	<p>The Head of Paid Service will be responsible to ensure that the correct processes are followed. Where the process involves the Head of Paid Service, the Council's Monitoring Officer will be responsible.</p>
<p>(c) Councillors will not be involved in the disciplinary action against any officer below Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the council's</p>	<p>The Head of Paid Service will be responsible to ensure that the correct processes within the Council's contractual Terms and Conditions are followed.</p>

disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of disciplinary action.	
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2.1.7. Dismissal

(a) Councillors will not be involved in the dismissal of any officer below chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.	The Head of Paid Service will be responsible to ensure that the correct processes as allowed for within the Council's contractual Terms and Conditions are followed.
(b) Any decision to dismiss the Head of Paid Service, Chief Finance Officer and Monitoring Officer must be taken by full Council	<p>Prior to Full Council considering the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer, the council must set up a panel to give views, advise and make recommendations to Full Council.</p> <p>The council must invite at least two independent persons to sit on this panel.</p> <p>The panel must be appointed at least 20 working days before the relevant meeting of Full Council.</p> <p>Before the taking of a vote at the relevant meeting of Full Council, the authority must take into account: a) any advice, views or recommendations of the Panel; b) the conclusions of the investigation into the proposed dismissal; and c) any representations from the relevant officer.</p>
(c) Decisions to dismiss a Chief Officer shall be taken by the Constitution & General Purposes Committee	

2.2 Varying Terms and Conditions of employment

With the exception of Chief Officers, terms and conditions for employees will be determined by the Head of Paid Service within the agreed negotiating mechanisms.

Directors, Assistant Directors, Heads of Service are responsible for the provision of timely and accurate information about changes to individual's Terms and Conditions of employment e.g. work place adjustments and flexible working request.

The Assistant Director – Human Resources & Organisational Development will ensure that contractual variations are properly authorised and allowed for within the Council's contractual Terms and Conditions and are made on an accurate and timely basis.

2.3 Leavers

The Head of Paid Service through the Assistant Director – Human Resources & Organisational Development will ensure that Leavers are managed in accordance with the Council's contractual Terms and Conditions and changes are made on an accurate and timely basis.

3 Employee Records

Directors, Assistant Directors and Heads of Service are responsible for the provision of timely and accurate information about changes to employee Records e.g. absence information and input of Performance Reviews.

4. Salaries & allowances payable to Council employees and Pensioners

The Assistant Director – Human Resources & Organisational Development will ensure that properly authorised payments for Salaries and Allowances shall be made in accordance with the Council's contractual terms and conditions and these will be made on an accurate and timely basis.

5. Members Allowances

5.1 The Chief Finance Officer shall make payments of allowances to Members of the Council, co-opted members and members of the public who attend other Council bodies who are entitled to make such claims on submission of the approved form.

5.2 The Assistant Director – Human Resources & Organisational Development will ensure that these payments are made on an accurate and timely basis.

5.3 The Monitoring Officer will be responsible for notifying the Assistant Director – Human Resources & Organisational Development of any changes to Members' Allowances.

Member Code of Conduct

LONDON BOROUGH OF BARNET

Code of Conduct for Members & General Guidance

1. Introduction and Interpretation

- (1) This Code applies to Councillors (Members) of the London Borough of Barnet and also to co-opted committee members.
- (2) It is the responsibility of Councillors and co-opted Members to comply with the provisions of this Code.

2. Scope

You must comply with this Code whenever you act in the capacity as a councillor.

3. General Obligations

- (1) Councillors (Members) and Co-Optees are committed to behaving in a manner that is consistent with the following principles of Public Life:

Selflessness — Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity — Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity — Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability — Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with any scrutiny appropriate to their particular office.

Openness — Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal judgement — Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others — Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Duty to uphold the law — Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship — Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership — Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

(2) Do:

- (a) Follow the Code of Conduct when you are representing your authority.
- (b) Be aware of what pecuniary and non-pecuniary interests are – refer to the Monitoring Officer if you are unsure.
- (c) Keep your register of interests up-to-date.
- (d) Treat others with respect.
- (e) Register gifts and hospitality, received in your role as a Member, worth more than £25.
- (f) Report a safeguarding issue to the appropriate authority
- (g) Comply with any formal investigation under this Code of Conduct
- (h) When dealing with enquiries from residents do refer these to officers if the requests become vexatious or are otherwise difficult to deal with.

(3) Don't:

- (a) Bring your authority or office into disrepute.

- (b) Use the Council's resources which includes the Council's address and email address for any personal, party political or non-Council purposes.
- (c) Compromise the impartiality of people who work for your authority.
- (d) Discriminate against people on the grounds of race, gender, disability, religion or belief, sexual orientation and age.
- (e) Bully, harass, intimidate or attempt to intimidate others¹.
- (f) Use your position improperly for personal gain or to advantage your friends or close associates.
- (g) Participate in meetings or be involved in decision-making where you have a pecuniary interest – except when speaking when the general public are also allowed to do so.
- (h) Disclose confidential information, other than in exceptional circumstances – refer to the Monitoring Officer if you are unsure.
- (i) Prevent anyone getting information they are entitled to.
- (j) Make trivial or malicious allegations under this Code of Conduct

4. Disclosable Pecuniary Interests

- (1) A pecuniary interest is a 'Disclosable Pecuniary Interest' if it is of a description specified in Appendix A and either:
 - (a) it is the interest of you as a Member; or
 - (b) it is an interest of:
 - (i) the Member's spouse or civil partner
 - (ii) a person with whom the Member is living as husband and wife, or

¹ Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone.

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

Examples include:

Verbal: remarks about appearance, derogatory or lewd comments, innuendoes, persistent name calling, statements which are suggestive, unwelcome, abusive and offensive.

Behaviour: that denigrates or ridicules; intimidation or physical abuse; making threats; attempts to stir up hatred against an individual or group

(iii) a person with whom the Member is living as if they were civil partners and the Member is aware that the other person has that interest.

- (2) If you are in any doubt as to whether you should continue to participate in any matter, you should take advice from the Monitoring Officer at an early stage as to whether your circumstances permit continued participation.

5. Other Interests

Other interests are ones where:-

- (1) Any decision in relation to the item at a meeting might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area.
- (2) A close family member is a spouse, civil partner or any person living with the member as a spouse or civil partner, or a Member's brother or sister, son or daughter or a parent.

6. Disclosure of Pecuniary and Other Interests

- (1) Subject to the paragraph 7 below (Sensitive Interests), you must within 28 days of this Code being adopted or election or appointment to office, and within 28 days of becoming aware of any new pecuniary or other interest, or of any change to your registered interests, notify the Monitoring Officer.
- (2) If a pecuniary or Other Interest arises from any business to be discussed at any committee or joint committee meeting of the Council then you must declare this interest either at the start of the meeting or immediately before the item is discussed.
- (3) If you declare a pecuniary interest then you must not take part in any discussion of the matter at the meeting, and you must not vote on the matter. You need not withdraw from the meeting but any participation by yourself at the meeting in respect of the matter in which you have a pecuniary interest is a criminal offence for which you may be prosecuted as well as referred to the Standards Committee.
- (4) If you declare an Other Interest then you may remain in the meeting, you may take part in the discussion and you may vote on the matter.

7. Sensitive Interests

Where you consider that disclosure of the details of an interest could lead to you or a person connected to you being subject to violence, discrimination or intimidation, and the Monitoring Officer agrees, then the Register of Interest will disclose the interest but not the details which may accordingly be withheld from publication.

8. Dispensations

- (1) In cases where a Member has a disclosable Pecuniary Interest, they may still be able to participate and vote at a meeting if they have obtained a dispensation from the Monitoring Officer in accordance with the provisions set out below.
- (2) There are five circumstances in respect of which a dispensation may be granted, namely:
 - (a) That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would impede the transaction of the business;
 - (b) That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
 - (c) That the authority considers that the dispensation is in the interests of persons living in the authority's area;
 - (d) That without a dispensation, no member of the committee would be able to participate in this matter, or
 - (e) That the authority considers that it is otherwise appropriate to grant a dispensation
- (3) You must make verbal declaration of the existence and nature of any dispensation granted to you at or before the consideration of the item of business or as soon as the interest to which the dispensation relates, becomes apparent. In the event of a blanket dispensation granted to all Members on a particular matter, this should be declared by the chairman at the commencement of the meeting.

9. General Dispensations Granted by the Monitoring Officer

The following general dispensations have been granted by the Monitoring Officer to all Members up to 23 May 2022 to enable them to be present, speak

and vote where they would otherwise have a Disclosable Pecuniary Interest on the grounds that it is appropriate to grant a dispensation to allow all Members to participate fully in the following matters:

- a) Housing: where the Member (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not only relate to the Member's particular tenancy or lease.
- b) School meals or school transport and travelling expenses where the Member is a parent or guardian of a child in full time education, or is a parent governor of a school, provided that the matter does not only relate to the particular school which the child attends.
- c) Housing Benefit: where the Member (or spouse or partner) directly receives housing benefit in relation to their own circumstances.
- d) Decisions in relation to any Council Tax Benefit if the member or their spouse or partner are in receipt of any such benefit.
- e) Membership of the Local Government Pension Scheme of either the councillor or their spouse or partner

For the avoidance of doubt and to ensure adherence to the Member Code of Conduct, Members should seek guidance from the Council's Monitoring Officer.

10. Gifts and Hospitality

- (1) You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which you have accepted as a Member from any person or body other than the authority.
- (2) The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- (3) This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

11. Additional voluntary provisions

No Councillor shall provide or offer to provide a formal reference for any candidate for employment or promotion with the Council as to do so may be perceived as bringing an unacceptable pressure to bear on the appointing officer and any officer appointed as a result of such reference.

Appendix A – Pecuniary Interests and Other Interests

1. Employment, office, trade, profession or vocation:

Your employment, office, trade, profession or vocation carried on for profit or gain, and that of your husband/wife/civil partner.

Note: “Office” includes position held as representative of the council on the management of an external organisation if an Allowance is paid which exceeds reasonable expenses.

2. Sponsorship

Any payment or provision of any other financial benefit in respect of any expenses incurred in carrying out duties or towards election expenses; this includes any payment or financial benefit from a trade union.

3. Contracts

Any contract which is made between you or your husband/wife/civil partner (or a body in which you or your husband/wife/ civil partner has a beneficial interest) and the Council under which goods or services are to be provided or works are to be executed and which has not been fully discharged.

4. Land

Any beneficial interest in land held by you or your husband/wife/civil partner which is within the area of the Council.

5. Licences

Any licence (alone or jointly with others) to you or your husband/wife/civil partner to occupy land in Barnet for a month or longer.

6. Corporate tenancies

Any tenancy where the landlord is the Council and the tenant is a body in which you or your husband/wife/civil partner has a beneficial interest.

7. Securities

Any beneficial interest in which you or your husband/wife/civil partner has in securities of a body where:

- (a) that body has a place of business or land in the area of the Council; and
- (b) either:

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or a relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

8. Personal Wellbeing

~~You may also have a pecuniary interest where you attend a meeting of the Council where the business concerns your personal wellbeing or financial position or that of your husband/wife/partner — to a greater extent than the majority of residents in your Ward affected by the decision.~~

98. Other Interests

Other Interests are ones where:-

- a) Any decision in relation to the item at a meeting might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area.
- b) A close family member is a spouse, civil partner or any person living with the member as a spouse or civil partner, or a Member's brother or sister, son or daughter or a parent.

REGISTER OF COUNCILLORS' INTERESTS

I,
(name)

an Elected / Co-opted Member of the London Borough of Barnet do hereby give notice that I have set out below my interests which I am required to declare under the Code of Conduct for Members.

Within 28 days of election to office, an Elected or Co-opted Member must register his/her pecuniary and non-pecuniary interests in a public register by providing written notification to the Monitoring Officer; you must declare your own interests on the form below and also those of your husband/wife/civil partner, which includes any person with whom you are living as husband/wife/civil partner. You do not need to name your husband/wife/civil partner.

Pecuniary Interests

1. Employment, Office, Trade, Profession or Vocation:

Your employment, office, trade, profession or vocation carried on for profit or gain, and that of your husband/wife/civil partner.

Note: "Office" includes position held as representative of the council on the management of an external organisation if an Allowance is paid which exceeds reasonable expenses.

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2. Sponsorship

Any payment or provision of any other financial benefit in respect of any expenses incurred in carrying out duties or towards election expenses; this includes any payment or financial benefit from a trade union.

3. Contracts

Any contract which is made between you or your husband/wife/civil partner (or a body in which you or your husband/wife/ civil partner has a beneficial interest) and the Council under which goods or services are to be provided or works are to be executed and which has not been fully discharged.

4. Land

Any beneficial interest in land held by you or your husband/wife/civil partner which is within the area of the Council

5. Licences

Any licence (alone or jointly with others) to you or your husband/wife/civil partner to occupy land in Barnet for a month or longer.

6. Corporate tenancies

Any tenancy where the landlord is the Council and the tenant is a body in which you or your husband/wife/civil partner has a beneficial interest.

7. Securities

Any beneficial interest in which you or your husband/wife/civil partner has in securities of a body where:

- (a) that body has a place of business or land in the area of the Council; and
- (b) either:
 - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or a relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

8. Personal Wellbeing

You may also have a pecuniary interest where you attend a meeting of the Council where the business concerns your personal wellbeing or financial position or that of your husband/wife/partner – to a greater extent than the majority of residents in your Ward affected by the decision.

You may only know this when you attend a meeting of the Council and an item on the agenda affects your wellbeing or that of your husband/wife/partner, to the extent described.

You must then declare a pecuniary interest at the beginning of the meeting or before the relevant item is discussed and not take part in the meeting when that agenda item is discussed.

9. Other Interests

Other Interests are ones where:-

- a) Any decision in relation to the item at a meeting might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area.
- b) A close family member is a spouse, civil partner or any person living with the member as a spouse or civil partner, or a Member's brother or sister, son or daughter or a parent.

If you are unsure about any matter relating to the declaration of interests please consult with the Monitoring Officer.

If there is insufficient space in any of the boxes provided, please use a supplementary sheet.

This is a public document to which members of the public will have free access to during normal office hours and copies will also be published on the City Council's Website.

Declaration

I recognise that I will be in breach of the Council's Code of Conduct for Members if I:

- (a) omit information that ought to be given in this notice; or
- (b) provide information that is materially false or misleading; or
- (c) fail to give further notices within 28 days of any change to the information set out above in order to bring up to date the information given in this notice.

Signed

Dated

please return the signed Declaration to the Monitoring Officer

STATUTORY REGISTER OF GIFTS OR HOSPITALITY

An Elected or Co-opted Member must, within 28 days of receiving any gift or hospitality, in their capacity as a Councillor or Co-opted Member, and over the value of £25, provide written notification to the Council's Monitoring Officer of the existence and nature of that gift or hospitality. This does not apply to gifts or hospitality received from the Council.

I,
.....being an Elected / Co-opted Member of Barnet Council do hereby give notice that I have received the gift or hospitality detailed below.

Signed
Dated

Please return the signed Notice to the Monitoring Officer

STATUTORY REGISTER OF GIFTS OR HOSPITALITY

Date upon which the Gift or Hospitality was received:

Person / Organisation offering or providing the Gift or Hospitality:

Brief details of Gift or Hospitality received:

Estimated or actual value of the Gift/Hospitality:

DISPENSATIONS AVAILABLE

Circumstances in which dispensations may be granted:

The Monitoring Officer may grant a dispensation to a Member in the following circumstances:

- that so many Members of the decision making body have disclosable pecuniary interests in the matter that the meeting would be inquorate; or
- that the representation of different political groups on the decision making body would be so upset as to alter the likely vote on the matter; or
- that it is in the interests of persons living within Barnet; or
- that it is otherwise considered appropriate to grant a dispensation.

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Member Code of Conduct

LONDON BOROUGH OF BARNET

Code of Conduct for Members & General Guidance

1. Introduction and Interpretation

- (1) This Code applies to Councillors (Members) of the London Borough of Barnet and also to co-opted committee members.
- (2) It is the responsibility of Councillors and co-opted Members to comply with the provisions of this Code.

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Objectivity — Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability — Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with any scrutiny appropriate to their particular office.

Openness — Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal judgement — Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others — Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Duty to uphold the law — Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship — Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership — Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

(2) Do:

- (a) Follow the Code of Conduct when you are representing your authority.
- (b) Be aware of what pecuniary and non-pecuniary interests are – refer to the Monitoring Officer if you are unsure.
- (c) Keep your register of interests up-to-date.
- (d) Treat others with respect.
- (e) Register gifts and hospitality, received in your role as a Member, worth more than £25.
- (f) Report a safeguarding issue to the appropriate authority
- (g) Comply with any formal investigation under this Code of Conduct
- (h) When dealing with enquiries from residents do refer these to officers if the requests become vexatious or are otherwise difficult to deal with.

(3) Don't:

- (a) Bring your authority or office into disrepute.

- (b) Use the Council's resources which includes the Council's address and email address for any personal, party political or non-Council purposes.
- (c) Compromise the impartiality of people who work for your authority.
- (d) Discriminate against people on the grounds of race, gender, disability, religion or belief, sexual orientation and age.
- (e) Bully, harass, intimidate or attempt to intimidate others¹.
- (f) Use your position improperly for personal gain or to advantage your friends or close associates.
- (g) Participate in meetings or be involved in decision-making where you have a pecuniary interest – except when speaking when the general public are also allowed to do so.
- (h) Disclose confidential information, other than in exceptional circumstances – refer to the Monitoring Officer if you are unsure.
- (i) Prevent anyone getting information they are entitled to.
- (j) Make trivial or malicious allegations under this Code of Conduct

4. Disclosable Pecuniary Interests

- (1) A pecuniary interest is a 'Disclosable Pecuniary Interest' if it is of a description specified in Appendix A and either:
 - (a) it is the interest of you as a Member; or
 - (b) it is an interest of:
 - (i) the Member's spouse or civil partner
 - (ii) a person with whom the Member is living as husband and wife, or

¹ Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone.

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

Examples include:

Verbal: remarks about appearance, derogatory or lewd comments, innuendoes, persistent name calling, statements which are suggestive, unwelcome, abusive and offensive.

Behaviour: that denigrates or ridicules; intimidation or physical abuse; making threats; attempts to stir up hatred against an individual or group

(iii) a person with whom the Member is living as if they were civil partners and the Member is aware that the other person has that interest.

- (2) If you are in any doubt as to whether you should continue to participate in any matter, you should take advice from the Monitoring Officer at an early stage as to whether your circumstances permit continued participation.

5. Other Interests

Other interests are ones where:-

- (1) Any decision in relation to the item at a meeting might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area.
- (2) A close family member is a spouse, civil partner or any person living with the member as a spouse or civil partner, or a Member's brother or sister, son or daughter or a parent.

6. Disclosure of Pecuniary and Other Interests

- (1) Subject to the paragraph 7 below (Sensitive Interests), you must within 28 days of this Code being adopted or election or appointment to office, and within 28 days of becoming aware of any new pecuniary or other interest, or of any change to your registered interests, notify the Monitoring Officer.
- (2) If a pecuniary or Other Interest arises from any business to be discussed at any committee or joint committee meeting of the Council then you must declare this interest either at the start of the meeting or immediately before the item is discussed.
- (3) If you declare a pecuniary interest then you must not take part in any discussion of the matter at the meeting, and you must not vote on the matter. You need not withdraw from the meeting but any participation by yourself at the meeting in respect of the matter in which you have a pecuniary interest is a criminal offence for which you may be prosecuted as well as referred to the Standards Committee.
- (4) If you declare an Other Interest then you may remain in the meeting, you may take part in the discussion and you may vote on the matter.

7. Sensitive Interests

Where you consider that disclosure of the details of an interest could lead to you or a person connected to you being subject to violence, discrimination or intimidation, and the Monitoring Officer agrees, then the Register of Interest will disclose the interest but not the details which may accordingly be withheld from publication.

8. Dispensations

- (1) In cases where a Member has a disclosable Pecuniary Interest, they may still be able to participate and vote at a meeting if they have obtained a dispensation from the Monitoring Officer in accordance with the provisions set out below.
- (2) There are five circumstances in respect of which a dispensation may be granted, namely:
 - (a) That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would impede the transaction of the business;
 - (b) That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
 - (c) That the authority considers that the dispensation is in the interests of persons living in the authority's area;
 - (d) That without a dispensation, no member of the committee would be able to participate in this matter, or
 - (e) That the authority considers that it is otherwise appropriate to grant a dispensation
- (3) You must make verbal declaration of the existence and nature of any dispensation granted to you at or before the consideration of the item of business or as soon as the interest to which the dispensation relates, becomes apparent. In the event of a blanket dispensation granted to all Members on a particular matter, this should be declared by the chairman at the commencement of the meeting.

9. General Dispensations Granted by the Monitoring Officer

The following general dispensations have been granted by the Monitoring Officer to all Members up to 23 May 2022 to enable them to be present, speak and vote where they would otherwise have a Disclosable Pecuniary Interest

on the grounds that it is appropriate to grant a dispensation to allow all Members to participate fully in the following matters:

- a) Housing: where the Member (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not only relate to the Member's particular tenancy or lease.
- b) School meals or school transport and travelling expenses where the Member is a parent or guardian of a child in full time education, or is a parent governor of a school, provided that the matter does not only relate to the particular school which the child attends.
- c) Housing Benefit: where the Member (or spouse or partner) directly receives housing benefit in relation to their own circumstances.
- d) Decisions in relation to any Council Tax Benefit if the member or their spouse or partner are in receipt of any such benefit.
- e) Membership of the Local Government Pension Scheme of either the councillor or their spouse or partner

For the avoidance of doubt and to ensure adherence to the Member Code of Conduct, Members should seek guidance from the Council's Monitoring Officer.

10. Gifts and Hospitality

- (1) You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which you have accepted as a Member from any person or body other than the authority.
- (2) The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- (3) This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

11. Additional voluntary provisions

No Councillor shall provide or offer to provide a formal reference for any candidate for employment or promotion with the Council as to do so may be perceived as bringing an unacceptable pressure to bear on the appointing officer and any officer appointed as a result of such reference.

Appendix A – Pecuniary Interests and Other Interests

1. Employment, office, trade, profession or vocation:

Your employment, office, trade, profession or vocation carried on for profit or gain, and that of your husband/wife/civil partner.

Note: “Office” includes position held as representative of the council on the management of an external organisation if an Allowance is paid which exceeds reasonable expenses.

2. Sponsorship

Any payment or provision of any other financial benefit in respect of any expenses incurred in carrying out duties or towards election expenses; this includes any payment or financial benefit from a trade union.

3. Contracts

Any contract which is made between you or your husband/wife/civil partner (or a body in which you or your husband/wife/ civil partner has a beneficial interest) and the Council under which goods or services are to be provided or works are to be executed and which has not been fully discharged.

4. Land

Any beneficial interest in land held by you or your husband/wife/civil partner which is within the area of the Council.

5. Licences

Any licence (alone or jointly with others) to you or your husband/wife/civil partner to occupy land in Barnet for a month or longer.

6. Corporate tenancies

Any tenancy where the landlord is the Council and the tenant is a body in which you or your husband/wife/civil partner has a beneficial interest.

7. Securities

Any beneficial interest in which you or your husband/wife/civil partner has in securities of a body where:

- (a) that body has a place of business or land in the area of the Council; and
- (b) either:

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or a relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

8. Other Interests

Other Interests are ones where:-

- a) Any decision in relation to the item at a meeting might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area.
- b) A close family member is a spouse, civil partner or any person living with the member as a spouse or civil partner, or a Member's brother or sister, son or daughter or a parent.

REGISTER OF COUNCILLORS' INTERESTS

I,
(name)

an Elected / Co-opted Member of the London Borough of Barnet do hereby give notice that I have set out below my interests which I am required to declare under the Code of Conduct for Members.

Within 28 days of election to office, an Elected or Co-opted Member must register his/her pecuniary and non-pecuniary interests in a public register by providing written notification to the Monitoring Officer; you must declare your own interests on the form below and also those of your husband/wife/civil partner, which includes any person with whom you are living as husband/wife/civil partner. You do not need to name your husband/wife/civil partner.

Pecuniary Interests

1. Employment, Office, Trade, Profession or Vocation:

Your employment, office, trade, profession or vocation carried on for profit or gain, and that of your husband/wife/civil partner.

Note: "Office" includes position held as representative of the council on the management of an external organisation if an Allowance is paid which exceeds reasonable expenses.

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2. Sponsorship

Any payment or provision of any other financial benefit in respect of any expenses incurred in carrying out duties or towards election expenses; this includes any payment or financial benefit from a trade union.

3. Contracts

Any contract which is made between you or your husband/wife/civil partner (or a body in which you or your husband/wife/ civil partner has a beneficial interest) and the Council under which goods or services are to be provided or works are to be executed and which has not been fully discharged.

4. Land

Any beneficial interest in land held by you or your husband/wife/civil partner which is within the area of the Council

5. Licences

Any licence (alone or jointly with others) to you or your husband/wife/civil partner to occupy land in Barnet for a month or longer.

6. Corporate tenancies

Any tenancy where the landlord is the Council and the tenant is a body in which you or your husband/wife/civil partner has a beneficial interest.

7. Securities

Any beneficial interest in which you or your husband/wife/civil partner has in securities of a body where:

- (a) that body has a place of business or land in the area of the Council; and
- (b) either:
 - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or a relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

8. Personal Wellbeing

You may also have a pecuniary interest where you attend a meeting of the Council where the business concerns your personal wellbeing or financial position or that of your husband/wife/partner – to a greater extent than the majority of residents in your Ward affected by the decision.

You may only know this when you attend a meeting of the Council and an item on the agenda affects your wellbeing or that of your husband/wife/partner, to the extent described.

You must then declare a pecuniary interest at the beginning of the meeting or before the relevant item is discussed and not take part in the meeting when that agenda item is discussed.

9. Other Interests

Other Interests are ones where:-

- a) Any decision in relation to the item at a meeting might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area.
- b) A close family member is a spouse, civil partner or any person living with the member as a spouse or civil partner, or a Member's brother or sister, son or daughter or a parent.

If you are unsure about any matter relating to the declaration of interests please consult with the Monitoring Officer.

If there is insufficient space in any of the boxes provided, please use a supplementary sheet.

This is a public document to which members of the public will have free access to during normal office hours and copies will also be published on the City Council's Website.

Declaration

I recognise that I will be in breach of the Council's Code of Conduct for Members if I:

- (a) omit information that ought to be given in this notice; or
- (b) provide information that is materially false or misleading; or
- (c) fail to give further notices within 28 days of any change to the information set out above in order to bring up to date the information given in this notice.

Signed

Dated

please return the signed Declaration to the Monitoring Officer

STATUTORY REGISTER OF GIFTS OR HOSPITALITY

An Elected or Co-opted Member must, within 28 days of receiving any gift or hospitality, in their capacity as a Councillor or Co-opted Member, and over the value of £25, provide written notification to the Council's Monitoring Officer of the existence and nature of that gift or hospitality. This does not apply to gifts or hospitality received from the Council.

I,
.....being an Elected / Co-opted Member of Barnet Council do hereby give notice that I have received the gift or hospitality detailed below.

Signed
Dated

Please return the signed Notice to the Monitoring Officer

STATUTORY REGISTER OF GIFTS OR HOSPITALITY

Date upon which the Gift or Hospitality was received:

Person / Organisation offering or providing the Gift or Hospitality:

Brief details of Gift or Hospitality received:

Estimated or actual value of the Gift/Hospitality:

DISPENSATIONS AVAILABLE

Circumstances in which dispensations may be granted:

The Monitoring Officer may grant a dispensation to a Member in the following circumstances:

- that so many Members of the decision making body have disclosable pecuniary interests in the matter that the meeting would be inquorate; or
- that the representation of different political groups on the decision making body would be so upset as to alter the likely vote on the matter; or
- that it is in the interests of persons living within Barnet; or
- that it is otherwise considered appropriate to grant a dispensation.

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Full Council Procedure Rules

Types of meetings

1. ANNUAL MEETINGS OF THE COUNCIL

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May. The matters to be considered at the Annual Meeting shall be

- (a)
 - (i) Apologies for absence
 - (ii) Declarations of interest
 - (iii) Electing a Mayor;
- (b) Approve the minutes of the last meeting;
- (c) Receive official announcements;
- (d) Noting the appointment of the Deputy Mayor;
- (e) Electing the Leader of the Council for the ensuing four year period;
- (f) Noting the appointment of the Deputy Leader of the Council;
- (g) Noting the appointment as Leader of the Opposition of the Leader of the largest political group other than the group of which the Leader of the Council is a member;
- (h) Appointing the Chairman, Vice Chairman and members of Committees, and other regulatory bodies and approving their respective terms of reference;
- (i) Agreeing the Scheme of Delegation or such part of it as the Constitution determines it is for Council to agree;
- (j) Appointing representatives to Outside Bodies unless the appointment has been delegated by the Council;
- (k) Reports from other Committees and Officers as required to in the proper discharge of functions delegated by Council.

2. ORDINARY MEETINGS

- 2.1 The matters to be considered at an Ordinary Council meeting shall be:

Part 1 - Statutory formalities/Announcements (15 minutes)

1. Apologies for absence
2. Elect a member to preside if the Mayor and Deputy Mayor are absent
3. Prayer
4. Declaration of interest
5. Minutes of last meeting
6. Official announcements
7. Any business remaining from last meeting
8. Agree the Council Calendar of meetings including for ordinary meetings of the Council

Part 2 - Question Time (30 minutes or until 7.45 p.m. whichever is longer)

9. Questions to the Leader (and Committee Chairmen if he/she has delegated)

Part 3 - Statutory Council Business (60 minutes)

10. Petitions for Debate (20 minutes). A petition organiser (up to 5 minutes) and Members responding (up to 15 minutes)
11. Reports from the Leader
12. Reports from Council Committees
13. Reports of Officers
14. Questions to Council Representatives on Outside Bodies

Break (15 minutes)

Part 4 – Business for Debate (45 minutes)

15. Motions (45 minutes)

Discussion of up to two motions: At least one motion originating from the Opposition to be debated if submitted. The Opposition is the next largest political group after the ruling administration.

If there is more than one motion submitted, the Opposition motion debated will be determined by the Opposition, and the Administration motion will be determined by the Administration.

If more than two motions are submitted then these can be debated if time allows before 10pm at the end of the agenda and with the agreement of the Council. These motions, if any, will be taken in rotation between the Political Parties.

No business shall be transacted after 10 pm and any business transacted after that time shall be null and void, but that at any meeting of Full Council, the Mayor or person presiding as Chairman may with the agreement of Council extend the period for the transaction of business to 10.30 pm.

3. EXTRAORDINARY MEETINGS

- 3.1 The Mayor may call an Extraordinary Meeting of the Council at any time.
- 3.2 Five Members of the Council may also request the Mayor to call an Extraordinary Meeting. The meeting must be called within seven days of the notice being present to the Mayor, although there is no time limit by which the meeting must take place.
- 3.3 If the Mayor refuses, or does not call the meeting within seven days, any five Members may themselves call an Extraordinary Meeting.
- 3.4 The only business permitted at an extraordinary meeting is that which appears in the summons.

4. BUDGET COUNCIL MEETINGS

- 4.1 The Council shall hold a Budget meeting at time, date and place fixed by the Council to approve the budget and Council Tax for the ensuing financial year. Only Parts 1 (Statutory Formalities/Announcements) and 3 (Statutory Council Business) will apply to the Budget meeting.

5. ROLE OF MAYOR.

- 5.1 At the meeting of the Council, the Mayor, if present shall preside.
- 5.2 If the Mayor is absent from a meeting of the Council then the Deputy Mayor will preside.
- 5.3 If the Mayor and Deputy Mayor are absent from the meeting then another Councillor chosen by the Councillors present shall preside.
- 5.4 Any procedural issues or challenges to the conduct of the meeting that arise during the course of a meeting shall be determined by the Mayor (or other person presiding at the meeting).
- 5.5 The ruling of the Mayor or person presiding at the meeting concerning the interpretation or application of these procedure rules shall not be challenged at any meeting of the Council.

6. VARIATION

The order of any business may be varied by the Mayor with the consent of Council.

7. SUSPENSION OF PROCEDURE RULES

The Council at any of its meetings may suspend any procedure rule by a majority of the members of the Council present and voting.

8. VALIDITY OF MOTIONS, AMENDMENTS AND QUESTIONS

- 8.1 Every motion, amendment and question shall be relevant to matters within the Council's powers or duties or which affect the borough. The Mayor shall, if need be, give a ruling as to whether the Motion is relevant.
- 8.2 If the Head of Governance has any doubts about any motion, amendment or question for the agenda for reasons of propriety, he or she may refer it to the Mayor.
- 8.3 If the Mayor considers the motion, amendment or question to be vexatious, irrelevant, or otherwise improper, the Head of Governance will return it to the Member who submitted it. The Head of Governance will explain to the Member in writing why it will not be included on the agenda circulated for the meeting.

9. GENERAL PROVISIONS FOR MOTIONS AND AMENDMENTS

- 9.1 An amendment must be relevant to a Motion on the agenda and shall be to change the words (including deleting or adding words) but such changes must not merely have the effect of negating the Motion before the Council.
- 9.2 No Group may submit more than one amendment to a particular Motion or report on the agenda.
- 9.3 A Member may amend a Motion or report by submitting the amendment in writing to the Head of Governance by 10.30am ~~the working~~two clear working days before the meeting.
- 9.4 Amendments to items on the agenda will be e-mailed to Members and hard copies placed in the Group Rooms by midday of the day of the meeting.

10. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

The following motions and amendments may be moved without notice to:

- 10.1 appoint a Chairman of the meeting;

- 10.2 question the accuracy of the minutes;
- 10.3 move that an item of business in the summons takes precedence;
- 10.4 appoint a committee (including its members, a Chairman and Vice-Chairman and members having related specified duties);
- 10.5 receive reports or adoption of recommendations of committees and officers and any resolutions following on from them;
- 10.6 agree to hear oral representations;
- 10.7 give leave to withdraw a Motion;
- 10.8 extend the time limit for speeches;
- 10.9 move that "the question be now put" (to the vote);
- 10.10 move that "the debate be now adjourned";
- 10.11 move that "the Council do now adjourn";
- 10.12 exclude or to re-admit the press and public under section 100A(4) of the Local Government Act 1972;
- 10.13 move that a Member be not further heard or exclude them from the meeting;

11 DIVISION AND VOTING

11.1 Division bell

When the mover of an original Motion is called by the Mayor to speak in response to any debate or amendment, but not on the adoption of a committee report, the Head of Governance shall arrange for a bell to be rung.

12. VOTING

- 12.1 All motions and amendments shall be determined by a show of hands. In the event of an equality of voting the Mayor shall have the right to exercise a casting vote, in accordance with the provisions of the Local Government Act 1972.
- 12.2 Decisions shall be taken by a majority of those members present and voting except where specific provisions in this Constitution provide otherwise. Members must be seated in the Chamber when voting and while the vote is being recorded.
- 12.3 In cases where a vote is taken, the minutes of the meeting should record the number of votes for and against the matter together with the number of abstentions.

12.4 For the Council budget meeting the minutes shall reflect on how each Member present voted, on any decision relating to the budget or Council tax.

13. VOTE TO BE RECORDED

13.1 If, immediately after a vote is taken, a member requests his or her vote to be recorded, the Head of Governance will record in the minutes whether that member:

- (a) cast his or her vote for or against the question; or
- (b) abstained from voting.

14. DIVISION

14.1 If following a vote, ten members rise in their place and demand a formal division, the Head of Governance shall call over the names of all the members, and record and enter in the minutes those:

- (a) voting for or against the Motion or amendment;
- (b) abstaining from voting; and
- (c) absent from the meeting when the division was taken.

14.2 The voting at the division shall take the place of the voting indicated by a show of hands.

15. VOTING ON APPOINTMENTS

15.1 Where more than two persons are nominated for any position to be filled by the Council, and there is no majority of votes in favour of one person, the name of the person having the least number of votes shall be deleted from the list. Further votes will then be taken on the same basis until a majority is given in favour of one person.

16. QUESTION TIME

16.1 In part 2 of the meeting the Leader of the Council will answer questions from any member of the Council. The Leader may delegate the responsibility for answering to any Chairman of a relevant committee.

16.2 Questions will be put to the Leader in the order in which they are received by the Head of Governance, except that questions shall be ordered so that a question from the Administration is followed by a question from the main Opposition Group. The smaller Opposition Group will be entitled to have one question in every six throughout this sequence. This sequence shall be maintained until all questions have been dealt with or the time limit for question time is reached.

16.3 Any Member wishing to ask a question must deliver by e-mail, to be received by the Head of Governance by 10.30am ~~ten~~14 clear working days before the day of the

meeting.

16.4 The Head of Governance shall keep a register recording the date and time the question was received. Any member of the Council may inspect the record.

16.5 Where the Leader or a Committee Chairman delegate responsibility to a director or senior officer to provide a draft response to a council question these must be provided no later than 7 clear working days before the meeting.

16.56 The Leader may agree to answer a question of which notice has not been given, if it relates to urgent business and has been discussed with him/her before the meeting.

16.67 All questions must relate to the Council's powers or duties or matters that affect the borough or its residents.

16.78 Every question shall be put and answered without discussion.

16.89 An answer will take the form of a written reply circulated two working days before the meeting but the Mayor may allow further comment from the Leader or appropriate Committee Chairman. In the absence of the appropriate Chairman further comment may be allowed from the relevant Vice-Chairman.

16.910 One supplementary question and answer will be allowed on the same subject from the same members.

16.101 The time allowed for questions will be 30 minutes. At the end of that time the Mayor will allow an oral reply to a supplementary question commenced before the expiry of the time limit and then bring this part of the meeting to a close. The Mayor has the right to prevent any member asking or giving a protracted supplementary question or answer.

17. GENERAL RULES THAT APPLY TO PARTS 3 AND 4 OF THE MEETING

Rules of Debate

17.1 The rules of debate at the meeting are as follows:

17.2 Each Motion will be dealt with in turn in the order set out on the agenda. The Motion need not be seconded. The Member moving the Motion, or another member of that group, will open the debate. The Leader of each of the other groups, or another member of their group, will then have an opportunity to comment and at the end of the time allowed the Mayor will bring this part of the debate to an end, whether or not all those entitled have spoken or completed their speeches.

17.3 For reports of Committees, the Chairman of the relevant committee, or the Vice-Chairman in their absence, will move reception of the report and adoption of the recommendations. This report need not be seconded. The leader of each of the other groups, or another member of their group, will then have an opportunity to comment on the recommendation, and at the end of the time allowed the Mayor will bring this part of

the debate to an end, whether or not all those entitled have spoken or completed their speeches.

- 17.4 Notified amendments may be moved by those speaking in the first part of the debate. After all the amendments have been debated the Motion will be debated. Then the Member, who opened the debate, or his / her nominee, has the right to respond.
- 17.5 At the end of debate the Mayor will put each amendment to the vote in turn. If an amendment is carried it alters the substantive Business Item.
- 17.6 The Mayor will then put the item to the vote.

Time for Debate

- 17.7 Each of the first speakers from each Group under Rule 20.2 may speak for a maximum of three minutes. All subsequent speakers will be limited to a maximum of two minutes. At the end of that period of time the Mayor will bring that part of the meeting to a close, whether or not every member wishing or entitled to speak is speaking or has spoken, and whether or not all the business for that part of the meeting has been dealt with. The Mayor will then put the remaining items of business for that part of the meeting to the meeting in turn, and the Council will decide and if necessary vote on each of them without debate.
- 17.8 For all other items of business (e.g. reports of Committees or from Officers), each of the first two speakers may speak for a maximum of three minutes and all other speakers a maximum of two minutes.
- 17.9 The Mayor may at any time move that more time be allowed for a debate than is shown on the timetable, that an amendment, Motion or recommendation be put to the vote without further debate, or that the order of business be varied. This motion from the Mayor need not be seconded, and will be immediately put to the vote without debate.
- 17.10 The mover of an original Motion shall have a right of reply at the close of the debate on the Motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original Motion has the right to respond or to accept the amendment.

Motions

- 17.11 Motions must consist of comments or requests addressed to the Council. They must address broad policy issues and relate to the Council's powers or duties or matters that substantially affect the Borough or its residents as opposed to matters of general national relevance which should not be debated.
- 17.12 Motions may not promote a policy initiative which has been rejected, or negate a policy initiative that has been agreed by Council or its committees in the six months before the meeting.

Members Motions

- 17.13 Any Member may put a Motion on the agenda for an ordinary meeting of the Council,

except the meeting that deals with the Budget and Council Tax. The Motion must be delivered by e-mail, and received by the Head of Governance by 10.30am at least ~~six~~ **eight** clear working days before the day of the meeting. Any Motion delivered after 10:30am will be recorded as received on the next working day.

- 17.14 The Head of Governance shall keep a record of the date the notice was received and any member of the Council may inspect the record.
- 17.15 The Head of Governance shall set out in the summons for the meeting all Motions in order of receipt.
- 17.16 Once the Motion is on the agenda, any Member may move the Motion at the meeting. If the Motion is not moved it shall be treated as withdrawn, unless the Council agrees to postpone it.
- 17.17 If the proposer has specifically asked in his or her notice for the Motion to be voted on at that Council meeting it will be voted on without discussion.

18 RULES THAT APPLY TO PART 2 OF THE MEETING

Questions on Committee reports

- 18.1 A member may ask the Chairman of a Committee, or a member moving the reception of the report of the committee, any question on it whilst it is being considered. Notice of the question should be given to the Chairman, or any member moving the report, where practicable. Every question shall be put and answered without discussion. The person to whom a question has been put may decline to answer.

Questions to Council representatives on Outside Bodies

- 18.2 At an ordinary meeting, a member, who has given 10 clear working days written notice to the Head of Governance, may ask any question about the activities of a company or outside body to any member or officer who has been appointed or nominated to the outside body.
- 18.3 The member or officer may decline to answer if the question would disclose information about the outside body that has been communicated to him or her in confidence.
- 18.4 An answer may take the form of:
(a) an oral or written answer (officers will invariably give written answers); or
(b) a reference to a Council publication; or
(c) a holding reply where it is not possible to give an immediate response; a written response must be circulated to members when the information is available.
- 18.5 No discussion shall be permitted about any question or the reply to it.
- 18.6 Questions and answers will be recorded.

Public Questions to the Leader of the Council

- 18.7 Members of the public are permitted to submit written questions to the Leader in accordance with the following provisions:
- Any question must be delivered in writing, including by e-mail, to be received by the Head of Governance by 10.30am ten clear working days before the day of the meeting. Any questions submitted after that time will not be considered,
 - The question should not relate to a matter previously considered by a committee and subject to the six month rule,
 - The question should not relate to a matter that is within the remit of a committee, or be a matter best addressed by a committee. If this is the case, then the question should be directed to the appropriate committee.
 - The question must not be in substance a question that has already been considered by the Leader in the preceding 6 months.
- 18.8 Every question will be answered in writing. The Leader may decline to answer a question in exceptional circumstances and should include the reason for not answering the question. Any questions not answered will be directed to the next relevant meeting of the themed committee.

Full Council Procedure Rules

Types of meetings

1. ANNUAL MEETINGS OF THE COUNCIL

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May. The matters to be considered at the Annual Meeting shall be

- (a)
 - (i) Apologies for absence
 - (ii) Declarations of interest
 - (iii) Electing a Mayor;
- (b) Approve the minutes of the last meeting;
- (c) Receive official announcements;
- (d) Noting the appointment of the Deputy Mayor;
- (e) Electing the Leader of the Council for the ensuing four year period;
- (f) Noting the appointment of the Deputy Leader of the Council;
- (g) Noting the appointment as Leader of the Opposition of the Leader of the largest political group other than the group of which the Leader of the Council is a member;
- (h) Appointing the Chairman, Vice Chairman and members of Committees, and other regulatory bodies and approving their respective terms of reference;
- (i) Agreeing the Scheme of Delegation or such part of it as the Constitution determines it is for Council to agree;
- (j) Appointing representatives to Outside Bodies unless the appointment has been delegated by the Council;
- (k) Reports from other Committees and Officers as required to in the proper discharge of functions delegated by Council.

2. ORDINARY MEETINGS

- 2.1 The matters to be considered at an Ordinary Council meeting shall be:

Part 1 - Statutory formalities/Announcements (15 minutes)

1. Apologies for absence
2. Elect a member to preside if the Mayor and Deputy Mayor are absent
3. Prayer
4. Declaration of interest
5. Minutes of last meeting
6. Official announcements
7. Any business remaining from last meeting
8. Agree the Council Calendar of meetings including for ordinary meetings of the Council

Part 2 - Question Time (30 minutes or until 7.45 p.m. whichever is longer)

9. Questions to the Leader (and Committee Chairmen if he/she has delegated)

Part 3 - Statutory Council Business (60 minutes)

10. Petitions for Debate (20 minutes). A petition organiser (up to 5 minutes) and Members responding (up to 15 minutes)
11. Reports from the Leader
12. Reports from Council Committees
13. Reports of Officers
14. Questions to Council Representatives on Outside Bodies

Break (15 minutes)

Part 4 – Business for Debate (45 minutes)

15. Motions (45 minutes)

Discussion of up to two motions: At least one motion originating from the Opposition to be debated if submitted. The Opposition is the next largest political group after the ruling administration.

If there is more than one motion submitted, the Opposition motion debated will be determined by the Opposition, and the Administration motion will be determined by the Administration.

If more than two motions are submitted then these can be debated if time allows before 10pm at the end of the agenda and with the agreement of the Council. These motions, if any, will be taken in rotation between the Political Parties.

No business shall be transacted after 10 pm and any business transacted after that time shall be null and void, but that at any meeting of Full Council, the Mayor or person presiding as Chairman may with the agreement of Council extend the period for the transaction of business to 10.30 pm.

3. EXTRAORDINARY MEETINGS

- 3.1 The Mayor may call an Extraordinary Meeting of the Council at any time.
- 3.2 Five Members of the Council may also request the Mayor to call an Extraordinary Meeting. The meeting must be called within seven days of the notice being present to the Mayor, although there is no time limit by which the meeting must take place.
- 3.3 If the Mayor refuses, or does not call the meeting within seven days, any five Members may themselves call an Extraordinary Meeting.
- 3.4 The only business permitted at an extraordinary meeting is that which appears in the summons.

4. BUDGET COUNCIL MEETINGS

- 4.1 The Council shall hold a Budget meeting at time, date and place fixed by the Council to approve the budget and Council Tax for the ensuing financial year. Only Parts 1 (Statutory Formalities/Announcements) and 3 (Statutory Council Business) will apply to the Budget meeting.

5. ROLE OF MAYOR.

- 5.1 At the meeting of the Council, the Mayor, if present shall preside.
- 5.2 If the Mayor is absent from a meeting of the Council then the Deputy Mayor will preside.
- 5.3 If the Mayor and Deputy Mayor are absent from the meeting then another Councillor chosen by the Councillors present shall preside.
- 5.4 Any procedural issues or challenges to the conduct of the meeting that arise during the course of a meeting shall be determined by the Mayor (or other person presiding at the meeting).
- 5.5 The ruling of the Mayor or person presiding at the meeting concerning the interpretation or application of these procedure rules shall not be challenged at any meeting of the Council.

6. VARIATION

The order of any business may be varied by the Mayor with the consent of Council.

7. SUSPENSION OF PROCEDURE RULES

The Council at any of its meetings may suspend any procedure rule by a majority of the members of the Council present and voting.

8. VALIDITY OF MOTIONS, AMENDMENTS AND QUESTIONS

- 8.1 Every motion, amendment and question shall be relevant to matters within the Council's powers or duties or which affect the borough. The Mayor shall, if need be, give a ruling as to whether the Motion is relevant.
- 8.2 If the Head of Governance has any doubts about any motion, amendment or question for the agenda for reasons of propriety, he or she may refer it to the Mayor.
- 8.3 If the Mayor considers the motion, amendment or question to be vexatious, irrelevant, or otherwise improper, the Head of Governance will return it to the Member who submitted it. The Head of Governance will explain to the Member in writing why it will not be included on the agenda circulated for the meeting.

9. GENERAL PROVISIONS FOR MOTIONS AND AMENDMENTS

- 9.1 An amendment must be relevant to a Motion on the agenda and shall be to change the words (including deleting or adding words) but such changes must not merely have the effect of negating the Motion before the Council.
- 9.2 No Group may submit more than one amendment to a particular Motion or report on the agenda.
- 9.3 A Member may amend a Motion or report by submitting the amendment in writing to the Head of Governance by 10.30am two clear working days before the meeting.
- 9.4 Amendments to items on the agenda will be e-mailed to Members and hard copies placed in the Group Rooms by midday of the day of the meeting.

10. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

The following motions and amendments may be moved without notice to:

- 10.1 appoint a Chairman of the meeting;
- 10.2 question the accuracy of the minutes;

- 10.3 move that an item of business in the summons takes precedence;
- 10.4 appoint a committee (including its members, a Chairman and Vice-Chairman and members having related specified duties);
- 10.5 receive reports or adoption of recommendations of committees and officers and any resolutions following on from them;
- 10.6 agree to hear oral representations;
- 10.7 give leave to withdraw a Motion;
- 10.8 extend the time limit for speeches;
- 10.9 move that "the question be now put" (to the vote);
- 10.10 move that "the debate be now adjourned";
- 10.11 move that "the Council do now adjourn";
- 10.12 exclude or to re-admit the press and public under section 100A(4) of the Local Government Act 1972;
- 10.13 move that a Member be not further heard or exclude them from the meeting;

11. DIVISION AND VOTING

11.1 Division bell

When the mover of an original Motion is called by the Mayor to speak in response to any debate or amendment, but not on the adoption of a committee report, the Head of Governance shall arrange for a bell to be rung.

12. VOTING

- 12.1 All motions and amendments shall be determined by a show of hands. In the event of an equality of voting the Mayor shall have the right to exercise a casting vote, in accordance with the provisions of the Local Government Act 1972.
- 12.2 Decisions shall be taken by a majority of those members present and voting except where specific provisions in this Constitution provide otherwise. Members must be seated in the Chamber when voting and while the vote is being recorded.
- 12.3 In cases where a vote is taken, the minutes of the meeting should record the number of votes for and against the matter together with the number of abstentions.
- 12.4 For the Council budget meeting the minutes shall reflect on how each Member present voted, on any decision relating to the budget or Council tax.

13. VOTE TO BE RECORDED

- 13.1 If, immediately after a vote is taken, a member requests his or her vote to be recorded, the Head of Governance will record in the minutes whether that member:
- (a) cast his or her vote for or against the question; or
 - (b) abstained from voting.

14. DIVISION

- 14.1 If following a vote, ten members rise in their place and demand a formal division, the Head of Governance shall call over the names of all the members, and record and enter in the minutes those:
- (a) voting for or against the Motion or amendment;
 - (b) abstaining from voting; and
 - (c) absent from the meeting when the division was taken.
- 14.2 The voting at the division shall take the place of the voting indicated by a show of hands.

15. VOTING ON APPOINTMENTS

- 15.1 Where more than two persons are nominated for any position to be filled by the Council, and there is no majority of votes in favour of one person, the name of the person having the least number of votes shall be deleted from the list. Further votes will then be taken on the same basis until a majority is given in favour of one person.

16. QUESTION TIME

- 16.1 In part 2 of the meeting the Leader of the Council will answer questions from any member of the Council. The Leader may delegate the responsibility for answering to any Chairman of a relevant committee.
- 16.2 Questions will be put to the Leader in the order in which they are received by the Head of Governance, except that questions shall be ordered so that a question from the Administration is followed by a question from the main Opposition Group. The smaller Opposition Group will be entitled to have one question in every six throughout this sequence. This sequence shall be maintained until all questions have been dealt with or the time limit for question time is reached.
- 16.3 Any Member wishing to ask a question must deliver by e-mail, to be received by the Head of Governance by 10.30am 14 clear working days before the day of the meeting.
- 16.4 The Head of Governance shall keep a register recording the date and time the question was received. Any member of the Council may inspect the record.
- 16.5 Where the Leader or a Committee Chairman delegate responsibility to a director or

senior officer to provide a draft response to a council question these must be provided no later than 7 clear working days before the meeting.

- 16.6 The Leader may agree to answer a question of which notice has not been given, if it relates to urgent business and has been discussed with him/her before the meeting.
- 16.7 All questions must relate to the Council's powers or duties or matters that affect the borough or its residents.
- 16.8 Every question shall be put and answered without discussion.
- 16.9 An answer will take the form of a written reply circulated two working days before the meeting but the Mayor may allow further comment from the Leader or appropriate Committee Chairman. In the absence of the appropriate Chairman further comment may be allowed from the relevant Vice-Chairman.
- 16.10 One supplementary question and answer will be allowed on the same subject from the same members.
- 16.11 The time allowed for questions will be 30 minutes. At the end of that time the Mayor will allow an oral reply to a supplementary question commenced before the expiry of the time limit and then bring this part of the meeting to a close. The Mayor has the right to prevent any member asking or giving a protracted supplementary question or answer.

17. GENERAL RULES THAT APPLY TO PARTS 3 AND 4 OF THE MEETING

Rules of Debate

- 17.1 The rules of debate at the meeting are as follows:
- 17.2 Each Motion will be dealt with in turn in the order set out on the agenda. The Motion need not be seconded. The Member moving the Motion, or another member of that group, will open the debate. The Leader of each of the other groups, or another member of their group, will then have an opportunity to comment and at the end of the time allowed the Mayor will bring this part of the debate to an end, whether or not all those entitled have spoken or completed their speeches.
- 17.3 For reports of Committees, the Chairman of the relevant committee, or the Vice-Chairman in their absence, will move reception of the report and adoption of the recommendations. This report need not be seconded. The leader of each of the other groups, or another member of their group, will then have an opportunity to comment on the recommendation, and at the end of the time allowed the Mayor will bring this part of the debate to an end, whether or not all those entitled have spoken or completed their speeches.
- 17.4 Notified amendments may be moved by those speaking in the first part of the debate. After all the amendments have been debated the Motion will be debated. Then the Member, who opened the debate, or his / her nominee, has the right to respond.

- 17.5 At the end of debate the Mayor will put each amendment to the vote in turn. If an amendment is carried it alters the substantive Business Item.
- 17.6 The Mayor will then put the item to the vote.

Time for Debate

- 17.7 Each of the first speakers from each Group under Rule 20.2 may speak for a maximum of three minutes. All subsequent speakers will be limited to a maximum of two minutes. At the end of that period of time the Mayor will bring that part of the meeting to a close, whether or not every member wishing or entitled to speak is speaking or has spoken, and whether or not all the business for that part of the meeting has been dealt with. The Mayor will then put the remaining items of business for that part of the meeting to the meeting in turn, and the Council will decide and if necessary vote on each of them without debate.
- 17.8 For all other items of business (e.g. reports of Committees or from Officers), each of the first two speakers may speak for a maximum of three minutes and all other speakers a maximum of two minutes.
- 17.9 The Mayor may at any time move that more time be allowed for a debate than is shown on the timetable, that an amendment, Motion or recommendation be put to the vote without further debate, or that the order of business be varied. This motion from the Mayor need not be seconded, and will be immediately put to the vote without debate.
- 17.10 The mover of an original Motion shall have a right of reply at the close of the debate on the Motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original Motion has the right to respond or to accept the amendment.

Motions

- 17.11 Motions must consist of comments or requests addressed to the Council. They must address broad policy issues and relate to the Council's powers or duties or matters that substantially affect the Borough or its residents as opposed to matters of general national relevance which should not be debated.
- 17.12 Motions may not promote a policy initiative which has been rejected, or negate a policy initiative that has been agreed by Council or its committees in the six months before the meeting.

Members Motions

- 17.13 Any Member may put a Motion on the agenda for an ordinary meeting of the Council, except the meeting that deals with the Budget and Council Tax. The Motion must be delivered by e-mail, and received by the Head of Governance by 10.30am at least eight clear working days before the day of the meeting. Any Motion delivered after 10:30am will be recorded as received on the next working day.
- 17.14 The Head of Governance shall keep a record of the date the notice was received and any member of the Council may inspect the record.

- 17.15 The Head of Governance shall set out in the summons for the meeting all Motions in order of receipt.
- 17.16 Once the Motion is on the agenda, any Member may move the Motion at the meeting. If the Motion is not moved it shall be treated as withdrawn, unless the Council agrees to postpone it.
- 17.17 If the proposer has specifically asked in his or her notice for the Motion to be voted on at that Council meeting it will be voted on without discussion.

18 RULES THAT APPLY TO PART 2 OF THE MEETING

Questions on Committee reports

- 18.1 A member may ask the Chairman of a Committee, or a member moving the reception of the report of the committee, any question on it whilst it is being considered. Notice of the question should be given to the Chairman, or any member moving the report, where practicable. Every question shall be put and answered without discussion. The person to whom a question has been put may decline to answer.

Questions to Council representatives on Outside Bodies

- 18.2 At an ordinary meeting, a member, who has given 10 clear working days written notice to the Head of Governance, may ask any question about the activities of a company or outside body to any member or officer who has been appointed or nominated to the outside body.
- 18.3 The member or officer may decline to answer if the question would disclose information about the outside body that has been communicated to him or her in confidence.
- 18.4 An answer may take the form of:
- (a) an oral or written answer (officers will invariably give written answers); or
 - (b) a reference to a Council publication; or
 - (c) a holding reply where it is not possible to give an immediate response; a written response must be circulated to members when the information is available.
- 18.5 No discussion shall be permitted about any question or the reply to it.
- 18.6 Questions and answers will be recorded.

Public Questions to the Leader of the Council

- 18.7 Members of the public are permitted to submit written questions to the Leader in accordance with the following provisions:
- Any question must be delivered in writing, including by e-mail, to be received by the Head of Governance by 10.30am ten clear working days before the day of the meeting. Any questions submitted after that time will not be considered,
 - The question should not relate to a matter previously considered by a committee and subject to the six month rule,
 - The question should not relate to a matter that is within the remit of a committee, or be a matter best addressed by a committee. If this is the case, then the question should be directed to the appropriate committee.
 - The question must not be in substance a question that has already been considered by the Leader in the preceding 6 months.
- 18.8 Every question will be answered in writing. The Leader may decline to answer a question in exceptional circumstances and should include the reason for not answering the question. Any questions not answered will be directed to the next relevant meeting of the themed committee.

Article 3 – Residents and Public Participation

3.1 Residents' Rights

Residents have a number of rights. The following list is a general summary of rights in terms of information, the opportunity to participate and the ability to make complaints.

- (a) (i) **Petition scheme.** Residents who are concerned about a Council service or a decision that is about to be made may send the Council a petition which shall be considered and responded to in accordance with the Petition Scheme as outlined below.
- (b) **Information.** Residents have the right to:
 - (i) Attend meetings of the Council and its committees, except where confidential or exempt information is likely to be disclosed, and that part of the meeting is therefore held in private;
 - (ii) See agendas, reports and background papers, except where confidential or exempt information is likely to be disclosed, and any records of decisions made by the Council and its committees; and
 - (iii) Inspect the Council's accounts and make their views known to the external auditor.
- (c) **Treatment.** Residents have the right to:
 - (i) Be treated with understanding and respect;
 - (ii) Have equal opportunity with other residents; and
 - (iii) Receive quality services provided to Best Value principles.
- (d) **Public Engagement.** Residents have the right to ask questions and receive answers at committee meetings in accordance with the following rules. Residents can also raise issues at Residents Forum.

Residents can participate in Committee meetings as follows:

- By asking a public question
- By submitting a petition
- By submitting a public comment

3.2 Questions to a Committee

Questions must specify the item of business on the agenda which they relate to. Committee agendas are usually published on the Council's website five clear working days prior to the meeting. Residents should state their address when submitting questions. Each question is limited to 100 words.

Questions should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any questions submitted after this time will not be considered.

A resident may ask one question per agenda item. A maximum of two questions from residents may be asked per agenda item. These will be accepted in order of receipt. Any additional questions received will not be accepted.

Written responses to public questions will be circulated to the questioner in advance or at the meeting. Residents can ask the committee chairman one supplementary question per question asked at the committee meeting, which will be answered without discussion. The supplementary question must be relevant to the original question put to the chairman.

Residents submitting questions are able to send a substitute to ask their supplementary question if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

3.3 Written Comments to Committees

Written comments must specify the item of business on the agenda which they relate to. Committee agendas are published on the Council's website five clear working days prior to the meeting. Residents should state their address when submitting comments. Each written comment is limited to 100 words.

Written comments should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any written comments received after this time will not be considered.

A resident may submit one written comment per agenda item. A maximum of two written comments from residents may be submitted per agenda item. These will be accepted in order of receipt. Any additional written comments received will not be accepted.

Written comments will be reported to the committee and published alongside the agenda papers for the meeting.

3.4 Procedure for Questions at Committees

At committee meetings a time period of up to 30 minutes is available for public questions in total. Supplementary questions will be asked in order of receipt.

Public questions or comments are not permitted:

- If they don't relate to a substantive item on the agenda
- If they are defamatory, abusive or offensive.
- If submitted from Council employees or trade unions on employment matters; there are avenues available for these to be addressed via the Terms of Reference of the Constitution & General Purposes Committee.

- If they would result in the release of confidential information, or which may prejudice enforcement.
- If they relate to a matter where there is a right of appeal against any decision of the Council.
- If they have been submitted by someone who has been deemed to be subject to the Unreasonably Persistent Complainants Policy;
- If they are received from people who are not Barnet residents;
- At the Strategic Planning Committee and Planning Committees on Town and Country Planning applications (a separate procedure is detailed in section 3.6). Public questions are permitted at the Strategic Planning Committee on planning policy matters;
- If they relate to the making / confirmation of Tree Preservation Orders, as the procedure for making objections or representations is prescribed by the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

The Chairman of the relevant Committee or Sub-Committee, in consultation with the Head of Governance, shall decide whether any particular question, comment or issue will be permitted.

3.5 Issues for Residents Forum

Issues must be received by the Governance Service by 10am on the fifth working day prior to the meeting for the item to be discussed at the Forum. Written responses to local matters will be provided by 5pm the working day before the Residents Forums take place. Residents should state their address when submitting a forum issue.

The Forum Chairman has the discretion to accept issues with less than five days' notice if they deem the matter to be urgent. Responses to urgent matters will be responded to verbally by officers at the Forum meeting.

Councillors, MPs and Assembly Members are not permitted to submit items and questions for Residents Forum, but may be called on to comment on issues. Such comments will be invited entirely at the discretion of the Residents Forum chairman.

The Six Month Rule shall apply whereby matters dealt with cannot be raised again within this period. The Six Month Rule means that Residents Forum will not reconsider any issues discussed at a resident's forum or any decision taken by a committee in the six months preceding the date of the forum. An exception is that where the Chairman has agreed that an issue raised at a previous Forum meeting should be reported back with a detailed response in which case the resident who raised the original issue (or their nominated deputy) will be invited to address the Forum for up to 3 minutes. The Residents Forum may also be a forum for certain consultations from the Council as decided by the Chairman.

At Residents Forum issues will be considered in order of receipt. Where a resident has submitted more than one issue, their second item or question will be considered after all other residents have presented their first item. Issues will continue to be determined in this way until all issues have been considered.

The Chairman will determine issues in the following way:

1. Residents will have the opportunity to address the Forum on for up to 3 minutes on the issue they have previously raised
2. Chairman, Chief Officers or other relevant officers may respond to the issues raised
3. Having considered the issues the Chairman can take the following actions:
 - note the issue and take no action
 - instruct that an appropriate named officer contact the resident within 20 working days to provide an additional response and that this response be published in the meeting documents available on the website.
 - instruct that Ward Members are notified of the issue.
 - decide that a Road Safety and Parking issue be referred to the Executive Director, Environment
 - decide that the issue (except a Road Safety and Parking issue) be referred to the next meeting of an Area Committee for consideration, subject to the issue being within the terms of reference of an Area Committee

When determining issues in accordance with the options detailed above, the Chairman must give reasons for their decision.

3.6 Petitions

Petitions must have a minimum of 25 signatures and be relevant to the functions of the authority. The petition will be presented to the Governance Service who will forthwith present it to the relevant Director and/or the relevant Committee Chairman for information.

Petitions can either be submitted in hard copy to the Head of Governance or by using the authority's e-petitions facility. It is acceptable to combine paper petitions and e-petitions, providing the action the Council is being requested to take in the petitions are the same.

The address of the Head of Governance is as follows:

Head of Governance
London Borough of Barnet
2 Bristol Avenue
Colindale
London
NW9 4EW

The authority's e-petition facility can be found here:

<https://barnet.moderngov.co.uk/mgEPetitionListDisplay.aspx?bcr=1>

E-petitions submitted on external websites can be accepted by the council. However, petitions hosted on external websites will need to be submitted by the lead petitioner to the Head of Governance in order for the petition to be accepted.

Petition signatures must be from Barnet residents otherwise they will not count towards the overall signature total. Petitions signatories must provide addresses to enable them to be verified.

A petition will not be accepted if:

- it is vexatious or abusive;
- it relates to any enactment or statutory provision;
- it relates to a safeguarding matter;
- it does not contain the address of signatories;
- it relates to a named individual or could reveal the identity of a person;
- it does not relate to the functions of the council;
- it is not clear what it is asking the council to do;
- it deals with an issue that has previously been resolved;
- it is repetitive, vexatious, or requires action which is unlawful or for which another council procedure is available

The Head of Governance will make a ruling on whether or not to accept a petition, taking into consideration grounds for rejection as laid out above.

On such an occasion where a petition is rejected, the Head of Governance (or his/her representative) will write to the lead petitioner and explain the reasons for rejection.

Petitions relating to planning or licensing applications, appeals or reviews will be treated as letters of representation and will be dealt with by the relevant service area and will be taken into consideration in dealing with the relevant application, appeal or review. For petitions falling within these categories, the reporting procedures below will not apply.

Petitions which have been submitted in response to a consultation process initiated by a specific committee should be reported back to that committee.

Petitions will be acknowledged within 10 working days. The acknowledgement will include information on how the petition will be progressed.

Petitions will be reported as follows:

Signatures	Forum and Procedure
0-24	No action required.
25 – 1,999 Signatures	The petition will be reported to Residents Forum to which the issue relates. Where the petition relates to a borough-wide issue, the matter will be reported to the Residents Forum for the constituency area in which the lead petitioner resides.

	<p>The Lead Petitioner will be given three minutes to present the petition to the Forum. Following the presentation the Residents Forum Chairman will decide to:</p> <ul style="list-style-type: none"> • Take no action; • Refer the matter to a chief officer to respond to within 20 working days; or • Refer the matter to the relevant Area Committee (if funding is required)
<p>2,000 – 6,999 Signatures</p>	<p>Where the petition relates to the functions and responsibilities of an Area Committee it will be reported to the relevant Area Committee.</p> <p>Where the petition relates to the matters outside the functions and responsibilities outside of the remit of an Area Committee, the petition will be reported to the relevant Theme Committee.</p> <p>The Lead Petitioner will be given five minutes to present the petition to the committee.</p> <p>Following the presentation the Chairman and Committee Members have an opportunity to ask the Lead Petitioner questions. After the debate the Committee will decide to:</p> <ul style="list-style-type: none"> • Take no action • Refer the matter to a chief officer to provide a written respond to Lead Petitioner within 20 working days; or • Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised with a recommended course of action
<p>7,000 plus Signatures</p>	<p>The petition will be considered by Full Council and the following process will be followed:</p> <ul style="list-style-type: none"> • Lead Petitioner is given five minutes to present the petition; • Council Members have an opportunity to ask questions of the Lead Petitioner then debate the item. • The relevant Committee Chairman will respond to the issues raised in the petition and outline the decision route (if any) he/she proposes to take

Petitions are required to be received seven working days before the Residents Forum, relevant committee meeting or Full Council.

Any hard copy petition received will be published on the Council's website via the Council's e-petition facility and processed by the Council as documented in this section. Updates or responses to petitions will be published on the e-petitions section of the website once an officer has responded or a Forum, Committee or Full Council has received a petition.

3.7 Requests to speak at Planning Committees

Requests to speak about an application on the planning committee agenda should be submitted to the relevant Planning Case Officer by 10am on the third working day prior to the meeting.

In addition to any Councillor and the Applicant (or their representative) two residents may speak. Such speakers shall be one for and one against the application unless there is no resident wishing to speak for the application in which case two residents may speak against the application, or no resident in objection in which case two residents may speak in support of the application.

At the meeting, each speaker will have a time period of up to 3 minutes to address the committee. Committee members will then have the opportunity to question the speaker.

Residents who have requested to speak are able to send a substitute to make their representation if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

Where an application being considered by a Planning Committee is referred to the Strategic Planning Committee for determination, the speaking rights of members of the public who have registered to speak on the application or item will automatically transfer to the Strategic Planning Committee.

Speaking rights will also automatically transfer where an application has been deferred or adjourned to a future meeting of planning committee, but only if the speakers have not already addressed the committee on the deferred or adjourned item. In cases where the membership of the committee which considers the deferred or adjourned application is different from the committee which originally heard the application, then the application should be fully re-heard including speakers.

Public speaking arrangements do not apply to an item relating to the making / confirmation of a Tree Preservation Order as this would be contrary to the legislative procedure for making objections and/or representations.

3.8 Requests to speak on Assets of Community Value listings

Requests to speak about an application to list an Asset of Community Value should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting.

In addition to any Councillor, the Asset Owner (or their representative) and a representative from the nominating body, up to two residents may speak. Such speakers shall be one for and one against the listing application unless there is no resident wishing to speak against the listing application in which case two residents may speak in favour of the listing, or no resident in favour in which case two residents may speak against the listing application.

At the meeting, each speaker will have a time period of up to 3 minutes to address the committee or sub-committee. Committee or sub-committee members will then have the opportunity to question the speaker.

3.9 Complaints

Residents have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Local Government Ombudsman (after using the Council's own complaints scheme);
- (iii) the Monitoring Officer about a breach of the Members Code of Conduct.

3.10 Disorderly Conduct

If a member(s) of the public or press (or a Councillor) interrupts the proceedings at any meeting, the Mayor or Chairman may warn him/her. If s/he continues the interruption and a warning has previously been given, the Mayor or Chairman may order his/her removal from the meeting place. In the event that the meeting is disrupted the Mayor or the Chairman may adjourn the meeting and if required clear the public gallery. The meeting will then reconvene to consider the remaining business without the public.

Article 3 – Residents and Public Participation

3.1 Residents' Rights

Residents have a number of rights. The following list is a general summary of rights in terms of information, the opportunity to participate and the ability to make complaints.

- (a) (i) **Petition scheme.** Residents who are concerned about a Council service or a decision that is about to be made may send the Council a petition which shall be considered and responded to in accordance with the Petition Scheme as outlined below.
- (b) **Information.** Residents have the right to:
 - (i) Attend meetings of the Council and its committees, except where confidential or exempt information is likely to be disclosed, and that part of the meeting is therefore held in private;
 - (ii) See agendas, reports and background papers, except where confidential or exempt information is likely to be disclosed, and any records of decisions made by the Council and its committees; and
 - (iii) Inspect the Council's accounts and make their views known to the external auditor.
- (c) **Treatment.** Residents have the right to:
 - (i) Be treated with understanding and respect;
 - (ii) Have equal opportunity with other residents; and
 - (iii) Receive quality services provided to Best Value principles.
- (d) **Public Engagement.** Residents have the right to ask questions and receive answers at committee meetings in accordance with the following rules. Residents can also raise issues at Residents Forum.

Residents can participate in Committee meetings as follows:

- By asking a public question
- By submitting a petition
- By submitting a public comment

3.2 Questions to a Committee

Questions must specify the item of business on the agenda which they relate to. Committee agendas are usually published on the Council's website five clear working days prior to the meeting. Residents should state their address when submitting questions. Each question is limited to 100 words.

Questions should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any questions submitted after this time will not be considered.

A resident may ask one question per agenda item. A maximum of two questions from residents may be asked per agenda item. These will be accepted in order of receipt. Any additional questions received will not be accepted.

Written responses to public questions will be circulated to the questioner in advance or at the meeting. Residents can ask the committee chairman one supplementary question per question asked at the committee meeting, which will be answered without discussion. The supplementary question must be relevant to the original question put to the chairman.

Residents submitting questions are able to send a substitute to ask their supplementary question if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

3.3 Written Comments to Committees

Written comments must specify the item of business on the agenda which they relate to. Committee agendas are published on the Council's website five clear working days prior to the meeting. Residents should state their address when submitting comments. Each written comment is limited to 100 words.

Written comments should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any written comments received after this time will not be considered.

A resident may submit one written comment per agenda item. A maximum of two written comments from residents may be submitted per agenda item. These will be accepted in order of receipt. Any additional written comments received will not be accepted.

Written comments will be reported to the committee and published alongside the agenda papers for the meeting.

3.4 Procedure for Questions at Committees

At committee meetings a time period of up to 30 minutes is available for public questions in total. Supplementary questions will be asked in order of receipt.

Public questions or comments are not permitted:

- If they don't relate to a substantive item on the agenda
- If they are defamatory, abusive or offensive.
- If submitted from Council employees or trade unions on employment matters; there are avenues available for these to be addressed via the Terms of Reference of the Constitution & General Purposes Committee.

- If they would result in the release of confidential information, or which may prejudice enforcement.
- If they relate to a matter where there is a right of appeal against any decision of the Council.
- If they have been submitted by someone who has been deemed to be subject to the Unreasonably Persistent Complainants Policy;
- If they are received from people who are not Barnet residents;
- At the Strategic Planning Committee and Planning Committees on Town and Country Planning applications (a separate procedure is detailed in section 3.6). Public questions are permitted at the Strategic Planning Committee on planning policy matters;
- If they relate to the making / confirmation of Tree Preservation Orders, as the procedure for making objections or representations is prescribed by the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

The Chairman of the relevant Committee or Sub-Committee, in consultation with the Head of Governance, shall decide whether any particular question, comment or issue will be permitted.

3.5 Issues for Residents Forum

Issues must be received by the Governance Service by 10am on the fifth working day prior to the meeting for the item to be discussed at the Forum. Written responses to local matters will be provided by 5pm the working day before the Residents Forums take place. Residents should state their address when submitting a forum issue.

The Forum Chairman has the discretion to accept issues with less than five days' notice if they deem the matter to be urgent. Responses to urgent matters will be responded to verbally by officers at the Forum meeting.

Councillors, MPs and Assembly Members are not permitted to submit items and questions for Residents Forum, but may be called on to comment on issues. Such comments will be invited entirely at the discretion of the Residents Forum chairman.

The Six Month Rule shall apply whereby matters dealt with cannot be raised again within this period. The Six Month Rule means that Residents Forum will not reconsider any issues discussed at a resident's forum or any decision taken by a committee in the six months preceding the date of the forum. An exception is that where the Chairman has agreed that an issue raised at a previous Forum meeting should be reported back with a detailed response in which case the resident who raised the original issue (or their nominated deputy) will be invited to address the Forum for up to 3 minutes. The Residents Forum may also be a forum for certain consultations from the Council as decided by the Chairman.

At Residents Forum issues will be considered in order of receipt. Where a resident has submitted more than one issue, their second item or question will be considered after all other residents have presented their first item. Issues will continue to be determined in this way until all issues have been considered.

The Chairman will determine issues in the following way:

1. Residents will have the opportunity to address the Forum on for up to 3 minutes on the issue they have previously raised
2. Chairman, Chief Officers or other relevant officers may respond to the issues raised
3. Having considered the issues the Chairman can take the following actions:
 - note the issue and take no action
 - instruct that an appropriate named officer contact the resident within 20 working days to provide an additional response and that this response be published in the meeting documents available on the website.
 - instruct that Ward Members are notified of the issue.
 - decide that a Road Safety and Parking issue be referred to the Executive Director, Environment
 - decide that the issue (except a Road Safety and Parking issue) be referred to the next meeting of an Area Committee for consideration, subject to the issue being within the terms of reference of an Area Committee

When determining issues in accordance with the options detailed above, the Chairman must give reasons for their decision.

3.6 **Petitions**

Petitions must have a minimum of 25 signatures and be relevant to the functions of the authority. The petition will be presented to the Governance Service who will forthwith present it to the relevant Director and/or the relevant Committee Chairman for information.

Petitions can either be submitted in hard copy to the Head of Governance or by using the authority's e-petitions facility. It is acceptable to combine paper petitions and e-petitions, providing the action the Council is being requested to take in the petitions are the same.

The address of the Head of Governance is as follows:

Head of Governance
London Borough of Barnet
2 Bristol Avenue
Colindale
London
NW9 4EW

The authority's e-petition facility can be found here:

<https://barnet.moderngov.co.uk/mgEPetitionListDisplay.aspx?bcr=1>

E-petitions submitted on external websites can be accepted by the council. However, petitions hosted on external websites will need to be submitted by the lead petitioner to the Head of Governance in order for the petition to be accepted.

Petition signatures must be from Barnet residents otherwise they will not count towards the overall signature total. Petitions signatories must provide addresses to enable them to be verified.

A petition will not be accepted if:

- it is vexatious or abusive;
- it relates to any enactment or statutory provision;
- it relates to a safeguarding matter;
- it does not contain the address of signatories;
- it relates to a named individual or could reveal the identity of a person;
- it does not relate to the functions of the council;
- it is not clear what it is asking the council to do;
- it deals with an issue that has previously been resolved;
- it is repetitive, vexatious, or requires action which is unlawful or for which another council procedure is available

The Head of Governance will make a ruling on whether or not to accept a petition, taking into consideration grounds for rejection as laid out above.

On such an occasion where a petition is rejected, the Head of Governance (or his/her representative) will write to the lead petitioner and explain the reasons for rejection.

Petitions relating to planning or licensing applications, appeals or reviews will be treated as letters of representation and will be dealt with by the relevant service area and will be taken into consideration in dealing with the relevant application, appeal or review. For petitions falling within these categories, the reporting procedures below will not apply.

Petitions which have been submitted in response to a consultation process initiated by a specific committee should be reported back to that committee.

Petitions will be acknowledged within 10 working days. The acknowledgement will include information on how the petition will be progressed.

Petitions will be reported as follows:

Signatures	Forum and Procedure
0-24	No action required.
25 – 1,999 Signatures	The petition will be reported to Residents Forum to which the issue relates. Where the petition relates to a borough-wide issue, the matter will be reported to the Residents Forum for the constituency area in which the lead petitioner resides.

	<p>The Lead Petitioner will be given three minutes to present the petition to the Forum. Following the presentation the Residents Forum Chairman will decide to:</p> <ul style="list-style-type: none"> • Take no action; • Refer the matter to a chief officer to respond to within 20 working days; or • Refer the matter to the relevant Area Committee (if funding is required)
<p>2,000 – 6,999 Signatures</p>	<p>Where the petition relates to the functions and responsibilities of an Area Committee it will be reported to the relevant Area Committee.</p> <p>Where the petition relates to the matters outside the functions and responsibilities outside of the remit of an Area Committee, the petition will be reported to the relevant Theme Committee.</p> <p>The Lead Petitioner will be given five minutes to present the petition to the committee.</p> <p>Following the presentation the Chairman and Committee Members have an opportunity to ask the Lead Petitioner questions. After the debate the Committee will decide to:</p> <ul style="list-style-type: none"> • Take no action • Refer the matter to a chief officer to provide a written respond to Lead Petitioner within 20 working days; or • Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised with a recommended course of action
<p>7,000 plus Signatures</p>	<p>The petition will be considered by Full Council and the following process will be followed:</p> <ul style="list-style-type: none"> • Lead Petitioner is given five minutes to present the petition; • Council Members have an opportunity to ask questions of the Lead Petitioner then debate the item. • The relevant Committee Chairman will respond to the issues raised in the petition and outline the decision route (if any) he/she proposes to take

Petitions are required to be received seven working days before the Residents Forum, relevant committee meeting or Full Council.

Any hard copy petition received will be published on the Council's website via the Council's e-petition facility and processed by the Council as documented in this section. Updates or responses to petitions will be published on the e-petitions section of the website once an officer has responded or a Forum, Committee or Full Council has received a petition.

3.7 Requests to speak at Planning Committees

Requests to speak about an application on the planning committee agenda should be submitted to the relevant Planning Case Officer by 10am on the third working day prior to the meeting.

In addition to any Councillor and the Applicant (or their representative) two residents may speak. Such speakers shall be one for and one against the application unless there is no resident wishing to speak for the application in which case two residents may speak against the application, or no resident in objection in which case two residents may speak in support of the application.

At the meeting, each speaker will have a time period of up to 3 minutes to address the committee. Committee members will then have the opportunity to question the speaker.

Residents who have requested to speak are able to send a substitute to make their representation if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

Where an application being considered by a Planning Committee is referred to the Strategic Planning Committee for determination, the speaking rights of members of the public who have registered to speak on the application or item will automatically transfer to the Strategic Planning Committee.

Speaking rights will also automatically transfer where an application has been deferred or adjourned to a future meeting of planning committee, but only if the speakers have not already addressed the committee on the deferred or adjourned item. In cases where the membership of the committee which considers the deferred or adjourned application is different from the committee which originally heard the application, then the application should be fully re-heard including speakers.

Public speaking arrangements do not apply to an item relating to the making / confirmation of a Tree Preservation Order as this would be contrary to the legislative procedure for making objections and/or representations.

3.8 Requests to speak on Assets of Community Value listings

Requests to speak about an application to list an Asset of Community Value should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting.

In addition to any Councillor, the Asset Owner (or their representative) and a representative from the nominating body, up to two residents may speak. Such speakers shall be one for and one against the listing application unless there is no resident wishing to speak against the listing application in which case two residents may speak in favour of the listing, or no resident in favour in which case two residents may speak against the listing application.

At the meeting, each speaker will have a time period of up to 3 minutes to address the committee or sub-committee. Committee or sub-committee members will then have the opportunity to question the speaker.

3.9 Complaints

Residents have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Local Government Ombudsman (after using the Council's own complaints scheme);
- (iii) the Monitoring Officer about a breach of the Members Code of Conduct.

3.10 Disorderly Conduct

If a member(s) of the public or press (or a Councillor) interrupts the proceedings at any meeting, the Mayor or Chairman may warn him/her. If s/he continues the interruption and a warning has previously been given, the Mayor or Chairman may order his/her removal from the meeting place. In the event that the meeting is disrupted the Mayor or the Chairman may adjourn the meeting and if required clear the public gallery. The meeting will then reconvene to consider the remaining business without the public.