

# Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 25TH JANUARY, 2022 AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

SUMMONS AND AGENDA



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

Agenda and Timetable  
Tuesday 25th January, 2022

Item	Subject	Page Numbers
	<b>Part 1 - Statutory formalities/Announcements (15 minutes)</b>	
1.	<b>Apologies for absence</b>	
2.	<b>Elect a Member to preside if the Mayor is absent</b>	
3.	<b>Prayer</b>	
4.	<b>Declarations of Interest</b>	
5.	<b>Minutes of the last meeting</b>	5 - 24
6.	<b>Official announcements</b>	
7.	<b>Any business remaining from last meeting</b>	
	<b>Part 2 - Question Time (30 minutes)</b>	
8.	<b>Questions to the Leader (and Committee Chairmen if he/she has delegated)</b>	To Follow
	<b>Part 3 - Statutory Council Business (60 minutes)</b>	
9.	<b>Petitions for Debate (20 minutes)</b>	
10.	<b>Reports from the Leader</b>	
11.	<b>Reports from Committees</b>	
11.1	Referral from Policy & Resources Committee - Recommendation from Financial Performance and Contracts Committee - Review of Capita Contracts	25 - 156
11.2	Referral from Licensing Committee - Revised	157 -

	Gambling Statement of Principles (Policy)		210
11.3	Report of the Constitution & General Purposes Committee - Revised Boundaries and Arrangements Resident Forums and Area Committees		211 - 260
12.	<b>Reports of Officers</b>		
12.1	Report of Director of Resources - London Boroughs Grants Scheme - Borough Contributions 2022/23		261 - 268
12.2	Report of Head of Governance		269 – 290 Appendix C To Follow
12.3	Report of the Barnet Returning Officer (RO) - Polling District and Polling Place proposals for four new Barnet wards		To Follow
13.	<b>Questions to Council Representatives on Outside Bodies</b>		
	<b>Break (15 minutes)</b>		
	<b>Part 4 – Business for Debate (45 minutes)</b>		
14.	<b>Motions (45 minutes)</b>		
14.1	Administration Motion in the name of Cllr Daniel Thomas - Combatting Crime in Barnet		291 - 292
14.2	Opposition Motion in the name of Cllr Anne Clarke - Levelling-Up in Barnet		293 - 294
14.3	Administrative Motion in the name of Cllr Thomas - Political discourse within Barnet		295 - 296
14.4	Opposition Motion in the name of Cllr Nagus Narenthira - Barnet Tamil Community		297 - 298
14.5	Opposition Motion in the name of Cllr Ross Houston - Development in Barnet		299 - 300

14.6	Opposition Motion in the name of Gabriel Rozenberg		301 - 302
15.	<b>Motions for Adjournment</b>		

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

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## Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET  
held at Hendon Town Hall, The Burroughs, London NW4 4BQ, on 19 October 2021

### AGENDA ITEM 5

#### PRESENT:-

The Worshipful the Mayor (Councillor Alison Cornelius)  
The Deputy Mayor (Councillor Saira Don)

#### Councillors:

Golnar Bokaei	Ross Houston	Gabriel Rozenberg
Jess Brayne	Anne Hutton	Lisa Rutter
Felix Byers	Laithe Jajeh	Shimon Ryde
Anne Clarke	Kathy Levine	Gill Sargeant
Pauline Coakley Webb	David Longstaff	Alan Schneiderman
Dean Cohen	John Marshall	Mark Shooter
Sara Conway	Kath McGuirk	Elliot Simberg
Geof Cooke	Nick Mearing-Smith	Thomas Smith
Richard Cornelius	Arjun Mittra	Stephen Sowerby
Val Duschinsky	Alison Moore	Caroline Stock
Paul Edwards	Ammar Naqvi	Daniel Thomas
Claire Farrier	Nagus Narenthira	Reuben Thompstone
Linda Freedman	Wendy Prentice	Sarah Wardle
Eva Greenspan	Sachin Rajput	Roberto Weeden-Sanz
Jennifer Grocock	Barry Rawlings	Laurie Williams
Rohit Grover	Nicole Richer	Peter Zinkin
Lachhya Gurung	Helene Richman	
John Hart	Tim Roberts	

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Finn, Councillor M Cohen, Councillor Prager, Councillor Fluss, Councillor Teare, Councillor Rich, Councillor O-Macauley, Councillor Patel and Councillor Zubairi.

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

The Worshipful the Mayor was present.

#### 3. PRAYER

Reverend Nigel Taylor was called upon by the Worshipful the Mayor to speak to Council and say prayers.

#### 4. DECLARATIONS OF INTEREST

None.

## 5. MINUTES OF THE LAST MEETING

Council noted the following corrections to the Minutes of the meeting on the 27 July 2021:

That the following Members were present at the meeting, but not recorded on the attendance list, Councillor Fluss, Councillor Mearing-Smith and Councillor Richer.

**RESOVLED that subject to the amendments referred to, the Minutes of the Council meeting held on the 27 July 2021 were agreed as a correct record.**

## 6. OFFICIAL ANNOUNCEMENTS

The Worshipful the Mayor informed Council that she had visited Cyprus for the Annual Morphu Rally which took place on 10 October and a wreath had been laid on behalf of the Borough. She reminded Council that Barnet is twinned with Morphu, which is currently in Northern Cyprus following the invasion in 1974.

The Worshipful the Mayor encouraged Members to attend Services or Memorials in their wards for Remembrance Sunday which is taking place on the 14 November.

The Worshipful the Mayor announced that the Civic Award nominations were now open, with a closing date of the 31 December 2021 and asked Members to complete the nomination form and send it to the Mayor's Office if they knew anyone in their Ward worthy of recognition.

The Worshipful the Mayor sent sincere thoughts and condolences to the family of Sir David Amess MP who was tragically murdered on Friday 15 October while he was holding his constituency surgery. The Worshipful the Mayor said a few words in memory of Sir David Amess MP.

"Sir David Amess was elected as the Member of Parliament for Basildon between 1983 and 1987 and Southend West between 1987 to 2021 becoming one of Westminster's longest serving MPs. Before entering politics, he taught at St John the Baptist Primary School, then worked as an underwriter and went on to be a recruitment consultant. In 2000, he helped to reduce fuel poverty by leading on the Warm Homes and Energy Conservation Act and continued to fight to eliminate fuel poverty throughout his career. Sir David served on the Health Select Committee between 1998 and 2007 where he fought on many health issues, supporting various pieces of legislation to protect animals and he recently spoke on this issue at the Conservative Party Conference. In 2020, Sir David joined forces with Dogs Trust, the UK's largest dog welfare charity, to call for an end to the illegal importation of puppies.

Sir David Amess MP received several honours and awards for his parliamentary work during his lifetime, most notably his knighthood in 2015 for political and public service. Since his death, tributes have poured in from many of his fellow politicians. He was highly respected and much liked across both Houses of Parliament. He was a man who believed passionately in this Country and its future, a fine public servant, a much-loved friend and colleague and a devoted family man who had a very strong Christian faith. He was also described as one of the kindest, nicest, most gentle people in politics and a passionate advocate and champion for Southend, which has been awarded 'city' status in his honour".

The Worshipful the Mayor asked Council to join her in a minute's silence to reflect on the achievements of Sir David Amess' life and particularly to remember his wife, children and extended family in our prayers.

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

None.

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

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

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

**9. PETITIONS FOR DEBATE (20 MINUTES)**

None.

**10. REPORTS FROM THE LEADER**

None.

**11. REPORTS FROM COMMITTEES**

**11.1 REFERRAL FROM POLICY & RESOURCES COMMITTEE - BARNET'S LOCAL PLAN**

Councillor Thomas, Chairman of the Policy and Resources Committee, moved the 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	33
Against	19
Abstain	2
Absent	9
Total	63

**RESOLVED that Council:**

- 1. Noted the responses to consultation on the Local Plan – Publication – Regulation 19 (as set out in Appendix B of the report).**
- 2. Approved that the Draft Local Plan (Appendix A of the report) and its supporting documents be submitted to the Secretary of State for Independent examination in public.**
- 3. Noted that the Policy and Resources Committee delegated authority to the Deputy Chief Executive in consultation with the Chairman of Policy and Resources Committee to make modifications to the Draft Local Plan as part of the**

**Examination in Public and prior to public consultation and publication of the Inspector’s Report; and**

**4. Noted that the Policy and Resources Committee approved the Local Plan Development Scheme (as set out in Appendix C of the report) as the new programme for production of the Local Plan, supporting documents and the Community Infrastructure Levy Charging Schedule.**

**11.2 REFERRAL FROM POLICY & RESOURCES COMMITTEE - WEST FINCHLEY NEIGHBOURHOOD PLAN**

Councillor Thomas, Chairman of the Policy and Resources Committee, moved the 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	54
Against	0
Abstain	0
Absent	9
Total	63

**RESOLVED that Council:**

- 1. Noted the contents of the Inspector’s Report (Appendix B) and the results of the West Finchley Neighbourhood Plan referendum held on 8 July 2021 (Appendix C).**
- 2. Adopt the West Finchley Neighbourhood Plan (WFNP) as set out in Appendix A.**

**11.3 REFERRAL FROM HOUSING AND GROWTH COMMITTEE - NORTH FINCHLEY SITE ASSEMBLY AGREEMENT AND LAND AGREEMENT**

Councillor Richard Cornelius, Chairman of the Housing and Growth Committee, moved the reception and adoption of the recommendations in the report.

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

For	33
Against	21
Abstain	0
Absent	9
Total	63

**RESOLVED that Council:**

- 1. Delegated authority to the Deputy Chief Executive to enter into the North Finchley Land Agreement Site Assembly Agreement with Regal JP North Finchley Limited and Regal Holdco Ltd. See appendix 1 for Legal Summary.**



2. Noted the above agreements, including the extension of the exclusivity period with Regal JP North Finchley Limited until the 31<sup>st</sup> December 2022.

3. Delegated authority to the Deputy Chief Executive in consultation with the Chairman of the Housing and Growth Committee to continue to extend the exclusivity period if the Council deems necessary.

4. Delegated authority for the Deputy Chief Executive to authorise the appointment of professional team(s) as necessary to deliver associated projects set out in the report at paragraph 1.5 to support placemaking, public realm improvements and the wider comprehensive regeneration of North Finchley Town Centre.

**11.4 REFERRAL FROM HOUSING AND GROWTH COMMITTEE - CARAVAN LICENSING FEES**

Councillor Richard Cornelius, Chairman of the Housing and Growth Committee, moved the reception and adoption of the recommendations in the report.

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

For	54
Against	0
Abstain	0
Absent	9
Total	63

**RESOLVED** that Council noted and agreed the fee applications by relevant persons to be accepted onto the fit and proper person register in respect of mobile home site licensing, as outlined in section 5.2.8 of the Annex Report.

**11.5 REPORT OF THE CONSTITUTION & GENERAL PURPOSES COMMITTEE - AMENDMENTS TO THE POLICY STATEMENT 2021/22 AND ASSOCIATED POLICIES**

Councillor Jajeh, Vice-Chairman of the Constitution and General Purposes Committee, moved the reception and adoption of the recommendations in the report.

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

For	54
Against	0
Abstain	0
Absent	9
Total	63

**RESOLVED** that Council approved the amended Annual Pay Policy Statement for the financial year 2021/22 (Appendix B).

**11.6 REPORT OF THE CONSTITUTION & GENERAL PURPOSES COMMITTEE - CONSTITUTION REVIEW**

Councillor Jajeh, Vice-Chairman of the Constitution and General Purposes Committee, moved the reception and adoption of the recommendations in the report.

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

For	54
Against	0
Abstain	0
Absent	9
Total	63

**RESOLVED that Council:**

**1. Noted the updated report of the Constitution and General Purposes Committee held on 4 October 2021 (Annex 1a) and noted that the Committee approved the amendments subject to the changes detailed in the minutes (Annex 1b).**

**2. Approved the Constitution amendments as set out in Appendices A to N.**

**3. Authorised the Monitoring Officer to implement these revisions and publish a revised Constitution.**

**11.7 REFERRAL FROM CHILDREN, EDUCATION & SAFEGUARDING COMMITTEE - OFSTED FOCUSED VISIT LETTER**

Councillor Longstaff, Chairman of the Children, Education and Safeguarding Committee, moved the 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	54
Against	0
Abstain	0
Absent	9
Total	63

**RESOLVED that Council:**

**Noted the Ofsted letter on their focused visit to the London Borough of Barnet Family Services (Appendix A) in their role as Corporate Parents to the Borough's Looked After Children.**

**12. REPORTS OF OFFICERS**

**12.1 REPORT OF THE SECTION 151 OFFICER - LONDON LOCAL GOVERNMENT PENSION SCHEME (LGPS) COLLECTIVE INVESTMENT VEHICLE LIMITED (LONDON CIV) REGULATORY CAPITAL**

Councillor Shooter, Chairman of the Pension Fund Committee, moved the reception and adoption of the recommendations in the report. Debate ensued.

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

For	54
Against	0
Abstain	0
Absent	9
Total	63

**RESOLVED that Council agree to delegate approval and signing of the changes to the LCIV's Articles of Association and Shareholder Agreement to the Director of Resources.**

## 12.2 REPORT OF THE HEAD OF GOVERNANCE

The Head of Governance introduced the report, outlining various constitutional and administrative matters for Council's agreement. Council was asked to note that the Calendar of meetings 2022-23 would be deferred to the January Council meeting for approval, to allow time for a comprehensive review of dates and religious holidays to take place.

On the recommendation to agree the substitute Members for the Chipping Barnet Area Committee being put to the vote, the votes were recorded as follows:

For	54
Against	0
Abstain	0
Absent	9
Total	63

On the recommendation to agree the nomination to the Finchley Charities being put to the vote, the votes were recorded as follows:

For	54
Against	0
Abstain	0
Absent	9
Total	63

On the recommendation to agree the appointment to the Local Pension Board being put to the vote, the votes were recorded as follows:

For	54
Against	0
Abstain	0
Absent	9
Total	63

On the recommendation to agree the changes to the membership of the Residents Forum and Committee (as outlined in the supplemental paper) being put to the vote, the votes were recorded as follows:

For	54
Against	0
Abstain	0
Absent	9
Total	63

**RESOLVED that Council:**

- 1) **Agreed that Councillor Weeden-Sanz be substitute member for the Brunswick Park Ward and Councillor Richer the substitute member for East Barnet Ward on the Chipping Barnet Area Committee.**
- 2) **Agreed that Adam Cheasuddin be appointed to the vacancy on the Finchley Charities.**
- 3) **Agreed that Deepani De Silva be appointed to the vacancy on the Local Pension Board.**
- 4) **Agreed the changes to committees outlined in Appendix F of the report.**

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

None.

**14. MOTIONS (45 MINUTES)**

**14.1 ADMINISTRATION MOTION IN THE NAME OF CLLR DANIEL THOMAS - PROTECTING OUR GREEN BELT (AGENDA ITEM 14.1)**

Councillor Thomas moved the motion in his name. Councillor McGuirk moved an amendment in her name. Debate ensued.

Votes on the amendment in the name of Councillor McGuirk were recorded as follows:

For	19
Against	35
Abstain	0
Absent	9
Total	63

The amendment in the name of Councillor McGuirk was declared LOST.

Votes on the substantive motion in the name of Councillor Thomas were recorded as follows:

For	33
Against	3
Abstain	18
Absent	9
Total	63

The substantive motion in the name of Councillor Thomas was declared CARRIED.

**RESOLVED that:**

**Council notes:**

- 1. In a draft of its Local Plan, Enfield Council proposed building on the Green Belt.**
- 2. Enfield Council is a Labour-run local authority.**
- 3. Enfield's current draft plan has been publicly opposed by the Greater London Authority.**
  - a. In their letter to Enfield Council, the GLA wrote that “the exceptional circumstances that are required to justify the release of Green Belt land through the [Enfield] Local Plan process have not been established”**
- 4. Enfield’s plan proposes the loss of 180 hectares of Green Belt land, less than five miles from Barnet.**
- 5. Sadiq Khan, Labour Mayor of London, has made proposals to build out of character tower blocks across Barnet and on the Barnet/Enfield boundary.**
- 6. Khan has also overruled Barnet Council on several planning decisions, making the respective planning applications denser and taller.**
- 7. Barnet’s New Local Plan continues to protect our Green Belt.**

**Council believes:**

- 1. Housing must not be built on our Green Belt land**
- 2. Labour say one thing in opposition but do another in power**

**Council resolves to:**

- 1. Protect our suburbs and green belt from overdevelopment**
- 2. During the Local Plan’s inspection stage, make any amendments necessary to protect our suburbs and avoid overdevelopment.**

**14.2 OPPOSITION MOTION IN THE NAME OF CLLR ROSS HOUSTON - VIABILITY ASSESSMENTS (AGENDA ITEM 14.5)**

Councillor Houston moved the motion and an amendment in his name. Councillor Richard Cornelius moved an amendment in his name. Councillor Roberts moved an amendment in his name. Debate ensued.

Votes on the amendment in the name of Councillor Roberts were recorded as follows:

For	21
Against	31
Abstain	0
Absent	11*
Total	63

The amendment in the name of Councillor Roberts was declared LOST.

Votes on the amendment in the name of Councillor Richard Cornelius were recorded as follows:

For	31
Against	0
Abstain	21
Absent	11*
Total	63

The amendment in the name of Councillor Richard Cornelius was declared CARRIED.

Votes on the motion as amended by Councillor Richard Cornelius were recorded as follows:

For	31
Against	0
Abstain	21
Absent	11*
Total	63

\*Cllr Marshall and Councillor Ryde left the meeting before discussion and voting on this item took place and did not return.

**RESOLVED that:**

**Council notes:**

- 1. The Government advises all Councils as local planning authorities to make viability assessments for developments publicly available except in exceptional circumstances.**
- 2. Viability assessments are made publicly available as and when submitted to support a planning application unless there is a stated 'exceptional circumstance' reason not to.**
- 3. It is stated on the Council website that these assessments will be made public. (<https://www.barnet.gov.uk/planning-and-building/planning/submit-planning1application>)**

**Council resolves to:**

- 1. Continue to publish all viability assessments, when submitted to support a planning application, unless there is a stated 'exceptional circumstance' reason not to.**

**14.3 ADMINISTRATION MOTION IN THE NAME OF CLLR FELIX BYERS - PROTECTING ANIMALS FROM THE EFFECTS OF FIREWORKS (AGENDA ITEM 14.2)**

Votes on the amendment to the motion in the name of Councillor Farrier were recorded as follows:

For	52
Against	0
Abstain	0
Absent	11
Total	63

The amendment in the name of Councillor Farrier was declared CARRIED.  
Votes on the motion as amended by Councillor Farrier were recorded as follows:

For	52
Against	0
Abstain	0
Absent	11
Total	63

The motion as amended in the name of Councillor Farrier was declared CARRIED.

**RESOLVED that:**

**Council notes that:**

1. **Fireworks are used lawfully by residents throughout the year to mark various celebrations**
2. **The unpredictable, loud, and high-intensity noises that many fireworks make can cause fear and distress in pets, livestock, and wildlife. In the worst cases, animals require behavioural therapies and drug treatments for their fear responses, and they may never recover fully**
3. **The RSPCA expects an 18% rise in the number of residential garden firework displays in England and Wales in 2021, compared to 2019**
4. **Animal welfare is a widely held concern for residents in Barnet and across the country**
5. **Residents have a statutory duty under the Animal Welfare Act 2006 to protect from suffering those animals for which they are responsible.**
5. **Barnet Council's Licensing Committee on 10 February 2021 agreed to support the proposed RSPCA recommendations:**
  - **To require all public firework displays within the Local Authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people**
  - **To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks**
  - **To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays**
  - **To encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.**

**Council believes that:**

1. **Residents should give their neighbours reasonable advance notice if they are planning to host a private firework display, so that arrangements can be made regarding the wellbeing of pets and livestock**

2. **The Council should do more to promote awareness of the impacts that fireworks can have on pets, livestock, and wildlife.**

**As per the Licensing Committee decision, Council resolves to:**

1. **Require where possible that all public firework displays within the Local Authority boundaries to be advertised in advance of the event, enabling residents to take precautions for their pets**
2. **Actively promote a public awareness campaign about the impact of fireworks on animal welfare including the precautions that can be taken to mitigate risks.**

**14.4 ADMINISTRATION MOTION IN THE NAME OF CLLR DANIEL THOMAS - SUSTAINABLE ENERGY IN BARNET (AGENDA ITEM 14.3)**

Votes on the amendment in the name of Councillor Schneiderman were recorded as follows:

For	21
Against	31
Abstain	0
Absent	11
Total	63

The amendment in the name of Councillor Schneiderman was declared LOST.

Votes on the substantive motion in the name of Councillor Thomas were recorded as follows:

For	52
Against	0
Abstain	0
Absent	11
Total	63

**RESOLVED that:**

**Council notes that:**

1. **The proportion of electricity in the UK produced by renewable energy has increased hugely over the past decade to around a third.**
2. **Currently Barnet produces approximately 3000mWh of renewable energy per year.**
3. **Under the Council’s reporting for the Carbon Reduction Commitment, the CO2 emissions based principally on the corporate non-education estate reduced by 59% between the four years 2014/15 – 2018/19.**



4. The borough is developing a proposal to install and generate electricity from solar panels utilising opportunities within LBB's asset portfolio, while providing increased capacity and access to EV Charging points on LBB's estates a. None of these panels will be built on parks or green space in Barnet.
5. New build projects in Barnet often include solar panels and low carbon technology which have been incorporated into a number of school projects and the Oakleigh Road Depot.
6. In 2020, the Council completed the RE:FIT project, which installed energy saving measures on the Corporate Estate, such as libraries and Council offices, including the town hall. The CO2 savings for the REFIT project are estimated at 139 tonnes of CO2 emissions per year.
7. The Council is currently mid-way through the Public Sector Decarbonisation Scheme (PSDS) project, which is a £1.38m grant to work towards decarbonising some of the Council's buildings, including offices, libraries, children's centres, and a primary school; this will result in a reduction in gas use.
8. The CO2 savings for the PSDS project are estimated at 288 tonnes of CO2 emissions per year. Energy saving measures include installing heat pumps, solar photovoltaic panels, battery storage, LED lighting and Central Management Systems (CMS) a. The measures will all be completed by the end of 2021.
9. We have undertaken a wholesale change in streetlighting, converting the entire network to LED lighting. This will result in a drop in our lighting related emissions by two thirds.
10. Barnet has an ambitious electric vehicle charge point programme, which has now installed over 100 charge points based on resident request, as well as freestanding town centre units and community charging hubs in car parks across the borough.
11. The Government has a target to reduce the UK's carbon emissions to net zero by 2050.
12. The Council's Brent Cross Town development will be a net zero carbon town. The development will feature a district heating system, which will be the largest installation of its kind in the UK.
  - a. The district heating network will include 8MW of heat pumps, supplying over 80% of the total heat requirements of the site, alongside other low and zero carbon heat sources to keep the Brent Cross South site warm.
  - b. A plan is also being worked on to use the infrastructure to cool Brent Cross South in the summer, as well as heat it in the winter.

**Council believes that:**

1. Investing in sustainable energy will help clean Barnet's air and will save the Council, our residents and businesses money.

2. The Council should continue to install EV charge points based on resident requests.
3. That the borough's sustainable energy projects are ambitious and achievable.
4. The borough can and must do more to build on our successes in producing and using sustainable energy in Barnet.

**Council resolves to:**

1. Ensure that Barnet continues to invest in sustainable energy.
2. Do a better job at communicating our successes in this area.
3. Have our sustainable energy plan as a core component of the borough's sustainability strategy.
4. Do all it can to do its bit to help the UK reduce its emissions and reach its net zero carbon target.

**14.5 OPPOSITION MOTION IN THE NAME OF CLLR BARRY RAWLINGS - REINSTATE THE UNIVERSAL CREDIT UPLIFT (AGENDA ITEM 14.4)**

Votes on the amendment in the name of Councillor Conway were recorded as follows:

For	21
Against	31
Abstain	0
Absent	11
Total	63

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

Votes on the substantive motion in the name of Councillor Rawlings were recorded as follows:

For	21
Against	31
Abstain	0
Absent	11
Total	63

**RESOLVED** that the substantive motion in the name of Councillor Rawlings was declared LOST.

**14.6 OPPOSITION MOTION IN THE NAME OF CLLR GABRIEL ROZENBERG - PROMOTING SUSTAINABLE TRANSPORT SOLUTIONS AHEAD OF COP26 (AGENDA ITEM 14.6)**

Votes on the amendment in the name of Councillor Rozenberg were recorded as follows:

For	21
Against	31
Abstain	0
Absent	11
Total	63

The amendment in the name of Councillor Rozenberg was declared LOST.

Votes on the amendment in the name of Councillor Dean Cohen were recorded as follows:

For	29
Against	2
Abstain	21
Absent	11
Total	63

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

Votes on the motion as amended by Councillor Dean Cohen were recorded as follows:

For	51
Against	0
Abstain	0
Absent	*12
Total	63

\*Councillor Weeden-Sanz left before this vote and did not return.

**RESOLVED that:**

**Council notes that:**

1. **The Council has an ambitious Long-Term Transport Strategy.**
2. **The Council is developing a sustainability strategy, which is currently in draft and will be released for consultation in early 2022.**

**Council believes that:**

1. **Climate change is the defining challenge of our lifetime.**
2. **As we approach the COP26 meeting in Glasgow next month, sustainability should be embedded in all of the Council's activities and strategies.**
3. **Each of our daily activities, from the way we heat our homes, to our building construction systems, to the way we travel around Barnet, must be re-examined to find ways to significantly reduce the use of carbon-burning fuel.**

**Council resolves to:**

1. **Release a sustainability strategy that will, among other things, recognise our beliefs and set out what can be done to improve sustainable transport options for Barnet residents.**
2. **Aim to help all of its residents lower their own carbon emissions, year after year, as we work towards a Net Zero future.**
3. **Continue to invest in sustainable transport solutions – from using recycled tyres in road paving roads, to installing ever more electric vehicle charging points and encouraging rather than mandating, all types of active transport.**

**14.7 OPPOSITION MOTION IN THE NAME OF COUNCILLOR JESS BRAYNE - COVID-19 VACCINE BOOSTER SHOTS (AGENDA ITEM 14.7)**

Councillor Rozenberg moved a motion to debate this motion if time allowed before 10pm at the end of the agenda, which was duly seconded.

Votes on the motion to debate this motion were recorded as follows:

For	21
Against	30
Abstain	0
Absent	12
Total	63

Therefore, the motion to debate was LOST.

Votes on the amendment in the name of Councillor Thomas were recorded as follows:

For	30
Against	21
Abstain	0
Absent	12
Total	63

Following the vote being taken, a division was called in accordance with Council Procedure Rule 14.

The recorded votes were 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.	Sara	CONWAY		X		

<b>Councillor</b>			<b>For</b>	<b>Against</b>	<b>Not Voting</b>	<b>Absent</b>
<b>9.</b>	Geof	COOKE		X		
<b>10.</b>	Richard	CORNELIUS	X			
<b>11.</b>	Val	DUSCHINSKY	X			
<b>12.</b>	Paul	EDWARDS		X		
<b>13.</b>	Claire	FARRIER		X		
<b>14.</b>	Anthony	FINN				X
<b>15.</b>	Nizza	FLUSS				X
<b>16.</b>	Linda	FREEDMAN	X			
<b>17.</b>	Eva	GREENSPAN	X			
<b>18.</b>	Jennifer	GROCOCK	X			
<b>19.</b>	Rohit	GROVER	X			
<b>20.</b>	Lachhya	GURUNG	X			
<b>21.</b>	John	HART	X			
<b>22.</b>	Ross	HOUSTON		X		
<b>23.</b>	Anne	HUTTON		X		
<b>24.</b>	Laithe	JAJEH	X			
<b>25.</b>	Kathy	LEVINE		X		
<b>26.</b>	David	LONGSTAFF	X			
<b>27.</b>	John	MARSHALL				X
<b>28.</b>	Kath	McGUIRK		X		
<b>29.</b>	Nick	MEARING-SMITH	X			
<b>30.</b>	Arjun	MITTRA		X		
<b>31.</b>	Alison	MOORE		X		
<b>32.</b>	Ammar	NAQVI		X		
<b>33.</b>	Nagus	NARENTHIRA		X		
<b>34.</b>	Charlie	O-MACAULEY				X
<b>35.</b>	Reema	PATEL				X
<b>36.</b>	Alex	PRAGER				X
<b>37.</b>	Wendy	PRENTICE	X			
<b>38.</b>	Sachin	RAJPUT	X			
<b>39.</b>	Barry	RAWLINGS		X		
<b>40.</b>	Danny	RICH				X
<b>41.</b>	Nicole	RICHER	X			
<b>42.</b>	Helene	RICHMAN	X			

Councillor			For	Against	Not Voting	Absent
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.	Caroline	STOCK	X			
54.	Julian	TEARE				X
55.	Daniel	THOMAS	X			
56.	Ruben	THOMPSTONE	X			
57.	Sarah	WARDLE	X			
58.	Roberto	WEEDEN-SANZ				X
59.	Laurie	WILLIAMS		X		
60.	Peter	ZINKIN	X			
61.	Zakia	ZUBAIRI				X
62.	DEUTY MAYOR Saria	DON	X			
63.	MAYOR Alison	CORNELIUS	X			
64.		<b>TOTAL: 63</b>	30	21	0	12

The amendment in the name of Councillor Thomas was declared CARRIED.

Votes on the motion as amended by Councillor Thomas were recorded as follows:

For	31
Against	0
Abstain	20
Absent	12
Total	63

**RESOLVED that:**

Council notes the following:

- Vaccines are a safe and proven method of reducing both the risk and the transmissibility of Covid-19.
- At the same time, there is growing evidence that their declines over time, particularly in the case of the Pfizer vaccine. This decline appears to start from six months after the second dose. For this reason, the booster vaccine is recommended, as it will extend the protection for a longer time.
- Since 16 September the NHS has been offering booster vaccines to those most at risk of COVID-19 to ensure that those most at risk, and those on the frontline such as care workers, are protected as we head into winter.

Council therefore resolves as follows:

- As a Council, we will continue to support community and NHS efforts to encourage take up of first and second vaccines for those who have not already received them.
- We will support the roll out of booster vaccines in the same wholehearted way, so Barnet residents are fully protected from this terrible virus.

14.8 **OPPOSITION MOTION IN THE NAME OF CLLR ANNE CLARKE - THE ENERGY CRISIS (AGENDA ITEM 14.8)**

Votes on the amendment in the name of Councillor Schneiderman were recorded as follows:

For	20
Against	30
Abstain	1
Absent	12
Total	63

The amendment in the name of Councillor Schneiderman was declared LOST.

Votes on the amendment in the name of Councillor Dean Cohen were recorded as follows:

For	49
Against	2
Abstain	0
Absent	12
Total	63

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

Votes on the motion as amended by Councillor Dean Cohen were recorded as follows:

For	51
Against	0

Abstain	0
Absent	12
Total	63

**RESOLVED that:**

**Council:**

**(i) Recognises:**

- that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,
- that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for local companies and community groups to be providers of locally generated renewable electricity directly to local people, businesses and organisations in Barnet, if they wished, and
- that revenues received by such local companies or community groups that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;
- Barnet is committed to becoming an ever-greener borough – investing in sustainable solutions and developments.

**(ii) Notes that the House of Commons Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this;**

**(iii) Accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 266 MPs and which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply in Barnet by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company; and**

**(iv) Further resolves to:**

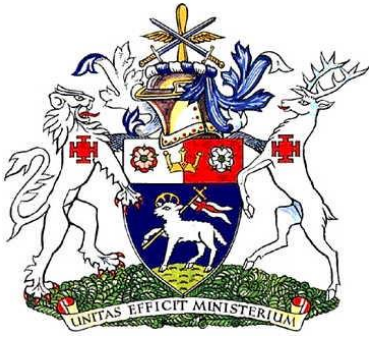
- inform the local media of this decision,
- write to Barnet's three MPs, asking them to support the Bill, and
- write to the organisers of the campaign for the Bill, Power for People, (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or [info@powerforpeople.org.uk](mailto:info@powerforpeople.org.uk)) expressing its support.

## **15. MOTIONS FOR ADJOURNMENT**

None.

The Mayor declared the meeting closed at 21.41 hrs.



**Council****25 January 2022**

<b>Title</b>	<b>Referral from Policy &amp; Resources Committee – Recommendation from Financial Performance and Contracts Committee – Review of Capita Contracts</b>
<b>Report of</b>	Chairman of the Policy & Resources Committee
<b>Wards</b>	All
<b>Status</b>	Public (except Appendix 1C, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972, because it contains information relating to the financial and business affairs of Capita and the Council)
<b>Enclosures</b>	<p>Annex 1 – Report to Policy and Resources Committee, 9 December 2021, Recommendation from Financial Performance and Contracts Committee – Review of Capita Contracts.</p> <p>Annex 2 – Report to Financial Performance and Contracts Committee, 23 November 2021, Review of Capita Contracts</p> <p>Appendix 2A – Evaluation Criteria</p> <p>Appendix 2B – Performance Packs</p> <p>Appendix 2C (exempt) – Financial Assessment</p> <p>Annex 3 – Report to Financial Performance and Contracts Committee, 23 November 2021, Review of Capita Contracts</p> <p>Public Engagement</p> <p>Appendix 3A – ORS Report</p>
<b>Officer Contact Details</b>	<p>Andrew Charlwood – Head of Governance andrew.charlwood@barnet.gov.uk – 020 8359 2014</p> <p>Faith Mwende – Senior Governance Officer Faith.Mwende@barnet.gov.uk – 020 8359 4917</p>

## Summary

At Policy & Resources Committee on the 9 December, the Committee considered a report on the Recommendation from Financial Performance and Contracts Committee – Review of Capita Contracts. Following consideration of the report, the Committee resolved to refer the report to Full Council.

## Officers Recommendations

1. **That Council:**
  - a) **does not seek to extend those elements of the RE and CSG contracts that relate to the Procurement service, Regulatory Services (Trading Standards, Licensing, Environmental Health), the regeneration service and highways;**
  - b) **upon expiry of those elements of the contract, these services be returned to the Council;**
  - c) **the future strategy for the Highways service should be the subject of a separate report to the Environment Committee;**
  - d) **the Recruitment service be returned to the Council in February 2022; and**
  - e) **the Chief Executive be authorised to take the necessary action relating to any transfers, upon expiry of the contracts or sooner if deemed necessary, or actions associated with the services, subject to the conclusion of the necessary due diligence.**
2. **That Council notes the direction of travel for each service that was agreed previously as set out in section 1.8 of the report (Annex 2) including the services listed for further review, with short extension: Accounts Payable/Integra, HR/Core HR\*, Estates\* (\*with some element of the service potentially returning to the Council upon expiry of the contract) and Cemetery and Crematorium**
3. **That Council notes the content of the Review of Capita Contracts Public Engagement report (Annex 3) and ORS Report (Appendix 3A).**
4. **That Council notes that the Policy and Resources Committee will consider any extension requirements that are required in respect of the Review of Integra and Core HR systems and supports that Review.**

### 1. WHY THIS REPORT IS NEEDED

- 1.1 At its meeting on the 9 December 2021, the Policy & Resources Committee agreed that the Recommendation from Financial Performance and Contracts Committee – Review of Capita Contracts should be referred to Full Council.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 As set out in the report attached at Annex 1.
- 2.2 In addition, since the Policy and Resources Committee meeting took place, it has been identified that there may be a need to confirm the extension of some elements of the service outside of the broader Review process. This has arisen through the review of the council's core systems strategy, where there may be a need to confirm extension of the contracts as they relate to the provision of the Core HR and Integra systems for one year, to allow the necessary time for the procurement of replacement systems. A report on the Review of Integra and Core HR will be considered by the Policy and Resources Committee on 9<sup>th</sup> February 2022.
- 2.3 Furthermore, it should be noted that the intention is that, where the return of services is recommended in this report, this will be upon expiry of the contracts in 2023. However, it is considered that circumstances may arise where it would be appropriate to return some elements of these services ahead of the expiry date, to aid the overall transition process. This would need to be carried out with the agreement of Capita and would only be carried out where the benefits of early return clearly outweigh the disruption and resource implications of amending the current contract.

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

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

## **4. POST DECISION IMPLEMENTATION**

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

## **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 As set out in the report attached at Annex 1

### **5.3 Social Value**

- 5.3.1 As set out in the report attached at Annex 1

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

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

- 5.4.2 Article 4 of the Council's Constitution sets out the role and function of Full Council which includes the following responsibilities:

- Make decisions on matters normally reserved to committees (except for planning and licensing matters) where an urgent decision is required or where the matter is so significant that it requires all Members to determine. Determination of whether a matter is urgent or significant will be made by Mayor and Chairman of relevant committee in consultation with Leader and relevant chief officer.

## **5.5 Risk Management**

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

## **5.6 Equalities and Diversity**

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

## **5.7 Corporate Parenting**

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

## **5.8 Consultation and Engagement**

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

## **5.9 Insight**

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

## **6. BACKGROUND PAPERS**

6.1 N/A



## Policy and Resources Committee

9 December 2021

<b>Title</b>	<b>Recommendation from Financial Performance and Contracts Committee – Review of Capita Contracts</b>
<b>Report of</b>	Chairman of the Policy and Resources Committee
<b>Wards</b>	All
<b>Status</b>	Public (except Appendix 1C, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972, because it contains information relating to the financial and business affairs of Capita and the Council)
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Annex 1 – Report to Financial Performance and Contracts Committee, 23 November 2021, Review of Capita Contracts Appendix 1A – Evaluation Criteria Appendix 1B – Performance Packs Appendix 1C (exempt) – Financial Assessment Annex 2 – Report to Financial Performance and Contracts Committee, 23 November 2021, Review of Capita Contracts Public Engagement Appendix 2A – ORS Report
<b>Officer Contact Details</b>	Andrew Charlwood – Head of Governance <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a> – 020 8359 2014  Salar Rida – Senior Governance Officer <a href="mailto:salar.rida@barnet.gov.uk">salar.rida@barnet.gov.uk</a> – 020 8359 7113

### Summary

The Financial Performance and Contracts Committee at its meeting on 23 November 2021 considered the reports on the Review of Capita Contracts and Review of Capita Contracts – Public Engagement.

Following consideration of the reports, the Committee agreed to make recommendations to Policy and Resources Committee as set out in reports attached at Annex 1 and Annex 2.

Full Council has within its responsibilities the power to make decisions on matters normally reserved to committees where the matter is so significant that it requires all Members to determine. Given the financial value and strategic importance of the Re and CSG contracts, the Chairman of the Policy & Resources Committee has agreed that this decision should be taken by Council.

## **Officers Recommendations**

- 1. That the Policy and Resources Committee recommend to Council that:**
  - a. the council does not seek to extend those elements of the RE and CSG contracts that relate to the Procurement service, Regulatory Services (Trading Standards, Licensing, Environmental Health), the regeneration service and highways;**
  - b. upon expiry of those elements of the contract, these services be returned to the Council;**
  - c. the future strategy for the Highways service should be the subject of a separate report to the Environment Committee;**
  - d. the Recruitment service be returned to the Council in February 2022; and**
  - e. the Chief Executive be authorised to take the necessary action relating to any transfers or actions associated with the services, subject to the conclusion of the necessary due diligence.**
- 2. That the Policy and Resources Committee recommend that Council notes the direction of travel for each service that was agreed previously as set out in section 1.8 of the report (Annex 1) including the services listed for further review, with short extension: Accounts Payable/Integra, HR/Core HR\*, Estates\* (\*with some element of the service potentially returning to the Council upon expiry of the contract) and Cemetery and Crematorium.**
- 3. That the Policy and Resources Committee recommend that Council notes the content of the Review of Capita Contracts Public Engagement report (Annex 2) and ORS Report (Appendix 2A).**

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

- 1.1 Following consideration of the Review of Capita Contracts reports the Financial Performance and Contracts Committee on 23 November 2021 agreed to make the recommendations as set out above for consideration by the Policy and Resources Committee.

### **2. REASONS FOR RECOMMENDATIONS**

- 2.1 As set out in the substantive report.

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

3.1 As set out in the substantive report.

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

4.1 As set out in the substantive report.

4.2 Subject to committee approval, this report will be referred to Council on 25 January 2022 for determination.

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

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

5.1.1 As set out in the substantive report.

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

5.2.1 As set out in the substantive report.

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

5.3.1 As set out in the substantive report.

5.3.2 Under Article 7 (Committees, Forums, Working Groups and Partnerships) of the Council's Constitution, the terms of reference of the Financial Performance and Contracts Committee includes the following responsibilities:

1. Responsible for the oversight and scrutiny of:
  - a) the overall financial performance of the council
  - b) the performance of services other than those which are the responsibility of the: Adults & Safeguarding Committee; Housing & Growth Committee; Children, Education & Safeguarding Committee; Community Leadership & Libraries Committee; or Environment Committee
  - 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):
    - 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

5.3.3 The terms of reference of the Policy & Resources Committee includes:

- a) Information Technology
- b) Strategic Partnerships

## c) Customer Services and Resident Engagement

5.3.4 Article 4 of the Council's Constitution sets out the role and function of Full Council which includes the following responsibilities:

- Make decisions on matters normally reserved to committees (except for planning and licensing matters) where an urgent decision is required or where the matter is so significant that it requires all Members to determine. Determination of whether a matter is urgent or significant will be made by Mayor and Chairman of relevant committee in consultation with Leader and relevant chief officer.

### 5.4 **Insight**

5.4.1 As set out in the substantive report.

### 5.5 **Social Value**

5.5.1 As set out in the substantive report.

### 5.6 **Risk Management**

5.6.1 As set out in the substantive report.

### 5.7 **Equalities and Diversity**

5.6.1 As set out in the substantive report. In addition, officers have conducted a high-level review of equalities and have concluded that there are no impacts on any of the protected characteristics. As outlined in the report to Financial Performance and Contracts Committee individual equality impact assessments will be conducted on each returning service.

### 5.8 **Corporate Parenting**

5.7.1 As set out in the substantive report.

### 5.9 **Consultation and Engagement**

5.9.1 As set out in the substantive report.

## 6. **BACKGROUND PAPERS**

6.1 N/A



	<p align="center"><b>Financial Performance and Contracts Committee</b></p> <p align="center"><b>23 November 2021</b></p>
<p><b>Title</b></p>	<p><b>Review of Capita Contracts</b></p>
<p><b>Report of</b></p>	<p>Chief Executive</p>
<p><b>Wards</b></p>	<p>All</p>
<p><b>Status</b></p>	<p>Public (except Appendix C, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972, because it contains information relating to the financial and business affairs of Capita and the Council)</p>
<p><b>Urgent</b></p>	<p>No</p>
<p><b>Key</b></p>	<p>No</p>
<p><b>Enclosures</b></p>	<p>Appendix A – Evaluation Criteria Appendix B – Performance Packs Appendix C (exempt) – Financial Assessment</p>
<p><b>Officer Contact Details</b></p>	<p>John Hooton – Chief Executive <a href="mailto:john.hooton@barnet.gov.uk">john.hooton@barnet.gov.uk</a> 020 8359 2460</p> <p>Deborah Hinde – Director, Commercial and Customer Services <a href="mailto:deborah.hinde@barnet.gov.uk">deborah.hinde@barnet.gov.uk</a> 020 8359 2461</p>

<p><b>Summary</b></p>
<p>The purpose of this report is to provide an update on the Review of Capita contracts and to confirm the proposed return of services to the council.</p>

## **Officer Recommendations**

### **That the Financial Performance and Contracts Committee:**

- 1. Notes that extension proposals have been received from Capita;**
- 2. Notes the evaluation approach that will be applied to those proposals, as set out in paragraphs 2.1 to 2.6;**
- 3. Notes the content of the performance packs attached at Appendix B;**
- 4. Makes the following recommendations to the next meeting of the Policy and Resources Committee:**

### **That the Policy and Resources Committee agrees that:**

- a. the council does not seek to extend those elements of the RE and CSG contracts that relate to the procurement service, regulatory services, the regeneration service and highways;**
  - b. upon expiry of those elements of the contract, these services be returned to the council;**
  - c. the future strategy for the highways service should be the subject of a separate report to the Environment Committee;**
  - d. the recruitment service be returned to the council in February 2022; and**
  - e. the chief executive be authorised to take the necessary action to transfer the recruitment service back to the council, subject to the conclusion of the necessary due diligence, and to prepare for the transfer of other returning services in 2023; and**
- 5. Notes the next stages of activity, as set out in paragraphs 4.1 and 4.2.**

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

1.1 At its meeting on 8<sup>th</sup> June 2021, the Financial Performance and Contracts Committee agreed the proposed direction of travel for services currently provided by Capita, through the Customer and Support Group (CSG) contract and the Regional Enterprise (RE) contract. The proposed direction of travel was based on dealing with services in three categories:

1. Retained services – interim extension of two-three years for key technology-based services, where return in-house would be unlikely to be a viable option and a reasonable extension would generate additional investment. The agreement of any extension would be dependent upon robust investment and improvement proposals from the service provider;
2. Returning services – confirm contract will expire in 2023 for services where there is unlikely to be much scope for the service provider to add

- further significant value, the market for re-procurement is limited and the financial case can be made to return them to the council; and
3. Further review services – interim extension of one-two years for services where the case for returning, re-procuring or extending is unclear and a more detailed review is required to determine the best strategic option.
- 1.2 Recommendations on the categorisation of services were based on the following factors:
- Overall performance
  - Scope for further investment and innovation
  - Scope for service provider to further add value
  - Logistical considerations
  - Financial viability of returning the service in-house
  - Clarity of strategic direction for the service
- 1.3 The report identified that there remained a considerable amount of work to be done before firm recommendations on the future delivery model for each service could be made.
- 1.4 For those services where the proposed direction of travel involved contract extension, whether for one year or three, the focus of attention would be on continuing the joint working with Capita to ensure that their proposals for the future development of the services align with council's vision and requirements. Discussions would also continue to further understand and agree the rationale, scope and any wider impacts or interdependencies, where a partial return of services has been suggested.
- 1.5 The June report stated that, where the proposed direction of travel was to return services to the council, work would continue on confirming the business cases for so doing. It was also reported that Capita had confirmed that they are keen to work closely with the council on maintaining the delivery of these services over the remaining life of the contract and ensuring a smooth transition back to the council in due course.
- 1.6 Where it was identified that further review is required before the future delivery model can be determined, work would continue on identifying and assessing the options, including carrying out further market research where appropriate.
- 1.7 A further progress report was considered by the Committee at its meeting on 7<sup>th</sup> October 2021.
- 1.8 The following table summarises the direction of travel that was agreed for each service:

Service	Retain	Return	Further review, with short extension
IT	✓		
Customer Services	✓		
Revenues and Benefits	✓*		
Procurement		✓	
Accounts Payable/Integra			✓
HR/Core HR			✓*
Estates			✓*
Planning and Development Control	✓*		
Building Control	✓		
Land Charges	✓		
Regulatory Services		✓	
Regeneration		✓	
Highways		✓	
Cemetery and Crematorium			✓

*\* with some element of the service potentially returning to the council upon expiry of the contract*

## 2 REASONS FOR RECOMMENDATIONS

### **Retained and further review services**

- 2.1 Capita's extension proposals have now been received by the council. Whilst this is not a procurement exercise in the usual sense, a rigorous evaluation process has been developed that is consistent with normal tender evaluation procedures. The process involves colleagues from the commercial and financial teams, as well as client leads.
- 2.2 The procurement service, which is not part of the extension proposals, has advised on the design of the process, as agreed with Capita, but will not be part of the evaluation process.
- 2.3 The evaluation process will apply the following weightings, in line with the criteria previously applied during the 2018/19 review:

Strategic control	20%
Quality	35%
Value for money	35%
Social value	10%

- 2.4 The detailed sub-criteria that will be considered are attached at Appendix A, which also provides examples of items that would contribute to Social Value.
- 2.5 The process will be conducted in two stages, with feedback being provided to Capita following the first stage to enable modifications to provide a “best and final offer”. The council has reserved the right to reject the proposals at any point.
- 2.6 One aspect that will be considered in the evaluation process is the extent to which the proposals address known performance issues, as set out in a series of performance packs that have produced to support the process. The packs that relate to “retained services” have been scrutinised by the informal cross-party working group and are attached at Appendix B. Members of the Committee are asked to note the contents of the packs. The packs that relate to “further review” services will be published after they have been subjected to the same scrutiny.
- 2.7 At this stage, the Committee is asked to note that extension proposals have been received and to note the evaluation process. It is anticipated that a full report on the outcomes of the evaluation will be brought to this Committee on 1<sup>st</sup> February 2022.
- 2.8 In respect of “further review” services, some work is continuing in the background on identifying and assessing the longer-term options for services, in particular in respect of the review of core IT systems requirements (accounting/HR/procurement), including consideration of an ERP solution. However, it should be noted that the function of the proposed one-year extensions is to allow additional time for that review work to take place, so it is not anticipated that this work will be completed until much later in the process.

### **Returning services**

- 2.9 For services where the proposed direction of travel was to confirm that the contract will expire, at which point the service will return to the council, the primary focus of the work has been on confirming that this an affordable and deliverable option.
- 2.10 That work has now been completed in respect of the following services:
- Procurement
  - Regulatory Services
  - Regeneration
  - Highways
- 2.11 It has been concluded that, across the four services, the financial impact of returning them to the council would be affordable and, overall, will not result in

additional costs to the council in delivering those services. The detailed financial analysis is set out in Appendix C, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972, because it contains information relating to the financial and business affairs of Capita and the Council. Publishing this information would compromise the council's negotiating position and this consideration outweighs the public interest in disclosing the information at this stage.

- 2.12 Alongside the financial assessment, client leads for the procurement service, regulatory services and the regeneration service have also considered whether or not there would be any benefits in adopting an alternative delivery model, such as re-procuring these services from an alternative provider. They have concluded that the rationale for the proposed direction of travel set out in the 8<sup>th</sup> June report, i.e. allowing the contracts for these services to expire in 2023 and returning them to the council, is sound and the Review outcomes in respect of these services should now be confirmed.
- 2.13 In respect of the highways service, the 8<sup>th</sup> June report stated that *“it would not be appropriate to extend the current arrangement, so the proposed direction of travel is that the contract should be allowed to expire in 2023. Whilst it is anticipated that the bulk of the service currently provided through the RE contract will transfer back to the council, Highways is a particularly complex service, so there may be some elements that will continue to require third party input, particularly specialist design work. Further work will, therefore, be required to determine the detail of the most appropriate model going forward. It is proposed that the detailed future roadmap for the service and the associated business case will be developed through the Barnet/RE Highways Transformation Programme.”*
- 2.14 Work has continued through the Highways Transformation Programme to consider a range of options for the future delivery of the service. That work is nearing completion and it is anticipated that a proposal on the future strategy for highways will be presented to the Environment Committee in January 2022, with a subsequent report to the Policy and Resources Committee. Notwithstanding the ongoing work on developing that operating model, it is clear that this will not involve an extension of the existing commercial arrangements and any future third party input, whether from Capita or another provider, will require procurement with separate commercial arrangements.
- 2.15 It is, therefore, proposed that it is now confirmed that the highways element of the RE contract should not be extended and that the service should return in-house.
- 2.16 The 8<sup>th</sup> June report identified that there may be some benefit in returning the recruitment element of the HR/payroll service to the council upon expiry of the contract, to further strengthen the client/contract relationship. Through subsequent discussions, it has been concluded that, with the imminent expiry of the contract for Vacancy Filler software, the most appropriate course of action is to return the service to the council in February 2022 and for the council to contract directly with Vacancy Filler. The service comprises three

staff and discussions have commenced in respect of the TUPE implications of a service transfer.

- 2.17 Any resulting contract price change would be based on the current actual cost of providing the service, which could result in a small budget pressure due to increased pension costs. The financial details are set out in Appendix C, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972, because it contains information relating to the financial and business affairs of Capita and the Council. Further due diligence, including consideration of any equalities impact, is required prior to implementation of the transfer.
- 2.18 It is therefore recommended that the Financial Performance and Contracts Committee make the following recommendations to the next meeting of the Policy and Resources Committee:

That the Policy and Resources Committee agrees that:

- a. the council does not seek to extend those elements of the RE and CSG contracts that relate to the procurement service, regulatory services, the regeneration service and highways;
  - b. upon expiry of those elements of the contract, these services be returned to the council;
  - c. the future strategy for the highways service should be the subject of a separate report to the Environment Committee;
  - d. the recruitment service should be returned to the council in February 2022; and
  - e. the chief executive be authorised to take the necessary action to transfer the recruitment service back to the council, subject to the conclusion of the necessary due diligence, and to prepare for the transfer of other returning services in 2023.
- 2.19 The proposals set out in this report have been considered and scrutinised by the informal cross-party working group.

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

- 3.1 The reasons for not recommending extensions of the contracts for these services were considered by this Committee on 8<sup>th</sup> June 2021.

### **4 POST DECISION IMPLEMENTATION**

- 4.1 Evaluation of Capita's extension proposals is underway and the outcome of that will be reported to the next meeting of this Committee.
- 4.2 In respect of returning services, both parties are committed to continuing their joint working approach, which will be essential to ensure a smooth transition to the new arrangements. Maintaining the cohesiveness of these services and maximising the retention of skilled and experienced staff is an absolute

priority for the Programme. To this end, detailed planning for the exit from the contract and transfer of services is underway. This will cover matters such as the transfer of staff, assets, licences etc. The exit plan will also set out how the parties will work together to maintain service delivery and support staff through the process.

## **5 IMPLICATIONS OF DECISION**

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

5.1.1 The aims of this Review are consistent with the council's Corporate Plan, Barnet 2024, in that it aims to ensure high quality, good value services.

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

5.2.1 The Capita contracts collectively have a value of approximately £80m per annum (including core fee, income and special projects). It was originally anticipated that around £500k, less than 1% of the value of the contracts, would be required to carry out the Review. This would be required for programme management, specialist input (including procurement and legal) and additional commercial capacity.

5.2.2 Project management resources that have been employed to support the Review were redeployed to support the delivery of critical services during the Covid-19 pandemic. There has, therefore, been additional resource implications associated with the extension to the overall timescales for delivery the Review. These are estimated to be approximately £240k for the financial year 2021/22.

5.2.3 The costs involved are justified by the scale of the contracts and the importance to the council of delivering best value going forward. The costs will be funded by a non-recurrent allocation from the contingency budget, subject to the approval of Policy and Resources Committee.

### **5.3 Social Value**

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders. The existing contracts include Social Value provisions and the opportunity to enhance these will be considered as part of the negotiations to extend the contracts and in any re-procurement activity.



5.3.2 Social Value commitments contained in Capita's extension proposals will be evaluated independently of other parts of the submission.

## 5.4 Legal and Constitutional References

5.4.1 Council Constitution, Article 7 (Committees, Forums, Working Groups and Partnerships) provides that Financial Performance and Contract Management Committee is responsible for the oversight and scrutiny of the council's major strategic contracts. It may 'at the request of the Policy & Resources Committee and/or theme committees consider matters relating to contract or supplier performance and other issues and make recommendations to the referring committee.' Policy and Resources Committee on 17<sup>th</sup> June 2019 agreed that terms of reference and progress on the Review should be reported to the Financial Performance and Contracts Committee. Any resulting recommendations would be made in a further report to the Policy and Resources Committee.

5.4.2 Legal advice will be sought as required, including on contractual, public procurement, consultation, and employment related matters, to ensure that the council acts lawfully at all times.

5.4.3 Best Value public consultations as required by Section 3 of the Local Government Act 1999 (as amended by s137 of the Local Government & Public Involvement in Health Act 2007) will be carried out as appropriate in the context of the Review. Statutory Guidance requires the council to provide for organisations, businesses, service users, and the wider community to put forward options on how to reshape services, and to consider overall value, including economic, environment and social value when reviewing service provision. This will be carried out as set out in paragraphs 1.7 and 1.8 of this report.

5.4.4 Consultation with staff will be carried out as appropriate and the council will comply with its legal obligations under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended) (TUPE) in connection with the transfer of any affected staff.

## 5.5 Risk Management

5.5.1 Key risks associated with the Review include:

- Ongoing time and/or resource constraints lead to the Review not being carried out effectively, resulting in poor decision-making
- Relationship with Capita deteriorates during the Review, leading to poorer service delivery
- Lack of clarity on scope and deliverables from the Review results in disappointed and/or confused stakeholders
- Resource requirements and/or organisational focus on the Review leads to deterioration in service quality or seeking value for money.

- A further wave of the Covid-19 pandemic further delays work on the Review.

5.5.2 Risks continue to be monitored and mitigating actions have been put in place, including establishment of close partnership working with Capita, ensuring appropriate resourcing (please refer to 5.2.1) and through detailed planning.

## 5.6 Equalities and Diversity

5.6.1 Equality and diversity issues are a mandatory consideration in the council's decision-making process. Decision makers should have due regard to the public-sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that the Committee has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public-sector equality duty are found at section 149 of the Equality Act 2010.

5.6.2 A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.6.3 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.6.4 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

5.6.5 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) Tackle prejudice, and
- (b) Promote understanding.

5.6.6 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race,
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil partnership

5.6.7 Equalities Impact Assessments will be undertaken on a service by service basis as more detailed proposals and business cases are developed. For returning services, the development and consideration of Equalities Impact Assessments will be carried out as part of the exit planning process.

## 5.7 Consultation and Engagement

### *Public consultation and Best Value consultation*

5.7.1 As previously reported to this Committee, extensive consultation has taken place through the review of Capita contracts as reported to Policy and Resources Committee on 17<sup>th</sup> June 2019. The Review is a continuation of the review of Capita contracts and will take into account the feedback already provided. Further engagement has taken place through the use of focus groups, the outcome of which is reported separately to this Committee.

### *Staff consultation*

5.7.2 Any proposals that involve the transfer of services from one provider to another (including transfer in-house or to alternative providers) will entail a statutory requirement to provide information and consult with staff representatives under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). These requirements will be triggered once a decision to transfer services has taken place and prior to any transfer being effected.

5.7.3 However, it should be noted that it is good practice to engage with all staff from the point at which any potential for transfer of services becomes generally known, throughout the decision making and transition periods and for a period post transfer (if a transfer takes place). Early engagement with staff assists in managing the risks of staff becoming unsettled or distracted as outlined above. It also assists in preventing loss of key staff during the decision making and transition periods, as well as ensuring the council continues to attract high calibre individuals by maintaining its reputation as an employer of choice. Arrangements have been put in place to engage with and update staff, as the Review progresses.

5.7.4 Likewise, early engagement and ongoing dialogue with staff representatives is also good practice, with the aim of early identification and resolution of issues, reaching agreement on processes and approach to managing the workforce aspects of transfer and addressing any issues that may arise at the earliest opportunity so that statutory consultation and the transition itself can run smoothly for affected staff.

## 5.8 Insight

5.8.1 Multiple qualitative and quantitative data and information sources will be used to derive insight during the Review.

## 5.9 Corporate Parenting

5.9.1 Capita provide a small number of services to care leavers living in Barnet, most notably in relation to the revenues and benefits service. The continued focus on high quality services through the Review process will ensure that these services continue to be provided.

## 6. BACKGROUND PAPERS

- 6.1. Report to Financial Performance and Contracts Committee, 29<sup>th</sup> January 2020:  
<https://barnet.moderngov.co.uk/documents/s57531/Year%206%20and%20Y7%20review%20ToR.pdf>
- 6.2. Report to Financial Performance and Contracts Committee, 18<sup>th</sup> March 2020:  
<https://barnet.moderngov.co.uk/documents/s58379/Year%2067%20Review%20of%20Capita%20Contracts.pdf>
- 6.3. Report to Financial Performance and Contracts Committee, 15<sup>th</sup> June 2020:  
<https://barnet.moderngov.co.uk/documents/s58926/Yr%206-7%20Review%20FPC%20report.pdf>
- 6.4. Report to Financial Performance and Contracts Committee, 27<sup>th</sup> October 2020:  
<https://barnet.moderngov.co.uk/documents/s60807/Year%206-7%20Review%20FPC%20report.pdf>
- 6.5. Report to Financial Performance and Contracts Committee, 17<sup>th</sup> March 2021:  
<https://barnet.moderngov.co.uk/documents/s64235/Yr%206-7%20Review%20FPC%20report.pdf>
- 6.6. Report to Financial Performance and Contracts Committee, 8<sup>th</sup> June 2021:  
<https://barnet.moderngov.co.uk/documents/s65146/FPC%20Contracts%20Review%20Report.pdf>

# Capita Extension Proposals – Sub-Criteria

Category	Criteria
<b>Strategic control (20%)</b>	<p>Does the proposal allow for flexibility to meet emerging needs in and post 2023?</p> <p>Do revised KPIs and PIs assist in meeting strategic concerns?</p>
<b>Quality (35%)</b>	<p>Do the proposals address identified performance issues in the service area? (outside of KPI remit)</p> <p>Does the proposal deliver expected improvements in customer experience? (assume changes in investment will impact in this area)</p> <p>Will the proposal lead to improvements in client/contractor relationships and enable client leads to exercise appropriate influence on service delivery and priorities?</p> <p>Does the proposal allow for the latest upgrades to the latest functionality of technologies which are best in class/ sector leading?</p> <p>Can Capita evidence examples of success from other authorities?</p> <p>Is the investment cost in the service area in line with council's expectations of service improvements required?</p>
<b>Value for money (35%)</b>	<p>Does the proposal fall within the current budget envelope (management fee, change requests and indexation)?</p> <p>What financial and commercial impact are the revised financial clauses offering (KPIs, gainshare)?</p> <p>Existing contract outputs vs revised profile outputs in line with price (getting more for our money – risk and reward)</p> <p>Cost avoidance – e.g. does the new proposal allow for reduction in SPIR expenditure, gainshare and volumetrics?</p>
<b>Social Value (10%)</b>	<p>Does the proposal address social value and leveraging their own supply chain within the borough? (this would demonstrate partnership working with the council)</p>
<b>Overall strategic, commercial and financial viability of proposal</b>	<p>Overall, does the proposal provide an acceptable level of commercial and financial risk, in a manner that fits with the council's values and strategic priorities</p>

# Social Value Examples

Expectation that the Capita proposal will include wider social, economic and environmental benefits and support the council's core social value themes to deliver better outcomes for Barnet

LBB Social Value Theme	Examples
Vulnerable Customers and Digital inclusion	Digital inclusion strategy Lap top donation for the digitally deprived Community based digital skills training
Upskilling and Employment	Apprenticeships Work placements Volunteering Job ready support (CV advice, mock interviews etc)
Support for enterprise	Training and support to SMEs including community groups and voluntary organisation Business Mentoring and Coaching
Environment and wellbeing	Adoption of Green technology Wellbeing Programme Mental Health First Aid Training
Equality, Diversity and Inclusion	Increase diversity in workforce EDI networks and groups Mentoring and Coaching Diversity and Inclusion training

# CONTRACT REVIEW PERFORMANCE PACK CUSTOMER SERVICES

# Service Performance Summary

The customer service contract has performed well since 2018, regularly meeting KPI's and achieving good levels of customer satisfaction. However, the council recognises that a number of residents have raised concerns about the ability to contact the council and speak to an officer.

The Council has invested significantly in making improvements to the service provided to our residents and customers, improving the digital offer and telephony service, and establishing effective internal governance to ensure improvements measures are sustained.

There has been a significant change in how customers choose to contact the council over this period, with the majority of transactions now online. Working collaboratively to ensure our website is accessible and easy to use has been and will continue to be important in meeting the needs of our residents.

The service has also seen improvements to wait times on the phones and the dedicated support provided to those residents who need it. Good working relations have enabled flexibility, to ensure the best outcomes for our residents are achieved.

Working across service boundaries to provide a seamless customer experience across the organisation has improved and will continue to be focused on, responding to resident feedback.

Notwithstanding the improvements that have been made, the service remains committed to continuing to improve residents' ability to contact the council and to working with services to improve the handling of more complex cases.



## Key Figures 2018 - 2021

	2018/19	2019/20	2020/21
<b>Management Fee</b> (as per Financial Model 2013)	2,381,901	2,370,818	2,365,052
<b>Indexation (cumulative)</b>	144,574	192,634	238,647
<b>Change Request</b>	38,415	(89,721)	(89,020)
<b>Total</b>	<b>2,564,890</b>	<b>2,473,731</b>	<b>2,514,679</b>
<b>Special Projects</b>	4,027,848	1,522,990	718,197
<b>SPRR</b>	107,909	27,958	0
<b>Income (actuals)</b>	N/A	N/A	N/A

## Service Journey (Including Achievements) 2018 – March 2021

The service has been through a considerable amount of change since the beginning of the contract. The Contact Centre is now part of one of Capita's shared service centres; based in Coventry. This includes key functions such as Resource Planning, Real Time Management, Training, Quality Assurance and a Customer Experience team. These functions help to ensure the service is well run and the Customer Journey/Experience are continually reviewed. There are now also very experienced subject matter experts included for every service.

In addition, the transformation programme has completed several projects so far. These include Website projects that have supported the 'channel shift' of customers to online channels, including 'My Account', a Mobile first design and artificial intelligence to analyse content.

One of the biggest challenges was of course the Covid Pandemic. The service moved at pace to get staff working from home and showed tremendous flexibility by supporting the council in many ways, including the Covid Vulnerability Hub.

# Service Journey (Including Achievements)

## 2018 – March 2021

During this difficult time, the service maintained very strong working relations and communications with the various council services. We also listened to customers and changed ways of working to improve the way vulnerable customers are supported and flexed our resources to support customers where and when they needed it as demand for services increased. Other examples of flexibility include helping the Waste service with the large spike in seasonal Garden Waste calls and supporting the authority with elections.

Customer Services has a good reputation within the authority. It regularly achieves its targets, has achieved good levels of contact reduction (channel shift) and has evolved beyond what would be considered a traditional Call Centre. Issues are generally dealt with promptly, vulnerable customers supported, and there are established lines of communication with all council services. The relationship is strong at all levels with teams very much feeling they are part of a partnership.

Both parties recognise that further improvements are required, particularly in dealing with residents with more complex issues.

# Performance to Date – KPIs Annual Outturn

KPI No	KPI Description	2018/19		2019/20		2020/21	
		Target	Result	Target	Result	Target	Result
	<b>Customer Services</b>						
CSO KPI 10a	% Customer Satisfaction with phone, F2F, Email & post case closure	89%	90%	89%	90.8%	89%	91.5%
CSO KPI 13b	Performance against SLA for CAS cases where Customer Services own the end to end process	96%	100%	94%	100%	94%	100%
CSO KPI 14	Self-serve contact as a % of overall contact (CSG Customer Service only)	48%	47%	50%	54%	50%	67.4%
CSO KPI 15	Web Satisfaction (Web Performance and Customer Feedback)	New for 19/20	New for 19/20	55%	61.3%	55%	59.1%

There has been a consistently strong performance on all Customer Services KPIs. Self-serve contact has improved due to the considerable work completed on the website and online forms.

# Customer Services Customer Satisfaction

Customer Satisfaction is measured on phone contacts and online contacts. Telephone customers are transferred to an automated solution where the customer is asked a number of questions.

**The target of 89%+ is consistently achieved.**

For online contacts, Customer Satisfaction is measured using GovMetric/Site Improve. Following the website improvements, the target of 55%+ is consistently achieved.

Insight and feedback is analysed and acted upon. As an example, the team are currently looking at the telephony 'Interactive Voice Response (IVR)' to simplify the messages and options the customer hears when calling, including steps to speak to a person and call-back options.

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# CONTRACT REVIEW PERFORMANCE PACK INFORMATION SERVICES

# Service Performance Summary

The IT service contract has performed well since 2018, regularly meeting KPI's.

The Council has invested in making improvements to the service and introduced robust staff feedback mechanisms to ensure improvements are focused where they will have greatest impact. Satisfaction with the service has improved following implementation of these improvement plans. Fewer incidents are raised by staff and major incidents impacting the council's performance have reduced.

Good working relationships have enabled greater flexibility, to ensure the best outcomes for the council and service users are achieved.

Mitigating the impact of cyber security attacks is an increasing challenge and robust interventions coupled with increased staff awareness have been prioritised.

Leading an integrated approach to digital development that delivers security, flexibility and reliability will be a key success factor moving forward.

The service has been commended for its response in supporting the council to move quickly to home-working during the pandemic and was recognised for this support at the recent staff awards.

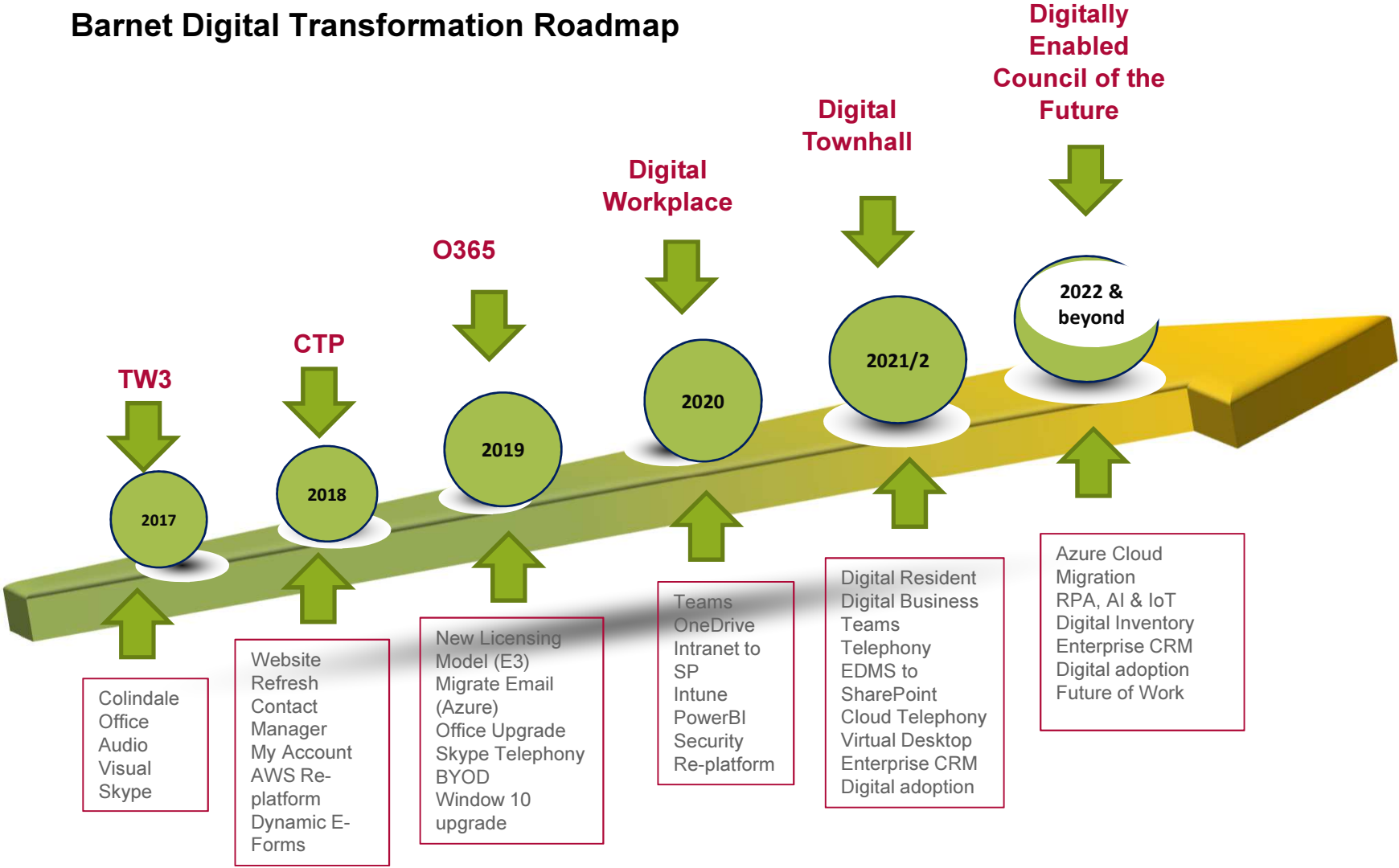


## Key Figures 2018 - 2021

	2018/19	2019/20	2020/21
<b>Management Fee</b> (as per Financial Model 2013)	7,699,984	5,334,721	5,294,566
<b>Indexation (cumulative)</b>	530,763	482,537	570,506
<b>Change Request</b>	641,970	892,003	617,244
<b>Total</b>	<b>8,872,717</b>	<b>6,709,261</b>	<b>6,482,316</b>
<b>Special Projects</b>	3,466,274	2,154,758	2,031,055

# Service Journey (Including Achievements) 2018 – March 2021

## Barnet Digital Transformation Roadmap



# Service Journey (Including Achievements) 2018 – March 2021

Key service achievements during the period;

- Reduced number of incidents by 33%
- Volume of major incidents reduced by 70%
- Over 1800 system changes in last 3 years
- Password resets reduced by 79%
- Resource profile has adapted to reflect current demand and service needs
- Improved senior staff retention

Year	Incident numbers	Major Incidents	System Changes	Password resets
2018/19	20,444	80	607	8,458
2019/20	21,359	37	499	2,319
2020/21	13,881	24	722	1,696

## Performance to Date – KPIs Annual Outturn

KPI Number	KPI Description	2018/19		2019/20		2020/21	
		Target	Result	Target	Result	Target	Result
	Information Systems	Target	Result	Target	Result	Target	Result
IS KPI 13	Critical System Availability	99.5%	99.93%	99.5%	99.91%	99.5%	99%*
IS KPI 14	User Satisfaction-IT	3.79	3.12	Revised methodology – see slides 7-10			
IS KPI 15	Incident resolution	95%	93%	95%	95%	91%**	92.2%

IS KPI 14: A service improvement plan was implemented to respond to the feedback from the Annual User-Satisfaction survey. This included using a broader survey from Socitm, an industry leading I.T organisation with public sector focus.

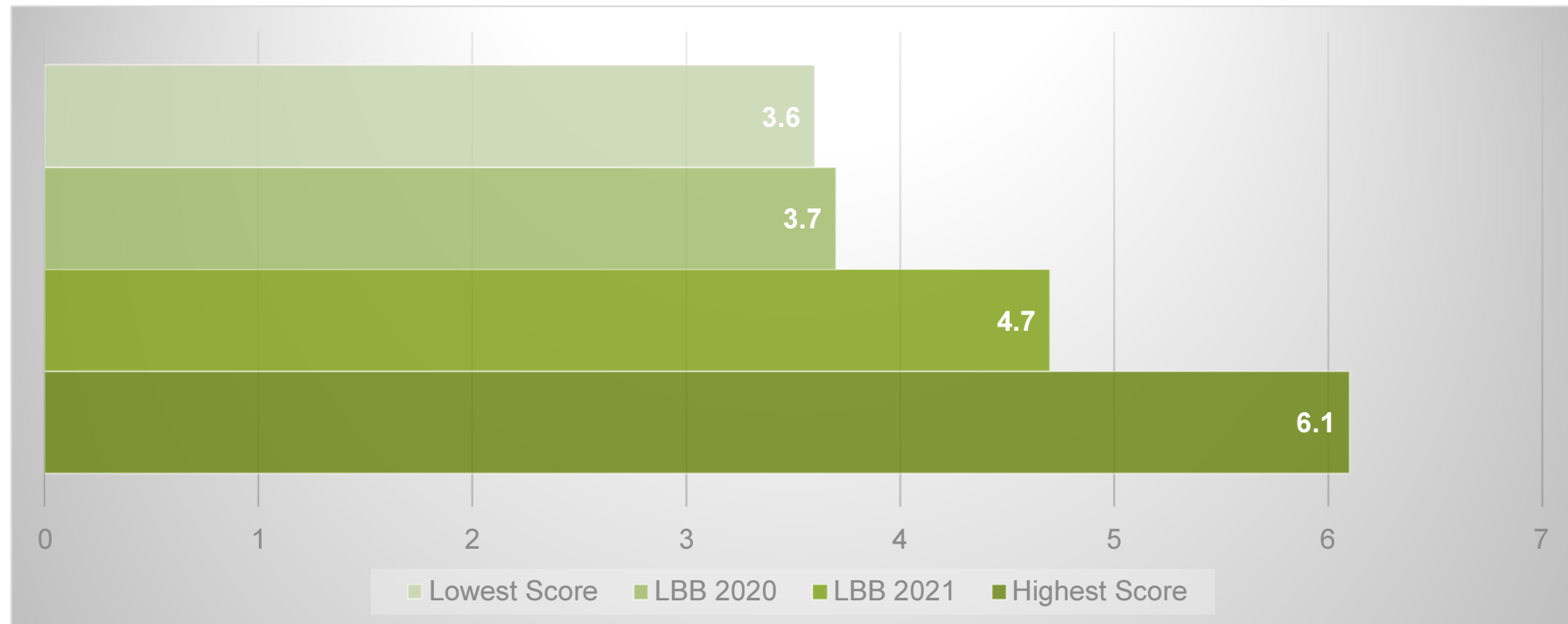
In 2020/21 the results of the Socitm survey improved from 3.7 out of 7 (2019/20) to 4.7 out of 7 (2020/21). These improvements can be attributed to a tailored improvement plan based on customer feedback.

\* Due to the impact of cyber attack on a third-party provider

\*\* Target reduced to reflect increase in demand due to people working from home during the pandemic

# Annual Socitm Survey

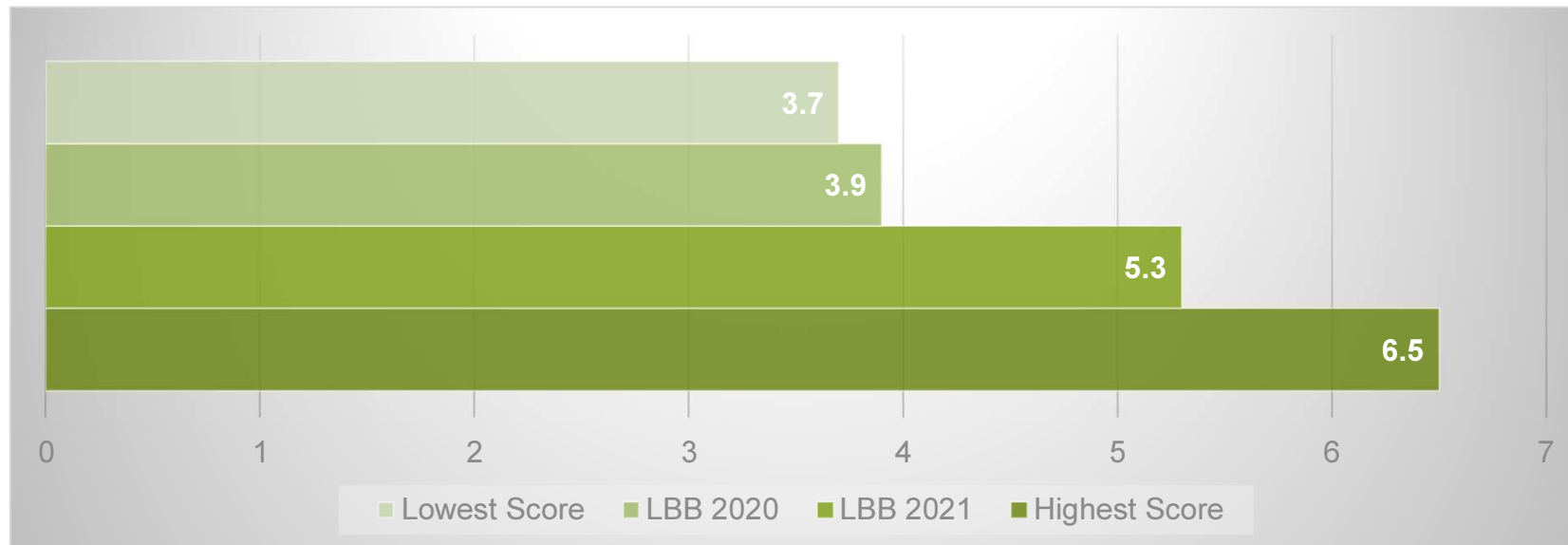
## Overall User Satisfaction Score



In 2019/20, Socitm were engaged to lead on a broad survey of the IT service. The results are compared to a material cohort of other Local Authorities, which complete the same survey.

In 2020/21, the survey reported a significant improvement in the service, from over 500 respondents. This was as a result of a tailored improvement plan to respond to the feedback arising from the previous survey.

# How well does the ICT provided in your organisation allow you to work flexibly?



The results of this question showed a marked leap year on year, jumping from 3.9/7 to 5.3/7. Whilst the capability to work remotely has existed for some time, many more colleagues experienced remote working for the first time during 2020.

During the initial months, several improvements were made to the remote working experience, with increases in Network bandwidth and technical adjustments to support the increased volume of colleagues working from home.

## How well does the ICT Service provide innovative solutions to changing business needs?



The improvement in the survey links to the modernisation of the desktop experience with the deployment of MS Teams and other Apps - as well as supporting the Covid-19 response with items like Vulnerability Hub App.

The user champion model is also acting as conduit to gather feedback and share ideas/ innovations that are helping support future changes.

# How seriously do you think ICT security is taken in your organisation?



Whilst IT security has always been a priority and promoted by both IT and across the Authority, over the past year a broader range of communication channels have been used, “Yammer”, “First Team”, “ServiceNow”, “IntraNet” and have been vital in getting the profile of the subject raised and increasing awareness amongst colleagues, which can be attributed to the improvement in views being fed back.



# CONTRACT REVIEW PERFORMANCE PACK REVENUES & BENEFITS

# Service Performance Summary

2018 – 2021 has been a challenging period in Revenues and Benefits, ultimately including the Coronavirus Pandemic for the final year in its entirety. This summary will highlight LBB's view on key successes within this period and also serve to highlight issues arising from the journey to support continuous improvement.

In 2018 Capita launched an online portal for customers to access their Housing Benefit and Council Tax records. This included a suite of forms enabling customers to self-serve, for example allowing residents to advise of any changes to their circumstances or apply for a single person discount. Whilst the portal itself is a positive move on the service improvement journey, this was somewhat overshadowed by the dissatisfaction caused by the premature closure of the Council Tax email account (subsequently reinstated).

In addition to the online portal, Capita also began the process of introducing Council Tax electronic billing (E-Billing), enabling residents to receive their Council Tax bill electronically, replacing the postal method if this was the resident's preferred method. Whilst this process took longer to implement than LBB had envisaged (3 years), E-Billing went live in February 2021 and is a real positive change for Barnet residents. Volume of take-up continues to increase, and the introduction of E-Billing appears to have had a positive impact on the number of residents now paying their Council Tax by Direct Debit.

## Service Performance Summary contd.

Capita launched a smarter pre-recovery campaign using Tel-Solutions. This service replaced the SMS reminders with a 3-pronged approach, text, e-mail and phone. The software would learn which method worked for individual residents to allow for the most effective future communication and had a positive impact by reducing the number of residents reaching the latter stages of the recovery process.

The Benefits service undertook a full-service rollout of Universal Credit in May 2018 followed by the Verification of Earnings and Pension (VEP) and Right Time Indicator (WURTI) service implementation in June 2018.

Capita implemented partial Universal Credit automation in December 2020. This enabled faster processing of the high volumes of Universal Credit notifications. The level of automation is not where LBB envisaged by this point, however, working groups are ongoing to improve the level of automation to support Barnet's move to a banded Council Tax Support Scheme. It is anticipated that this work will be completed by the end of 2021.

# Service Performance Summary contd.

March 2020 saw the arrival of the Coronavirus pandemic and the introduction of multiple government initiatives and schemes to support businesses and residents nationally. This resulted in a significant increase in work for Local Authorities and their partners.

The introduction of Business Support Grants, Test and Trace (T&T) Self-Isolation Payments, and the Council Tax Support (CTS) Hardship Scheme had a significant impact on Revenues and Benefits. £3.8m was awarded in CTS Hardship, and at the time of writing this report, £111m has been distributed to Barnet businesses in the form of Business Support Grants. Over £750k T&T payments have been distributed to Barnet residents on a low income forced to self-isolate due to Coronavirus.

The work involved led to the team being nominated for a Covid Heroes award whilst winning a Values award for the collaborative approach to delivering support to Barnet businesses and residents.

Over recent months, there has been a joint working group involving the council, Customer Services and the Council Tax service, focussing on improving the processes for handling more complex resident enquiries.

# Key Figures 2018-2021

	2018/19	2019/20	2020/21
Management Fee (as per Financial Model 2013)	3,277,867	3,231,606	3,191,883
Indexation	196,929	260,005	319,725
Change Request	1,053,651	1,063,649	1,085,389
Total	4,528,447	4,555,260	4,596,997
Gainshare payments	457,035	721,563	395,961
Special Projects	0	307,696	0

There is no GI target within Revs and Bens, but there is a 98.5% target for 4 year council tax collections.

The basis of gainshare payments varies between 20% and 50% of the surplus over agreed targets being paid to Capita. The gainshare payments cover any additional costs incurred by Capita in exceeding the targets.

# Service Journey (Including Achievements) 2018 – March 2021

The Benefits service undertook a full-service rollout of Universal Credit in May 2018 followed by the Verification of Earnings and Pension (VEP) and Right Time Indicator (WURTI – wider use of Real Time Information) service implementation in June 2018. As customers transferred or became entitled to Universal Credit, up to date information received from DWP enabled accurate updates to relevant cases with changes to income quickly. The move to automation meant that customer cases are re-calculated with little intervention from the assessment team and without having to ask the customers for further information.

In 2018 the service also launched the online portal for customers to access their Council Tax and Housing Benefit records online, together with a suite of forms enabling customers to self-serve. The forms offer a range of updates including making a claim for Council Tax Support or Housing Benefit, advising of a move or application for a single person discount. The implementation of the on-line form capability resulted in improved customer services and between a 5%-10% reduction in repeat contact, allowing back-office staff to deal with more vulnerable residents. However, due to the pandemic in the last calendar year, this trend was reversed.

# Service Journey (Including Achievements) 2018 – March 2021 contd.

## Challenges and Issues

The online forms available for customer use across the Revenues and Benefits service are designed by our core system developers, Civica, and therefore restrictions apply for personalised adaptation of the forms. The forms are generic in their set up and the Service has limited opportunities to customise the documentation which may benefit our customer demographics. i.e. simplify forms for an older population and disabled customers.

A further challenge is supporting those customers who are unable or unwilling to use digital channels. Whilst encouragement to try digital services is at the forefront of the digital transformation project, alternative contact channels may need to remain open.

Initially when a customer completed an online form, a generic reference number was generated and given to the claimant, which did not represent a claim or council tax reference within OpenRevenues. This resulted in problems for customers when trying to submit further evidence or contact the service against a number that did not exist within OpenRevenues. The issue was resolved with improved integration links between the online forms and the OpenRevenues system.

# Service Journey (Including Achievements) 2018 – March 2021 contd.

Poor website layout, wording and jargon left customers unsure of what steps to take and what action is required from them. An example of this was when Universal Credit was introduced by the Department for Work and Pensions. Despite the best efforts of the Service, there was a high volume of claims still coming through for Housing Benefit, rather than Universal Credit. This no longer occurs as the online form has been improved to direct customers to claiming Universal Credit based on the criteria entered onto the form.

## Lessons Learned

Complex and lengthy forms with poor choice of language and guidance on the Council's website left customers confused and put them off filling in the online forms. Customers want easy to understand webpages and forms that are effortless to complete. We need to strike the right balance between asking for the minimal amount of information and too much.

Optimising content for mobile devices and ensuring key fields are displayed and made mandatory is critical for today's customers who access digital services via mobile devices.



# Service Journey (Including Achievements) 2018 – March 2021 contd.

In February/March 2020 the Pension Service Computer System (PSCS) rollout (auto update of State Retirement pension via DWP link) was completed. As a result, customers who previously would have had a general percentage increase applied to their state pension had their Housing Benefit/CTS cases updated automatically in line with their actual award amount. This ensured accuracy on pensioner cases and reduced the need for re-assessment and overpayment collection.

# Service Journey (Including Achievements) 2018 – March 2021 contd.

There has also been increased uptake in Discretionary Housing Payments (DHP) and Council Tax Discretionary relief scheme (CTDRS) applications, providing additional financial support to the most vulnerable in our community.

Financial Year	DHP paid	% of budget paid	CTDRS paid
2018 / 2019	£1,548,603.76	99.4%	£112,996.27
2019 / 2020	£1,716,144.00	99.93%	£104,333.41
2020 / 2021	£2,534,819.12	100%	£336,897.54

Housing Benefit Overpayment recovery is ongoing, after a review taken to further improve cash recovery. Year on year recovery figures are improving, with the exception of 2020, when there was a hold placed on recovery action for six months due to the Covid pandemic. The team increased from 4 to 8 FTE November 2019. Cash recovery increased from December 2019 until the Pandemic impacted in April 2020. A dedicated technical resource was introduced in 2020 improving management information, which has led to a substantial increase in cash recovery from overpayment in 21/22 to date compared with 19/20 and 20/21.

# Service Journey (Including Achievements) 2018 – March 2021 contd.

Council Tax Direct Debit take-up is now at an all-time high. In April 2020 DD take up was 65.17% (94,928 accounts ). As at March 2021 this is now running at 67.73% (98,662 accounts), which is the 8<sup>th</sup> highest level in London. The use of online forms which encourage direct debit take-up have all contributed to this increase. A direct debit campaign accompanied the E-Billing campaign in February 2021.

The service also launched a smarter ‘pre-recovery’ messaging campaign via TelSolutions and this replaces our previous SMS reminders. Pre reminder messages include a text, email and a pre-recorded phone message. The campaign is carried out over the course of 5 days and the urgency attached to the message increases throughout the campaign. The SMS messages sends a link to a personalised page allowing for much more detailed information to be provided than would be the case in a standard SMS message. The process learns and adapts to the ‘nudge’ which finally prompts payment so that future communication is made via the most effective channel for each customer.

# Service Journey (Including Achievements) 2018 – March 2021 contd.

TelSolutions commenced October 2019, so comparison of full year does not give a true indication. October to March in 18/19 to 19/20 saw a 20% reduction in reminders issued. See below comparison on both full year stats and October to March stats:

Comparison reminders issued for Oct-Mar			
	2018/19	2019/20	%Change
First Reminders	19,955	15,558	-22.03%
Second Reminders	8,475	6,849	-19.19%
Comparison reminders issued for full year			
	2018/19	2019/20	%Change
First Reminders	60,500	56,723	-6.24%
Second Reminders	19,232	19,283	+0.27%

# Service Journey (Including Achievements) 2018 – March 2021 contd.

During October 2020 the team were shortlisted for the Covid Heroes award. They also went on to win one of the Values awards for their collaborative approach in delivering the Covid grants quickly and in a short space of time whilst contending themselves with remote/homeworking.

Due to the Covid pandemic, the service went through a period of unprecedented change resulting in additional workloads seen across the services.

Council Tax residents in receipt of Council Tax Reduction (CTR) for working age customers received up to £150 awarded towards their Council Tax charge.

Test and Trace payments were implemented quickly and efficiently in September 2020, with extension to September 2021 in line with Government requirements.

# Service Journey (Including Achievements)

## 2018 – March 2021 contd.

The Business Rates team have administered the Government's Covid-19 Business support grants since March 2020, and to date have successfully paid over 17,000 grants. This equates to over £109,000,000 pounds to help businesses affected by Covid.

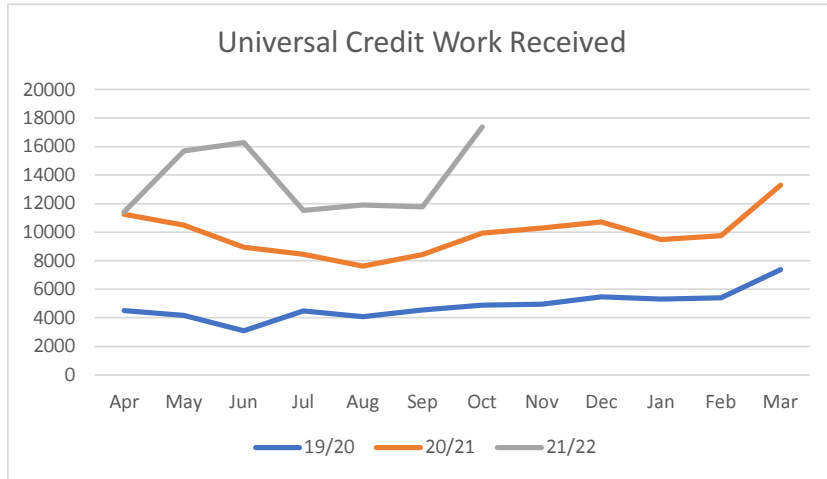
The team also successfully managed the Council's Additional Restriction Grants, processing grant support in line with the Council's own unique policy.

The team continue to provide support to the most vulnerable residents by ensuring they receive the right financial support they are entitled too quickly. A joint working platform was created with partners to provide primarily employment and benefit advice to Barnet residents. Referrals are made to other services and partner organisations, such as Barnet Homes, CAB (Citizens Advice Bureau), CAP (Christians against poverty), Barnet Wellbeing, Sangam (Association of Asian Women) and others to ensure the appropriate support is provided depending on the applicant's circumstances.

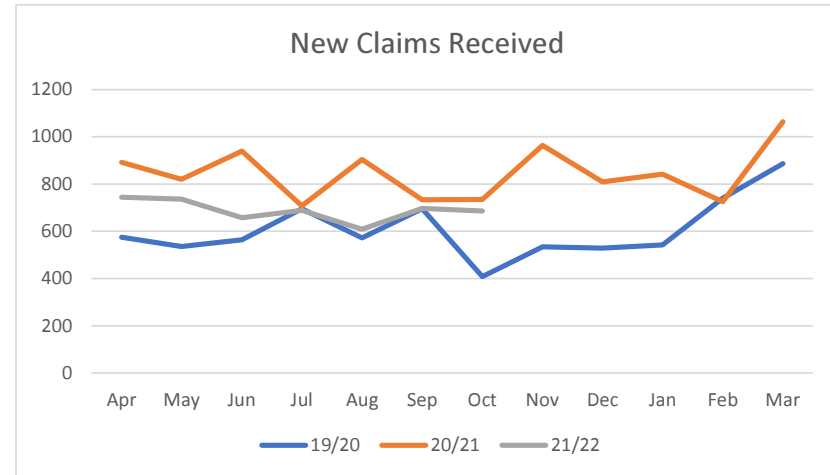
Discretionary Housing Payment awards are often dependent on continued engagement and progress in finding a job, moving to an affordable tenancy and/or being awarded the correct benefits.

# Service Journey (Including Achievements) 2018 – March 2021 contd.

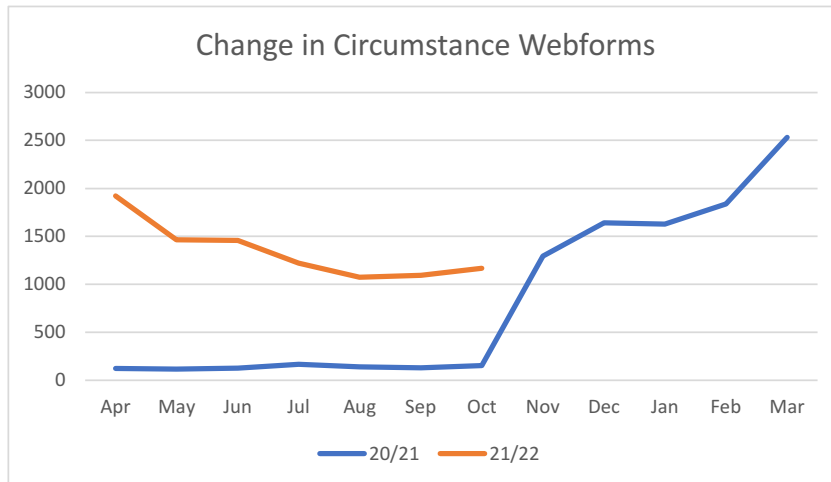
Universal Credit Volumes 2019-2020 & 2020-2021



New claims Volumes 2019-2020 & 2020-2021



Change in Circumstances webforms Apr 20 – Mar 21

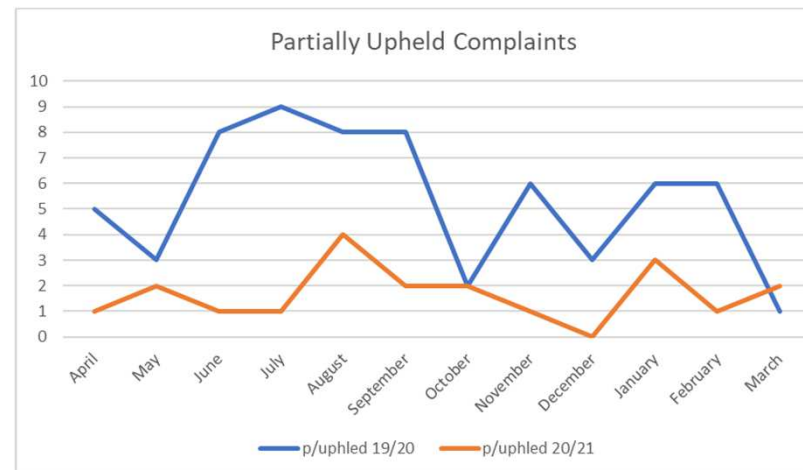
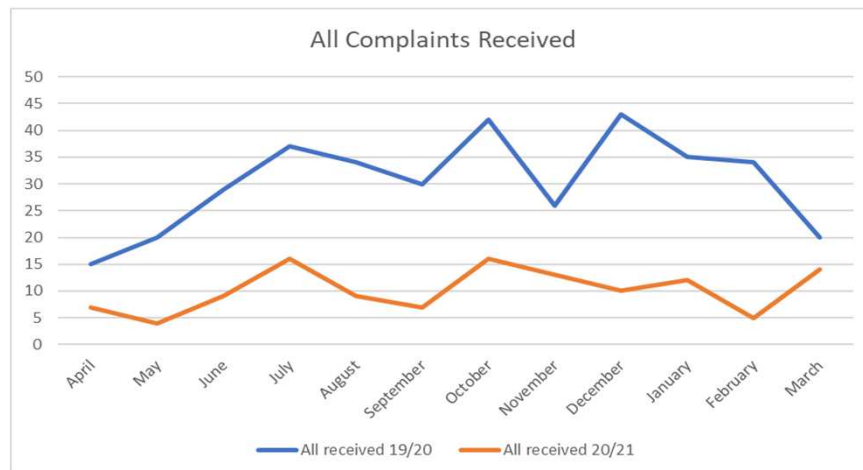
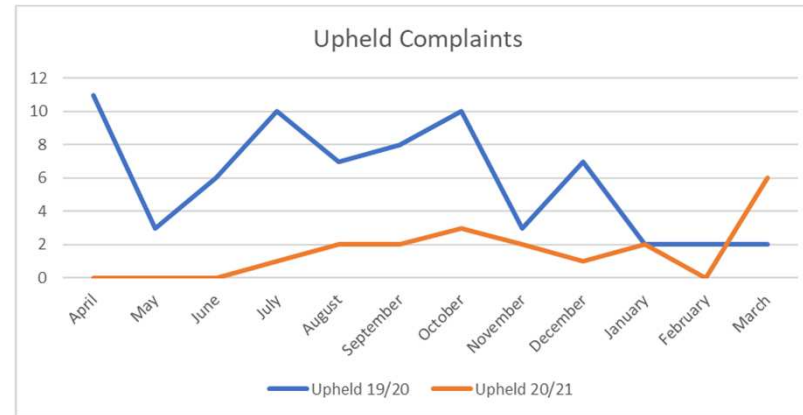


The 2 graphs above show the increase in benefit workload year on year and the graph to the left shows the increase in online forms being used by customers. As a result of the first lockdown in March 2020, we saw an immediate spike in Universal Credit awards, new claim applications, and changes in circumstance reported to us. Customers used online forms to report changes and new awards to us. As the pandemic moved forwards, and due to various lockdowns and business closures, furlough rule changes/awards of self-employed support, customers continued to report a high volume of changes to us as and when they occurred. With the job market returning to normal we are still seeing customers reporting a high volume of changes to us using online forms.

# Service Journey (Including Achievements) 2018 – March 2021 contd.

## Complaints Volumes 2019-2020 & 2020-2021

The graph below show the number of formal complaints received by the service reducing year on year, showing an increased satisfaction with the service being provided and decisions being made. The graphs to the right show the number of complaints upheld and partially upheld. The spike on upheld complaints March 2021 was due to a mixture of reasons on Council tax accounts and no trends identified.

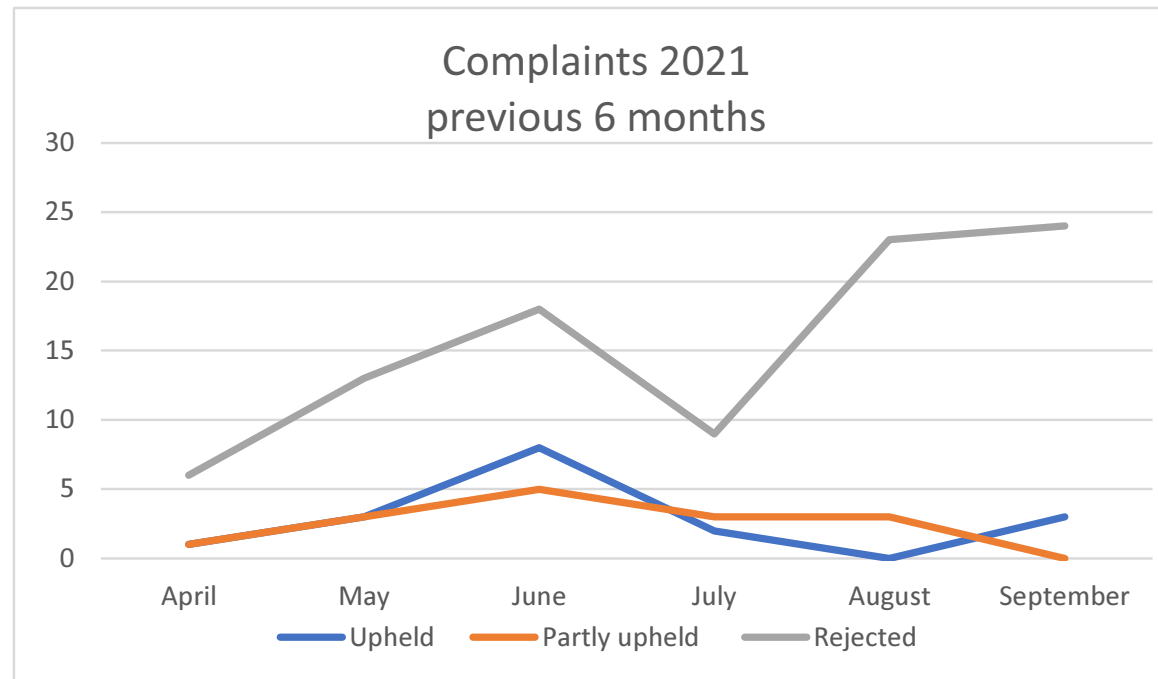




# Service Journey (Including Achievements) 2018 – March 2021 contd.

## Complaints Volumes – 2021

The graph below shows the monthly formal complaints volumes received between April and September 2021



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# **CONTRACT REVIEW PERFORMANCE PACK PLANNING & DEVELOPMENT CONTROL**

# Service Performance Summary

Development Management have sustained a continuous and comparable high level of service in relation to the processing of planning applications, while being almost the busiest local planning authorities in London. The service operates within a policy framework set by the council, by national planning guidance and in accordance with the agreed Local Plan. This pack covers only the performance of the service as it relates to the processing of planning applications and planning enforcement, as separate discussions are underway regarding the future delivery of support to the development of planning policy.

The redesigned planning enforcement service, including the 'proactive enforcement' team, has been nationally recognised and the overall service has also been shortlisted on several other occasions.

The service has generated substantially greater income for the council than forecast. It has also invested in its staff and overall capacity. This is due to the success of commercialisation; including fast track, pre-application, and planning performance agreements, as well as wider consultancy activity. The income generated contributes to the achievement of Capita's obligations under the income guarantee and has significantly offset the deficit elsewhere.

In 2018, the government authorised a national 20% increase to planning fees, which has been used to invest in ongoing service adaptation and innovation.

Generally 'customer service' is close to meeting expected targets as a result of the additional funding, and further support for residents has been provided.

# Key Figures 2018 - 2021

	2018/19	2019/20	2020/21
<b>Management Fee</b> (as per Financial Model 2013)	2,536,292	2,582,075	2,631,904
<b>Indexation</b>	171,150	230,611	283,336
<b>Change Request</b>	113,783	116,059	118,357
<b>Total</b>	<b>2,821,225</b>	<b>2,928,745</b>	<b>3,033,596</b>
<b>Special Projects</b>	194,500	124,052	1,059,909*
<b>Income (target)</b>	(1,844,003)	(1,885,341)	(1,912,781)
<b>Income (actuals)</b>	(3,731,056)**	(4,037,575)**	(3,618,409)**

\* SPIR's in 2020/21 are inclusive of Brent Cross Planning. In 2018/19 & 2019/20 the full Brent Cross Remit was inclusive of the delivery team, the full impact is not shown above as the overall delivery would distort the picture.

\*\* excludes 20% uplift, which must be re-invested in the service under government regulations

# Service Journey (Including Achievements) 2018 – March 2021

The planning team has continued to benchmark well against comparable authorities. The service is continuously one of the best performing Local Planning Authorities in London as measured by MHCLG relating to the processing of planning applications.

The Planning Enforcement function has maintained its leading position as the most active team in the country, when measured by the number of enforcement notices served, helping to resolve breaches of planning control and maintain the attractiveness of the Borough for residents, businesses and visitors. The team has also received significant council support to invest in its unique pro-active approach to enforcement projects and in particular the joint project with Public Protection to identify and enforce against unlawful HMOs providing substandard accommodation.

The service has continued to support the council's growth ambitions through the processing of planning applications; it is noteworthy that 17,621 new homes have been granted planning permission since 2018.

The service has supported the council to reform the structure of Planning Committees to improve decision making and prepare ahead for the ward boundary changes being implemented from 2022.

## Service Journey (Including Achievements) Continued 2018 – March 2021

More than £1m has been invested in the service and helped to offset unforeseen costs since October 2018 – associated with the 20% uplift in planning fees. This has enabled the service to increase pro-active enforcement capacity to protect the Borough against unlawful development, appoint a resident liaison officer, and fund various different types of project work; including policy and urban design activities within the remit of strategic planning.

The service has continued to provide a wide range of additional non-statutory services to support development in the Borough, in accordance with the policy framework set by the council and national planning regulations, and speed up the process of obtaining permissions via further investments in the Fast-Track service and the Planning Performance Agreement (PPA) offering.

These service achievements have been recognised by peers. The team was the winner of the 2018 “Local Planning Authority of the Year” Planning Award and Planning Officer Society Cup. The team were also shortlisted for the LGC awards 2018 and 2019, the Planning Awards 2020 and the RTPi award for “Local Planning Authority of 2021”.

# Service Journey - Commercial Innovation

Re. has maintained a growth ambition to service external clients, focusing on local authorities in the south. This has provided existing and new staff with opportunities to work for Barnet, but also gain experience with other planning authorities on resilience work (additional support to address peaks in demand) and is an attractive recruitment offer.

External Resilience contracts delivered to date account for circa. 50 contracts in total, with an annual average of between 12-20 contracts.

The Re. 'business growth' team provides these commercial services, which currently comprises 13 FTE staff, with the expectation of further growth (this excludes Policy and Building Control staff commercial activities).

Staff within the Re. growth team gain valuable experience of other local authority policies, practices and culture. This helps staff to more rapidly advance their careers, builds service reputation and has been very positive for staff retention.

External Contract showcase:

Over last 2 years a Re Principal Planner led on Brighton Marina Redevelopment PPA (Planning Performance Agreement) and the Appeal. This showcased the ability to support an LPA on a complex high-profile scheme. It has built trust and a positive reputation that helped secure a further DM Resilience contract.



# Performance to Date – KPIs Annual Outturn

KPI Number	KPI Description	2018/2019		2019/2020		2020/2021	
		Target	Result	Target	Result	Target	Result
KPI001 (A&A)	Compliance with planning application statutory timescales (for major, minor, other applications)	75%	84.4%	80%	91.8%	80%	92.7%
AB KPI1	Planning Application Basket of Indicators	New for 2019/20	N/A	6	5	6	6
EB KPI1	Planning Enforcement Basket of Indicators	New for 2019/20	N/A	6	5	6	0 (Covid impact)

The main Planning Applications KPI 001 has consistently exceeded performance targets over the last three years and is indicative of the high-quality service delivered to residents of the Borough.

The COVID-19 pandemic and national lockdowns from March 2020 (2019/2020 through to 2020/2021) has had a direct impact on the performance of Planning Enforcement KPI EB KPI1 due to restrictions around site visit activities. In recognition of this, KPI relief was given by Barnet Council. With the easing of lockdown measures by Spring 2021 and resumption of wider enforcement activities, a recovery plan was put into place to address case backlogs and use the resources of the proactive team to restore service KPI performance.

\* KPI is measured annually with quarterly reports on progress

## How is Customer Satisfaction SKPI05 Measured?

During the period of 2018/19 and 2019/20, customers who visited the Planning Reception were asked to complete a hard copy version of the online survey. The results were manually merged with other customer feedback completed online via the same survey. These survey results were reviewed at the end of each reporting period.

Due to the Covid-19 pandemic, the Planning Reception was closed. Customers who emailed the Planning Enquiry generic mailbox were invited to complete an online version of the survey using a specific link for Planning responses.

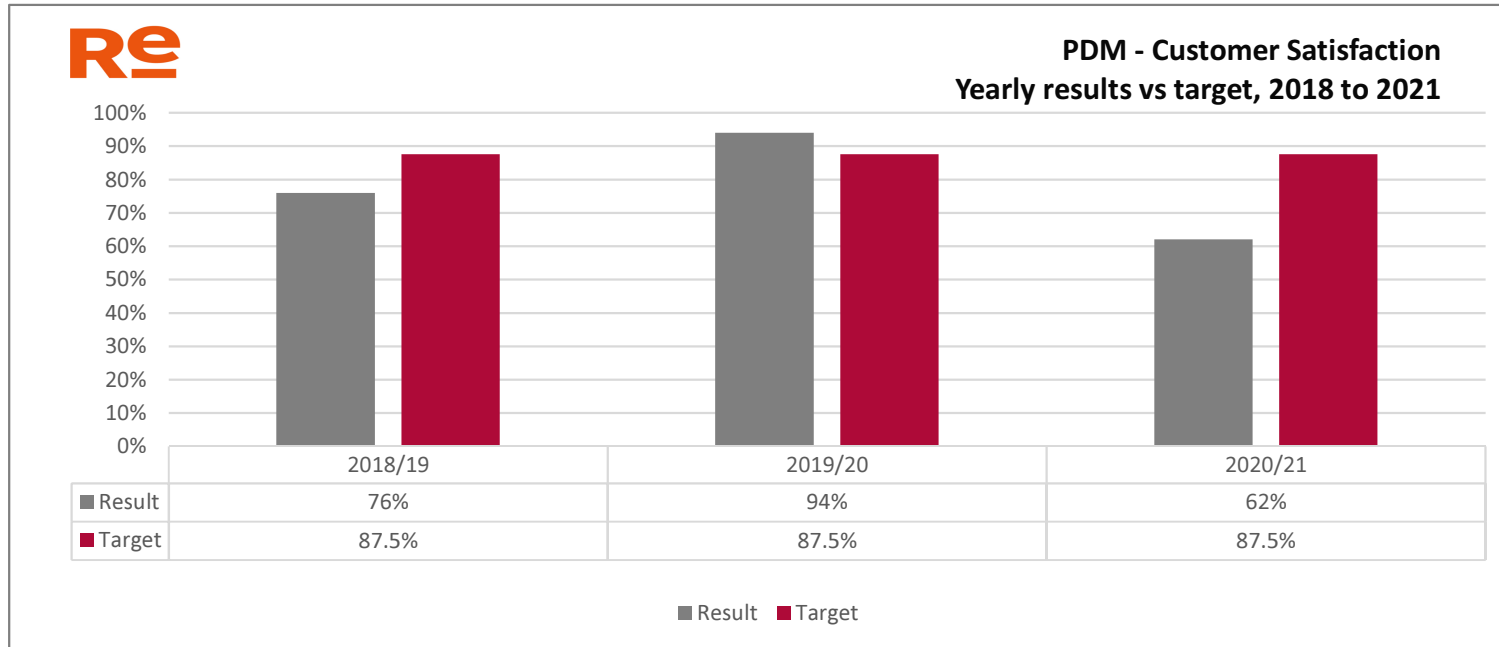
Scores are based on the % of customers that score Re either 4 (Good) or 5 (Very Good) on the survey questions.

In 2018/19, the service missed the target by 10 percentile points. Following the move to Colindale with an improved reception area, the result for 2019/20 was a healthy 94% of customers rating the service either as good or very good. The impact of Covid-19 and the closure of the reception impacted the result for 2020/21, which was 62%. This is attributed to not being able to compare like-for-like and a former face-to-face service being switched to a mailbox approach.

An additional measure has been taken to improve customer service, being additional investment in a resident liaison officer who ensures that residents corresponding or raising concerns with regards to applications, appeals and enforcement activities are appropriately engaged and kept suitably updated.

# Re Overall Customer Satisfaction Results

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



This customer satisfaction measure is based on the customer's front office experience and not the actual planning application process itself. Hence the scores do not reflect the consistently high KPI performance for planning application processing timescales. Data here is based on feedback forms completed by customers visiting the Planning Reception front office (closed since March 2020 due to COVID) and from customers who have placed Planning enquiry related calls into Re customer hub. The impact of COVID-19 and closure of the Planning Reception front office is a significant factor in the lower scores seen in 2020/21. There will be future plans to look to enhance the customer experience via the Re customer hub which will help to improve the scores seen in 2020/21.

# Other Customer Satisfaction Measures

## Planning Agents Bi-Annual Workshops

The Planning Service also host a Bi-annual Planning Agent's Forum to obtain feedback, raise awareness of the service and strengthen relationships.

The most recent (Wednesday 18th November 2020) attracted an unprecedented level of attendees. In total, 89 people joined the event.

Participants represented a diverse range of developer agents from local architects and planning agents, to consultancies such as Savills, Colliers, Avison Young and Lichfield.

The next forum is due to be held in Autumn 2021.

### Feedback

"I thought the forum this morning was really well produced from all participants. Just in terms of my own experience of the service since March, it has been positive and has remained responsive, mainly dealing with Josh on a few things. It is also refreshing that agents and applicants are publicly acknowledged as important service users in Barnet: that is not always the case around London (!), so thank you from me and on behalf of applicants". [Savills]

"Thank you for the invitation. It was a very useful event. [You Architecture Ltd.]

I found the Agent Forum really informative this morning and all the speakers were excellent". [Michael Burroughs Associates Limited]

I just wanted to drop you a line and say thanks for the invitation it was great to listen to and very informative". [I G U A N A]

# CONTRACT REVIEW PERFORMANCE PACK BUILDING CONTROL

# Service Performance Summary

The financial performance of the service has been disappointing, with income declining by around 50% since 2018/19 and falling far short of the targets set out in the contract. Whilst the pandemic has clearly had an impact, competition for this service has become increasingly challenging over the years and there has been a fall in market share. However, Building Control seeks to deliver a reliable and fairly-priced service, compared with other players in the market, and is well regarded by those that use it.

The service is considered to have a good base, from which to rebuild. In particular, it needs to continue to win back business in relation to larger developments to increase its market share and meet income targets. Crucially, the income generated has helped to subsidise the cost of meeting the council's duties in relation to oversight and action required in relation to dangerous structures, which is something that competitor organisations are not responsible for delivering.

The service is also continuing to support the council to respond to fire safety issues and changes in policy and responsibilities (Building Safety and Fire Safety legislation and revisions to building regulations) following the Grenfell tragedy. In all these specialist areas of work the team have been helpful and supportive.

# Key figures 2018 - 2021

	2018/19	2019/20	2020/21
<b>Management Fee</b> (as per Financial Model 2013)	901,659	906,269	907,336
<b>Indexation</b>	60,484	80,453	80,557
<b>Change Request</b>	26,585	27,117	27,653
<b>Total</b>	<b>988,728</b>	<b>1,013,839</b>	<b>1,015,546</b>
<b>Special Projects</b>	0	9,000	0
<b>Income (target)</b>	(1,483,940)	(1,517,206)	(1,539,288)
<b>Income (actuals)</b>	(1,107,740)	(799,529)	(593,354)

## Service Journey (Including Achievements) 2018 – March 2021

The Building Control function operates within a competitive marketplace, and since 2018 the number of alternative Approved Inspectors operating within the borough has been increasing. As a result, fee earning applications have been in decline and this is also represented in a decline in the LBB/RE market share.

Whilst the service has looked to remain fully resourced, the industry sector remains volatile, with market forces creating a high demand for surveyors but with only a low supply available. Therefore, a key priority is to focus on retaining workforce and upskilling, primarily in response to the significant changes in “dutyholder” roles set out in the draft Building Safety Bill.

Notably, the service has maintained several key partnerships and secured projects including Colindale Gardens (Redrow), Beaufort Park (St George) and Park Royal Brent (Fairview). In addition, several projects have been nominated and have won London regional LABC awards – including Celeste House within the Beaufort Park scheme in Colindale.

Furthermore, the service has recently helped to deliver the Colindale Offices project and is currently overseeing the construction of the new West Stand at Saracens.



## Performance to Date – KPIs Annual Outturn

KPI No	KPI Description	2018/19		2019/20		2020/21	
		Target	Result	Target	Result	Target	Result
KPI001 (BC)	Number of decisions within statutory timescales – Meet building regulation statutory timescales – decisions in 5 weeks or 2 months (dependent on the choice of applicant at the time of application). This excludes the impact of any delayed decisions by an authorised officer of the Authority.	96%	99.7%	100%	99.7%	100%	99.6%

This KPI is measured annually with quarterly reports on progress.

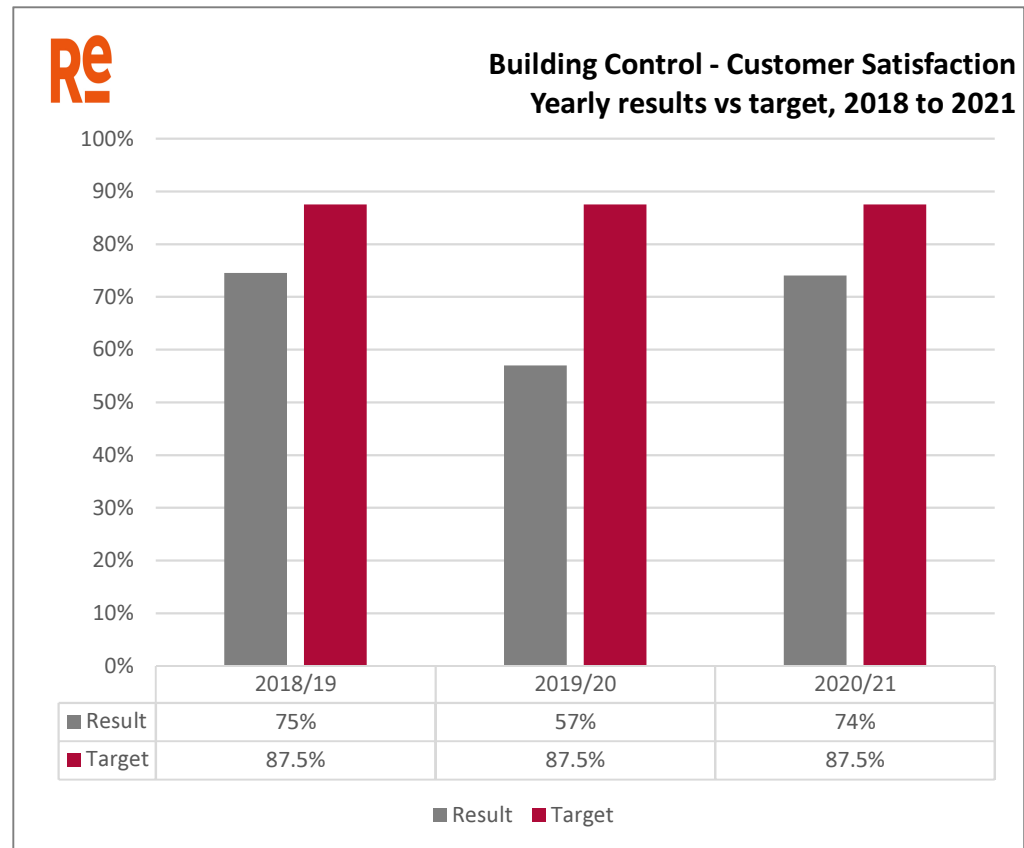
In the few instances where a single case out of timescales has resulted in the 100% target being missed, these have been recognised as exceptional and due to circumstances outside of the control of Re.

# Customer Satisfaction Results

Building Control customers are emailed a specific survey link at the end of a month or at the end of an enquiry or service request. This link is solely for clients who have used the services of Building Control.

Due to the nature of the service and its customer base, it is often the same group of agents accessing the service on behalf of residents/customers. Surveys are served on the agents to provide feedback, with survey results reviewed at the end of each reporting period.

Scores are based on the % of customers that score Re either 4 (Good) or 5 (Very Good) on the survey questions. Whilst the client base is small, Building Control have consistently achieved an average rating of 68% as good or very good.



The customer satisfaction targets are ambitious for a Regulatory service that enforces building regulations. Hence the scores do not reflect the consistently high performing KPIs on building control applications turnaround timescales. The impact of a temporary slow-down in the market due to the Covid-19 pandemic is also seen in 2019/20 and 2020/21, with less activity, and therefore even fewer agents completing the feedback forms.

# CONTRACT REVIEW PERFORMANCE PACK LAND CHARGES

# Service Performance Summary

In a number of ways the service has performed well, consistently meeting its KPI and receiving excellent customer satisfaction scores.

The service has won, or been shortlisted for, national and local awards during recent years.

Although the service falls short of the challenging income targets that were set at the beginning of the contract, the level of income generated far exceeds the cost of the service within the management fee. Income levels have held up well during the pandemic.

Data quality held by the service requires improvement, which was recognised by an audit last year. Over the next 12-18 months, the datasets used by the service will be comprehensively cleaned. This will be completed prior to a data transfer to Land Registry, who will begin delivering some types of searches.

## Key Figures 2018 - 2021

	2018/19	2019/20	2020/21
<b>Management Fee</b> (as per Financial Model 2013)	150,669	152,602	153,832
<b>Indexation</b>	10,326	13,799	16,337
<b>Change Request</b>	4,254	4,339	4,425
<b>Total</b>	<b>165,249</b>	<b>170,740</b>	<b>174,594</b>
<b>Special Projects</b>	None		
<b>Income (target)</b>	(1,202,764)	(1,229,728)	(1,247,625)
<b>Income (actuals)</b>	(1,162,993)	(984,155)	(909,300)

## Service Journey (Including Achievements) 2018 – March 2021

The team has successfully achieved the KPI and PIs over the life of the contract.

The income generated from searches has made a substantial contribution to guaranteed income, although this varies according to demand for searches.

The recent upturn in the housing market partly due to the stamp duty land tax (SDLT) holiday, has resulted in substantially higher volumes.

During the life of the contract, the teams have digitised remaining hardcopy data to prevent loss, improve data security and enable easier retrieval.

HM Land Registry have obtained statutory powers to transfer some types of searches to within its existing operation.

An audit in 2021 highlighted the need for better data quality. In preparation for the future role of land charges, LBB is currently agreeing a project with the land registry to cleanse the data.

## Service Journey (Including Achievements) contd. 2018 – March 2021

The service has supported the local property market by consistently producing searches within three days – much faster than the HMLR expectations of 10 days.

The team have also maintained this high level of service delivery during the SDLT holiday and throughout the global pandemic.

The team and its individual members provide consistently excellent customer service and have been nominated for successive awards from the Local Land Charges Institute and Land Data:

- **2021** - shortlisted for Customers Satisfaction Awards and Unsung Heroes Awards
- **2020** - shortlisted for Customers Satisfaction Awards
- **2019** – shortlisted for a Customers Satisfaction Award
- **2018** – shortlisted for Customers Satisfaction Awards

## Performance to Date – KPIs Annual Outturn

KPI Number	KPI Description	2018/19		2019/20		2020/21	
		Target	Result	Target	Result	Target	Result
KPI001 LC	Average time taken to process requests for Full Official Searches (online and post) in Land Charges	3	2.46	3	1.94	3	2.67

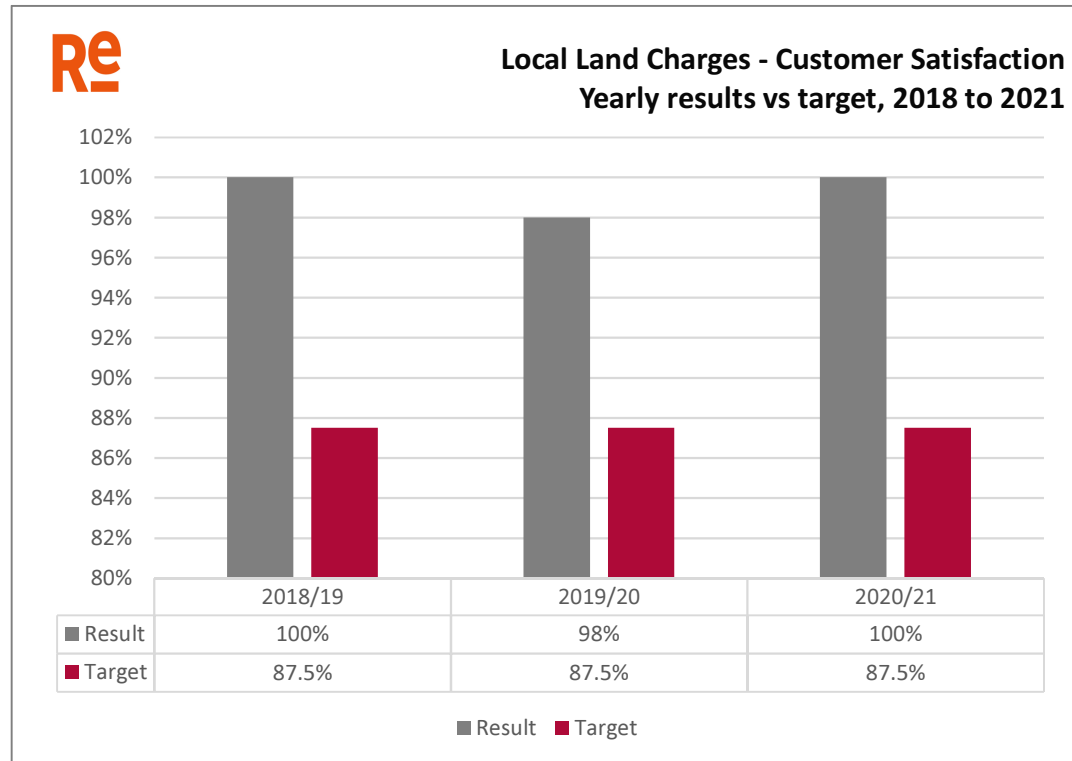
The local land charges service consistently meets its KPI.



# Customer Satisfaction

This SKPI is measured annually with quarterly reports on progress. Customers are emailed a specific survey link at the end of each month which is directed specifically at clients who have used the services of Local Land Charges. Survey results are reviewed at the end of each reporting period and are based on the % of customers scoring Re with either 4 (Good) or 5 (Very Good).

Due to the nature of the Local Land Charges client base (solicitors, conveyancers and personal search agents), it is often the same group of clients that are asked for feedback. Whilst the client base is small, **Local Land Charges have consistently achieved a rating over 98% as good or very good.**




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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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	<p><b>Financial Performance and Contracts Committee</b></p> <p><b>23 November 2021</b></p>
<p><b>Title</b></p>	<p><b>Review of Capita Contracts – Public Engagement</b></p>
<p><b>Report of</b></p>	<p>Director, Commercial and Customer Services</p>
<p><b>Wards</b></p>	<p>All</p>
<p><b>Status</b></p>	<p>Public</p>
<p><b>Urgent</b></p>	<p>No</p>
<p><b>Key</b></p>	<p>No</p>
<p><b>Enclosures</b></p>	<p>APPENDIX A – ORS Report</p>
<p><b>Officer Contact Details</b></p>	<p>Deborah Hinde – Director, Commercial and Customer Services  <a href="mailto:deborah.hinde@barnet.gov.uk">deborah.hinde@barnet.gov.uk</a> 020 8359 2461</p>

<p><b>Summary</b></p>
<p>The purpose of this report is to provide an overview of the public engagement activity on the Capita Contracts Review and to set out the council's initial response to the comments received. The report also sets out proposals regarding the next phase of resident engagement.</p>

<p><b>Officer Recommendations</b></p>
<p><b>That the Financial Performance and Contracts Committee:</b></p> <ol style="list-style-type: none"> <li><b>1. Notes the content of this report and the ORS report attached at Appendix A;</b></li> <li><b>2. Records its appreciation for those residents that participated in the process; and;</b></li> <li><b>3. Agrees the revised approach to ongoing resident engagement, as set out in section 4 of this report.</b></li> </ol>

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

- 1.1 At its meeting on 8<sup>th</sup> June 2021, the Financial Performance and Contracts Committee agreed a proposed approach to public consultation in respect of the Capita Contracts Review. The proposed approach recognised the extensive consultation that took place during the review of Capita contracts that took place during 2018 and 2019, as reported to Policy and Resources Committee on 17<sup>th</sup> June 2019.
- 1.2 The Committee agreed that further public engagement and best value consultations on the Review should consist of two rounds of focus groups. The first round would take place in early July, with the objective of seeking views on priorities, in order to inform the development of proposals for the future delivery of the services. The second round would take place later in the year, to seek views on the proposals that have been developed.
- 1.3 For both rounds, it was proposed that the approach that was taken for the Strategic Contract Review in 2018 be adopted, whereby one focus group would consist of residents that have previously engaged with the council on the services delivered by Capita and one group would bring together a random, representative sample of all residents.
- 1.4 The engagement exercise reported here was undertaken in July 2021 by Opinion Research Services (ORS) - a spin-out company from Swansea University with a UK-wide reputation for social research, who were appointed by the council to convene, facilitate and report on the two focus groups - one with 'frequent engagers' (members of the public who have previously commented or submitted questions on relevant Committee reports) and the other with randomly-selected members of the public. Five participants attended the former and nine attended the latter, and both lasted between 1.5 and two hours.
- 1.5 At the suggestion of the Chairman of the Financial Performance and Contracts Committee, a meeting between him, the council's Director of Commercial and Customer Services and Mr John Dix was held on 6<sup>th</sup> July 2021. Mr Dix is one of the most frequent engagers with the council on the subject of the Capita contracts and regularly makes useful and inciteful comments in respect of their construct and performance. The discussion was wide-ranging and open, with a high level of consensus on some of the key issues. This report contains a summary of the outcomes of the discussion, which has been agreed with Mr Dix and is published with his permission. Following the meeting, Mr Dix sent follow-up emails, the contents of which are also reflected in this report.

## 2 REASONS FOR RECOMMENDATIONS

### Outcome of Focus Groups

- 2.1 The report attached at Appendix A sets out more detail on the approach to recruiting and conducting the focus groups, together with an executive summary and detailed findings.
- 2.2 The contents of the executive summary are reproduced below, along with a commentary setting out the council's initial response (in italics) to the comments that have been made.
- 2.3 A copy of the report has been shared with Capita and we will ensure, as far as is practicable, that the comments that have been made are addressed through the extension proposals.

2.4 **Headline finding 1** – Good customer service is accessible, responsive, communicative, and offers speedy resolution to problems

- a. Participants were generally of the view that the first principle of good customer service is accessibility, followed by attempts at resolution by responsive, knowledgeable members of staff.
- b. Being kept informed of the progress of an issue/complaint was also considered essential: indeed, it was said that people understand that things take time and can accept delays if they receive regular status updates.

*Response – this is broadly consistent with comments made during the extensive public engagement exercise that informed the development of the Customer Transformation Programme and is being addressed in our ongoing work to improve customers' experience of engaging with the council.*

2.5 **Headline finding 2** – Not receiving good customer service has negative repercussions for individuals and organisations...

- a. Poor customer service typically leads to feelings of anger and frustration for those on the receiving end, as well as lasting negative perceptions of the organisation offering it.

*Response – the frustrations experienced as a result of poor customer service, from any organisation, are acknowledged.*

2.6 **Headline finding 3** – ...but residents are in a difficult position when they receive poor customer service from their local authority, as they cannot take their 'custom' elsewhere

- a. An underlying frustration for participants when receiving what they perceive as poor customer service from the council is that short of moving to another area, they feel there is little they can do about it. Essentially,

residents are at a disadvantage as they cannot take their 'custom' elsewhere as they would following poor service at, say, a retail establishment.

- b. Moreover, while elected members can (and in some areas do) try and ensure services run as they should, it was argued that this should not be necessary if services are responsive and efficient – and that good customer service should not be dependent on the proactivity of councillors.

*Response – the particular frustration that arises when you cannot take your custom elsewhere is also acknowledged and makes the focus on improving customers' experience all the more important. Furthermore, it is recognised that good customer service extends far beyond the first point of contact, whether that is by telephone, through the website or face to face, and is dependent upon good end to end processes and the right culture being embedded within each service delivered by or on behalf of the council. It is agreed that good customer service should be the norm and should not require the proactive involvement of councillors.*

**2.7** **Headline finding 4** – LBB's customer service is variable, but there was more negativity than praise

- a. Participants in both groups highlighted their frustrations with LBB's customer service in a broad sense, from their calls not being answered/transferred and having to deal with an automated answering service, to being treated disrespectfully by council staff or having to repeat their issue many times to different people.

*Response – it is acknowledged that, for some of our residents, the experience of engaging with the council has been unsatisfactory. Our analysis suggests that this is particularly the case where residents have more complex issues. We have been working hard over recent years, through our customer transformation programme, to address these concerns and improve our customers' experience of engaging with the council. However, we do acknowledge that there is further room for improvement. Over the last year, we have been working intensively to accelerate that improvement. In particular, we have established a joint working group to focus on the more complex council tax enquiries. As a result of their work, we have made various changes to the telephony system to simplify the route to speak to an advisor. We have also simplified processes within the service and made improvements to the website. As a result of these changes, we have recently seen a significant reduction in the number of complaints. We remain committed to continuing our programme of improvement to address residents' concerns regarding the ability to get through to a person, but this does need to be seen within the context that over 1,000 Barnet callers a day do speak to one of our contact centre advisors.*

*Comments regarding council staff treating residents disrespectfully are disappointing and such behaviour is not in accordance with the council's*



*values. We would always encourage residents to report such incidents, so that they can be addressed. We do have a set of customer service principles and are in the process of developing a training programme to support their rollout across the council.*

- b. In relation to the last issue, some participants suggested a better system for recording notes from calls with members of the public and enabling the provision of progress updates. This, it was said, would give customers confidence that their queries are being logged, addressed and not 'lost in the system'.

*Response – the council does have a Customer Relationship Management (CRM) system that is used to capture details of customers' enquiries. However, there are limits on the degree to which it can be integrated with service-specific systems to provide a full picture and the provision of progress updates. Despite those limits, there have been significant improvements on this front with the implementation of a new system in Streetscene, which did allow that integration. As a result of this, the number of calls about missed bins (including follow-up calls) has reduced by 36%. As part of our ongoing work to improve customer experience, we are looking at implementing a revised CRM system that is better able to be integrated with a broader range of service-specific systems.*

- c. In terms of specific services, highways was the one most complained about, most commonly in relation to potholes and poor maintenance of pavements. There were also significant concerns about a lack of planning enforcement, with accusations of constant (seven days a week) and/or poor-quality building work, and inadequate construction of infrastructure such as pavements – as well as about a lack of urgency and action on the part of environmental health in response to complaints.

*Response – some of the concerns regarding highways are recognised. It is proposed that highways will be brought back in-house, which should address a number of the issues raised. Budgetary constraints mean that it is inevitable that not all improvements on our highway network can be implemented within the timescale that residents would like.*

*Whilst residents' frustrations with the speed of planning enforcement are acknowledged, the service is nationally recognised as being one of the most active in the country and, although a number of services had to be suspended during Covid, the service is now fully back in action. It must, however, be noted that some aspects of planning enforcement take a considerable period of time to reach a conclusion, due to the processes that must be followed.*

*The concerns expressed about environmental health are recognised and will be considered further by the service.*

- d. This is not to say that LBB's customer service was universally considered to be poor: some services were praised, library services (in-house) and environmental health (Capita) in particular.

2.8 **Headline finding 5** – The COVID-19 pandemic has worsened council communications, but some good practice has been evident

- a. General public participants complained of worsening council communications during the COVID-19 pandemic, particularly around a lack or slowness of response, not being able to speak to an actual person, frustrations while using the automated answering system, and a lack of cross-department co-ordination.
- b. Some participants suggested that the council and councillors have used COVID-19 as an excuse for inactivity. While understandable at the outset of the pandemic when everyone was navigating the ‘new normal’ of working from home, it was no longer considered a valid reason for non-responsiveness, especially when other sectors have successfully implemented remote working practices.
- c. On a more positive note, participants again praised environmental health for its response during the pandemic, and another commended the council more generally for the way it administered the COVID-19 business grants. Communication relating specifically to the pandemic and assisting vulnerable people was also thought to be good, as was the action taken to provide for those having to shield.
- d. One of the frequent engagers conceded that Capita’s ability to offer a scalable response to grant distribution has been a benefit with respect to ensuring timely financial assistance to those requiring it. However, this was considered the only benefit served by the Capita contracts since their inception.

*Response – the positive feedback on the distribution of business grants and other support provided during the pandemic is welcomed. However, it is also acknowledged that some services were able to respond more quickly than others to the constraints that were experienced. The feedback will be considered as part of any future “lessons learned” review and in our future planning for such incidents. All services should now be operating as normal, albeit there are significant backlogs in some areas that are still being worked on.*

2.9 **Headline finding 6** – The frequent engagers were especially critical of Capita’s performance

- a. Participants - especially those in the frequent engagers group - were highly vocal in their criticisms of the Capita contracts, and indeed of Capita itself. They particularly alleged poor and impersonal customer service, a lack of openness and visibility around performance, and a serious loss of management control and accountability.

*Response – the ongoing programme to improve customers’ experience of interacting with our services is referenced above. In respect of visibility around performance, the council publishes quarterly performance reports*

*that cover all of the agreed key performance indicators across the contracts, together with a commentary on achievements and challenges during the quarter. The council's approach to managing the contracts has developed since the contracts were let in 2013 and there are regular contract management meetings for each service provided under the contracts.*

- b. The frequent engagers also suggested that the power balance within the council/Capita relationship has tipped too heavily in favour of the latter. In relation to this, a specific example was given whereby a provider 'walked away' from the provision of clinical services for children, and there was significant concern that Capita will do the same if it ceases to make a profit from its contracts with LBB.

*Response – Capita are keen to secure extensions on both contracts and there is no evidence to suggest that they would seek to “walk away” from them.*

- c. Moreover, there was suspicion (fuelled by a recent report by the independent accounting firm Grant Thornton) that the decision to outsource to Capita was, and remains, ideologically and politically driven and that the case for greater economies through outsourcing (as opposed to in-house service provision) is no longer necessarily as clear cut as it might have been.

*Response – as noted by the Financial Performance and Contracts Committee at its meeting on 8<sup>th</sup> June 2021, it is considered that the council's approach to the Review aligns with Grant Thornton's findings, in that it is based on a pragmatic, service by service review, with the focus being on “what is the right approach for that service to achieve the overarching priority of ensuring that Barnet residents receive the best possible services that we can afford and at a competitive price”.*

- d. Planning came in for particularly heavy criticism, especially in relation to the perceived over-development of the Borough, local asset reduction (the loss of community spaces was noted several times), a lack of transparency, and the alleged prioritisation of profit over the needs of the local area and its residents.

*Response – it is acknowledged that planning policy is a complex and contentious issue, but the planning service that is delivered by Capita is required to operate within a policy framework that is determined by the council within a broader legislative framework. The proposed direction of travel for the planning service includes consideration of returning some elements of the strategic planning service to the council, which may enable greater clarity about the split between policy-setting and service delivery.*

2.10 **Headline finding 7** – There was scepticism about the proposed direction of travel for certain services

- a. One frequent engager had read the document outlining the proposed direction of travel for the Capita-provided services and commented that those proposed to return to council control are typically non-revenue generating, whereas Capita would retain the most profit-making service, planning. The frequent engagers were generally concerned to see this as, in their view, planning is one of the services not suited to outsourcing given their belief that local knowledge is required to properly deliver it.

*Response – all revenue generated from the services delivered by Capita comes directly to the council. The income guarantee ensures that any shortfall between the revenue received by the council and the targets set out in the contract is made good by Capita. Any contract extension would require a re-baselining of the income guarantee to ensure that the council is not disadvantaged.*

*The planning service is delivered predominantly from within Barnet, but benefits from additional support capacity provided from Capita's Belfast office.*

- b. Moreover, it was argued that other services provisionally proposed to be retained by Capita - such as Accounts Payable - have not performed sufficiently well to justify this. Again, the feeling was that saving money is the key criterion, and that this overrides any consideration of performance.

*Response – where the direction of travel includes the intention to enter into a one-year extension (as is the case with accounts payable), this is on the basis that additional time is required to allow further review and decisions to be made about the longer-term future of services, where the case for returning, re-procuring or extending is unclear and a more detailed review is required to determine the best strategic option.*

- c. Capita's management of Barnet's cemetery at Hendon was also heavily criticised by a couple of frequent engagers, who alleged significant disrepair because of disinterest – which has, in their view, arisen as a result of the service not meeting Capita's initial (unrealistic) expectations for revenue raising.

*Response - issues regarding maintenance at the cemetery were primarily caused by the impact of Covid, which were exacerbated by unusual weather conditions. These have since been substantially addressed. It should be noted that Covid placed unprecedented pressures on the service, with the equivalent of six months of funerals supported in just a six-week period at the peak of the pandemic, with one team member being awarded the London Borough of Barnet Civic Award for Covid-19 Community Hero. Several new services have also been developed that*

*provide a range of services to meet the varying religious and cultural needs of residents, which also generate income for the council.*

**2.11 Headline finding 8** – Outsourcing remains a controversial option for the delivery of council services

- a. Some participants in the general public group highlighted the potential advantages of having a national organisation running services, arguing that for many services it matters not whether they are located locally or at a distance, especially with today's access to technology. They also supposed that an organisation like Capita would have a higher level of expertise than a local council to perform the functions required, as well as greater purchasing power to minimise costs.
- b. Moreover, it was suggested that the vast majority of residents know little about how the council provides its services, nor do they care as long as the relationship is a largely transactional one.
- c. On the other hand, a lack of local knowledge and accountability was considered by many participants in both groups to be a significant disadvantage of providing services through a third party like Capita – as was the potential for more emphasis to be placed on revenue generation than the needs of local residents (which the frequent engagers argued has happened as a result of the contracts).
- d. Furthermore, a particular concern was that important service provision is in the hands of people with no local knowledge of or vested interest in the area. This, it was said, could lead to poorer customer service as a result of 'outsiders' having less care for what happens locally in Barnet.

*Response – the contracts with Capita seek to strike the right balance between securing the economies of scale and other advantages of working with a national organisation that delivers technology-enabled services for a number of councils and ensuring the appropriate level of local knowledge and engagement. This is a factor that will be considered in respect of proposals to return services to the council, when the contract expires, as well as in the proposals for contract extensions.*

**2.12 Headline finding 9** – Some suggestions for improvement were made

- a. A couple of further specific suggestions were made for improving services and the customer response in Barnet. These included: re-visiting the terms of the Capita contract to enable the amalgamation of inter-related services (customer services and revenues and benefits for example); and LBB and Capita working to establish of a more personal (as opposed to wholly transactional) relationship between the latter and local residents.

*Response – the suggestion of amalgamating customer services and revenues and benefits is not supported, as customer services provides the "front door" to a much broader range of council services. However, the*

*need for closer working between customer services and the revenues and benefits service is accepted. As referenced above, a joint working group involving both services and including colleagues from both the council and Capita has been established and has been meeting over recent months to review and improve customers' journeys through some of the more complex situations that the service deals with.*

*The suggestion of establishing a more personal relationship with local residents is accepted and it is anticipated that the extension proposals will address this through revised partnership governance arrangements that will strengthen the relationship between the council and Capita.*

**2.13** **Headline finding 10** – The frequent engagers were cynical about the Review and the engagement/consultation process

- a. Finally, the frequent engagers felt that the Capita Contracts Review and associated engagement/consultation process are somewhat futile inasmuch as they are unlikely to influence the proposed directions of travel (which were described as a “done deal”). This viewpoint has been fuelled by a feeling that the council has refused to enter into dialogue with and listen to them and other residents over recent years – as well as a perception that the findings of consultation exercises (the 2019 Capita Contracts consultation for example) are often ignored if they yield the ‘wrong’ answers.

*Response – the level of cynicism from the frequent engagers is unfortunate and it is hoped that some of the responses set out above will go some way to assuring participants in the focus group that their concerns have been heard and are being addressed, albeit not necessarily with the outcome that they would ultimately like to see.*

- b. While most of the frequent engagers said there was nothing the council could do to change their views, one did suggest that if LBB were to show willing in entering into true two-way dialogue, this would go some way to persuading them that this engagement process, and the forthcoming formal consultation, are genuine attempts to inform future service provision. They did not consider this likely though.

*Response – we have sought to engage in two-way dialogue by meeting with Mr John Dix, who is one of the particularly frequent engagers with the council over the Capita contracts.*

- c. Finally, both the frequent engagers and the general public said that being as open and transparent as possible about Capita’s performance to date was essential in ensuring all parties can make an informed judgement about the merits or otherwise of any formal proposals.

*Response – Capita’s performance is reported to the Financial Performance and Contracts Committee on a quarterly basis. Performance*

*packs for those services that it is proposed to retain will be published as part of the supporting evidence for the extension proposals.*

**Outcome of meeting with Mr John Dix**

2.14 The following is an agreed summary of the points made during a meeting between the Chairman of the Financial Performance and Contracts Committee, the council's Director of Commercial and Customer Services and Mr John Dix, held on 6<sup>th</sup> July 2021, and is published with Mr Dix's permission. The council's response is set out below each point, in italics.

2.15 Mr Dix expressed concerns about the integration of different systems into Integra.

*Response – this is acknowledged and will be considered in our decision-making on the future of the council's core systems.*

2.16 Looking ahead to 2026 (our proposed extension period), we need to acknowledge that the shape of local authorities is changing and Covid has accelerated that.

*Response – this is also acknowledged and will inform our thinking about the future delivery of all services, not just those that are delivered through the Capita contracts.*

2.17 The council should consider appointing a chief information/technology officer, as its IT strategy is currently outsourced. Capita both provide the advice on IT and deliver IT, creating a potential conflict of interest. As such there is a need for an independent advisor on IT strategy separate from Capita to set a vision of what best meets the needs of LBB in the future.

*Response – whilst the suggestion has some merits, it is considered that the council benefits considerably from its broader access to Capita's strategic IT capabilities, the strength and depth of which goes beyond what one could expect from a single chief technology officer. It is considered that the current clienting arrangements mitigate against any potential conflict of interest, particularly as the council also uses organisations such as LOTI (London Office of Technology and Innovation) and SOCITM (Society for Innovation, Technology and Modernisation) to test its thinking. We recognise that there is merit in reviewing whether or not there is a need to strengthen the support that is available to the council's existing client lead in respect of this aspect of his role.*

2.18 Technology is at the heart of everything the council does and this is an opportunity to re-imagine how services such as call centres are delivered in the future.

*Response – agreed and it is anticipated that this will be addressed in Capita's proposals for contract extensions.*

- 2.19 The council stopped publishing data on call-wait times in 2018, which is inconsistent with claims of transparency and openness in respect of performance.

*Response – this occurred prior to the current director and client lead being in post, so we are unable to establish why this happened. The client lead is working with contact centre colleagues to re-establish a programme of regular reporting on key metrics.*

- 2.20 There was an extensive discussion about culture coming from within and where control sits.

*Response – it is considered that work on strengthening the client side and anticipated proposals regarding the partnership governance arrangements will be critical to this.*

- 2.21 In respect of highways, there were shared concerns that can be summarised in the phrase “never outsource a problem, but never insource one either”.

*Response – work on the proposal to bring highways back to the council upon expiry of the contract is being carried out in conjunction with the broader Highways Transformation Programme, which continues to drive ongoing improvements in the service, whilst also considering the future operating model for the service. To support this approach, Capita’s Highways Director has been seconded to the council and now reports directly to the Executive Director, Environment.*

- 2.22 Planning remains a big concern, particularly in terms of the high level of staff turnover leading to decisions being made by people who don’t understand the history of the area and loss of corporate memory.

*Response – following the meeting, we reviewed staff turnover levels in planning over the last year and they were not considered to be out of the ordinary. We have, however, done some work with the service on ensuring that cases are picked up more promptly when staff are off sick. As stated elsewhere in this report, the vast majority of the planning service is delivered from within Barnet.*

- 2.23 Planning revenue should stay with Barnet.

*Response – it is considered that there may be a misunderstanding in respect of how the income guarantee and revenue flows operate, as all revenue from the planning service does come directly to, and is retained by, the council in the first instance. This revenue/income is different from profit, in that in the event of overperformance against the income guarantee, RE is entitled to reclaim the additional costs of achieving the extra income. Any subsequent surplus would be shared 75% to the council and 25% to RE. Should this translate directly into profit for the Joint Venture, any subsequent dividends would return 49% of that profit to the council, with 51% to the Joint Venture, resulting in 87.25% of the additional revenue being retained by the council.*



*For any contract extension, it will be necessary to re-baseline the income guarantee to reflect the areas of over- and under-performance to date, as well as considering how any surplus revenue is shared.*

- 2.24 There were concerns around keeping accounts payable with Capita.

*Response – the concerns regarding accounts payable are acknowledged, but this service is in the “further review” category because the best future delivery model for the service is dependent upon decisions about the council’s future core systems. Any proposal to extend the contract for one year is designed to provide the time required to make those decisions.*

- 2.25 There was an acknowledgement from all participants in the meeting that any extensions would require chief executive sign-off from both sides, as well as political buy-in.

*Response – it has been confirmed that Capita’s internal governance process requires “main board” approval of the extension proposals.*

**Follow-up email from Mr John Dix**

- 2.26 Following on from the meeting, Mr Dix sent an email to the Chairman of the Financial Performance and Contracts Committee and the council’s Director of Commercial and Customer Services on 12<sup>th</sup> July 2021. This re-stated and expanded on some of the points made during the meeting. The key additional points raised in the email are summarised below, with the council’s response in italics.

- 2.27 Mr Dix expressed concerns that he does not see evidence of a clear vision for Barnet, not just in relation to the specific elements of the Capita contract, but how the Council organisation will operate as a whole in five years’ time with a rising population and taking into account the changes driven by Covid. He also made suggestions regarding a potential future grouping of services.

*Response – the subject of the broader vision and structure of the council fall outside the remit of this Review, so have been shared with the council’s Chief Executive for consideration in the ongoing development of the Barnet Plan.*

- 2.28 The email set out further commentary in respect of the council’s core systems and promoted consideration of a “proper ERP (enterprise resource planning) system”.

*Response – the council’s review of core systems will consider a range of options, including the implementation of an ERP solution. Independent advice on this review will be sought, as necessary.*

- 2.29 In respect of planning, it was suggested that a “value chain analysis” would aid understanding of how Capita add value to the planning process.

*Response – how Capita adds value to the service will need to be part of any business case for extending the contract.*

- 2.30 On the topic of organisational culture, Mr Dix suggested that having a common set of goals throughout the organisation, and instilling a common language that reflects and reinforces those goals, is critical to making sure any changes stick. He identified the risk that piecemeal changes of specific services, without that clear set of organisation goals and culture, will result in a failure to realise the benefits of any change.

*Response – it is anticipated that the extension proposals will set out how Capita will continue to contribute to the achievement of the council’s goals, which are set out in the Barnet Plan.*

- 2.31 In respect of the client side, Mr Dix acknowledged that additional resources have been put into managing the contractor, but posed the question of how much it costs to manage the contractor and at what point is it cheaper to simply self-operate the service.

*Response – whilst it is acknowledged that the cost of managing the contracts is a factor that requires consideration, it is also considered that, where additional resources have been brought into the client side over the years, this has added more value to the overall delivery of services than is suggested by the phrase “managing the contractor”.*

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

- 3.1 Not applicable, as this report sets out the outcome of resident engagement, rather than recommendations for decision.

### **4 POST DECISION IMPLEMENTATION**

- 4.1 The outcomes of resident engagement to date have been shared with Capita to inform the development of their proposals. They will also be taken into account in the development of business cases in respect of all services currently provided through the Capita contracts.
- 4.2 Having given due consideration to the detailed responses, particularly from those residents that engage frequently with the council on these issues, it has been concluded that the second stage of the consultation needs to focus on the current experience of residents that are interacting with the council and seek the views of as wide a group of those residents as possible, to help inform the future shape of the council’s approach to customer service, across the board. This will necessitate an ongoing dialogue with residents, rather than the one-off focus groups that were originally envisaged.

## **5 IMPLICATIONS OF DECISION**

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

5.1.1 The aims of this Review are consistent with the council's Corporate Plan, Barnet 2021-2025, in that it aims to ensure high quality, good value services.

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

5.2.1 The cost of conducting the focus groups was approximately £8,000 and has been met from the resources allocated to conduct the Contracts Review.

### **5.3 Social Value**

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders. The existing contracts include Social Value provisions and the opportunity to enhance these will be considered as part of the negotiations to extend the contracts and in any re-procurement activity.

5.3.2 There are no specific Social Value implications from this report.

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

5.4.1 Council Constitution, Article 7 (Committees, Forums, Working Groups and Partnerships) provides that Financial Performance and Contract Management Committee is responsible for the oversight and scrutiny of the council's major strategic contracts. It may 'at the request of the Policy & Resources Committee and/or theme committees consider matters relating to contract or supplier performance and other issues and make recommendations to the referring committee.' Policy and Resources Committee on 17<sup>th</sup> June 2019 agreed that terms of reference and progress on the Review should be reported to the Financial Performance and Contracts Committee. Any resulting recommendations would be made in a further report to the Policy and Resources Committee.

5.4.2 Legal advice will be sought as required, including on contractual, public procurement, consultation, and employment related matters, to ensure that the council acts lawfully at all times.

- 5.4.3 Best Value public consultations as required by Section 3 of the Local Government Act 1999 (as amended by s137 of the Local Government & Public Involvement in Health Act 2007) will be carried out as appropriate in the context of the Review. Statutory Guidance requires the council to provide for organisations, businesses, service users, and the wider community to put forward options on how to reshape services, and to consider overall value, including economic, environment and social value when reviewing service provision.
- 5.4.4 Consultation with staff will be carried out as appropriate and the council will comply with its legal obligations under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended) (TUPE) in connection with the transfer of any affected staff.

## 5.5 Risk Management

### 5.5.1 Key risks associated with the Review include:

- Ongoing time and/or resource constraints lead to the Review not being carried out effectively, resulting in poor decision-making
- Relationship with Capita deteriorates during the Review, leading to poorer service delivery
- Lack of clarity on scope and deliverables from the Review results in disappointed and/or confused stakeholders
- Resource requirements and/or organisational focus on the Review leads to deterioration in service quality or seeking value for money.
- A further wave of the Covid-19 pandemic further delays work on the Review.

### 5.5.2 Risks will be monitored and mitigating actions have been put in place, including establishment of close partnership working with Capita, ensuring appropriate resourcing (please refer to 5.2.1) and through detailed planning.

## 5.6 Equalities and Diversity

### 5.6.1 Equality and diversity issues are a mandatory consideration in the council's decision-making process. Decision makers should have due regard to the public-sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that the Committee has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public-sector equality duty are found at section 149 of the Equality Act 2010.

### 5.6.2 A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 5.6.3 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 5.6.4 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 5.6.5 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) Tackle prejudice, and
  - (b) Promote understanding.
- 5.6.6 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:
- Age
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race,
  - Religion or belief
  - Sex
  - Sexual orientation
  - Marriage and Civil partnership
- 5.6.7 Equalities Impact Assessments will be undertaken on a service by service basis as more detailed proposals and business cases are developed.

## 5.7 Consultation and Engagement

### *Public consultation and Best Value consultation*

- 5.7.1 As previously reported to this Committee, extensive consultation has taken place through the review of Capita contracts as reported to Policy and Resources Committee on 17<sup>th</sup> June 2019. The Review is a continuation of the review of Capita contracts and will take into account the feedback already provided. The approach to further engagement through the use of focus groups was agreed by this Committee at its meeting on 8<sup>th</sup> June 2021 and the outcomes of that engagement are the subject of this report.

### *Staff consultation*

- 5.7.2 Any proposals that involve the transfer of services from one provider to another (including transfer in-house or to alternative providers) will entail a statutory requirement to provide information and consult with staff representatives under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). These requirements will be triggered once a decision to transfer services has taken place and prior to any transfer being effected.
- 5.7.3 However, it should be noted that it is good practice to engage with all staff from the point at which any potential for transfer of services becomes generally known, throughout the decision making and transition periods and for a period post transfer (if a transfer takes place). Early engagement with staff assists in managing the risks of staff becoming unsettled or distracted as outlined above. It also assists in preventing loss of key staff during the decision making and transition periods, as well as ensuring the council continues to attract high calibre individuals by maintaining its reputation as an employer of choice. Arrangements have been put in place to engage with and update staff, as the Review progresses.
- 5.7.4 Likewise, early engagement and ongoing dialogue with staff representatives is also good practice, with the aim of early identification and resolution of issues, reaching agreement on processes and approach to managing the workforce aspects of transfer and addressing any issues that may arise at the earliest opportunity so that statutory consultation and the transition itself can run smoothly for affected staff.

## 5.8 Insight

- 5.8.1 Multiple qualitative and quantitative data and information sources will be used to derive insight during the Review.

## 5.9 Corporate Parenting

- 5.9.1 Capita provide a small number of services to care leavers living in Barnet, most notably in relation to the revenues and benefits service. The continued

focus on high quality services through the Review process will ensure that these services continue to be provided.

## **6. BACKGROUND PAPERS**

- 6.1. Report to Financial Performance and Contracts Committee, 29<sup>th</sup> January 2020:  
<https://barnet.moderngov.co.uk/documents/s57531/Year%206%20and%20Y7%20review%20ToR.pdf>
  - 6.2. Report to Financial Performance and Contracts Committee, 18<sup>th</sup> March 2020:  
<https://barnet.moderngov.co.uk/documents/s58379/Year%2067%20Review%20of%20Capita%20Contracts.pdf>
  - 6.3. Report to Financial Performance and Contracts Committee, 15<sup>th</sup> June 2020:  
<https://barnet.moderngov.co.uk/documents/s58926/Yr%206-7%20Review%20FPC%20report.pdf>
  - 6.4. Report to Financial Performance and Contracts Committee, 27<sup>th</sup> October 2020:  
<https://barnet.moderngov.co.uk/documents/s60807/Year%206-7%20Review%20FPC%20report.pdf>
  - 6.5. Report to Financial Performance and Contracts Committee, 17<sup>th</sup> March 2021:  
<https://barnet.moderngov.co.uk/documents/s64235/Yr%206-7%20Review%20FPC%20report.pdf>
  - 6.6. Report to Financial Performance and Contracts Committee, 8<sup>th</sup> June 2021:  
<https://barnet.moderngov.co.uk/documents/s65146/FPC%20Contracts%20Review%20Report.pdf>
-

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# London Borough of Barnet

## Review of Capita Contracts

### Consultation 2021

#### Report of findings



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# London Borough of Barnet

## Review of Capita Contracts

### Consultation 2021

As with all our studies, findings from this report are subject to Opinion Research Services' Standard Terms and Conditions of Contract.

Any press release or publication of the findings of this report requires the advance approval of ORS. Such approval will only be refused on the grounds of inaccuracy or misrepresentation

This study was conducted in accordance with ISO 20252:2012 and ISO 9001:2008.

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# Contents

1. Executive Summary .....	6
Background to the review and the commission .....	6
The commission and engagement process .....	6
The report .....	6
Main findings .....	6
2. The Consultation Process .....	10
Background to the review .....	10
The commission .....	11
The report .....	11
3. Focus Group Findings .....	12
Introduction .....	12
Main Findings .....	12
4. Conclusions .....	25

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# Acknowledgements

Opinion Research Services (ORS) would like to thank Deborah Hinde and Jay Wint at the London Borough of Barnet (LBB) for their help and assistance in developing this project.

We would also like to thank the focus group participants, without whose valuable input the research would not have been possible.

At all stages of the project, ORS' status as an independent organisation consulting the public as objectively as possible was recognised and respected. We are grateful for that trust and hope this report will contribute to decisions on LBB's future service provision.

# 1. Executive Summary

## Summary of main findings

### Background to the review and the commission

- 1.1 The London Borough of Barnet (henceforth LBB or the council) has a longstanding approach to service delivery, which is based on commissioning services from whichever organisation can deliver them most effectively. In accordance with this approach, the council currently has two major contracts with the private sector company Capita. The first, the CSG (Customer and Support Group) contract between the council and Capita, is for the delivery of the council's 'back office' functions, including finance, human resources, customer services and information technology. The second, known as the RE (Regional Enterprise) contract, relates to the provision of development and regulatory services. These include planning, regeneration, highways, environmental health and the cemetery/crematorium. These services are delivered through a joint venture company that is jointly owned by Capita and the council, known as Regional Enterprise Limited, or RE.
- 1.2 The contracts began in September 2013 and October 2013 respectively and are due to run for ten years, with an option to extend for up to a further five. Year 6 (CSG) and Year 7 reviews (DRS) were built in to agree any changes required before 2023 and consider any elements of the contracts that may be extended.

### The commission and engagement process

- 1.3 The engagement exercise reported here was undertaken in July 2021 by Opinion Research Services (ORS) - a spin-out company from Swansea University with a UK-wide reputation for social research.
- 1.4 ORS was appointed by LBB to convene, facilitate and report on two focus groups - one with 'frequent engagers' (members of the public who have previously commented or submitted questions on relevant Committee reports) and the other with randomly-selected members of the public. Five participants attended the former and nine attended the latter, and both lasted between 1.5 and two hours.

### The report

- 1.5 This executive summary summarises the focus groups findings. We trust that this summary is a sound guide to these outcomes, but readers are urged to consult the full report that follows for more detailed insights and understanding of the assumptions, arguments, conclusions and feelings about the review of Capita contracts and council service provision more generally.

### Main findings

Good customer service is accessible, responsive, communicative, and offers speedy resolution to problems

- 1.6 Participants were generally of the view that the first principle of good customer service is accessibility, followed by attempts at resolution by responsive, knowledgeable members of staff.

- 1.7 Being kept informed of the progress of an issue/complaint was also considered essential: indeed, it was said that people understand that things take time and can accept delays if they receive regular status updates.

Not receiving good customer service has negative repercussions for individuals and organisations...

- 1.8 Poor customer service typically leads to feelings of anger and frustration for those on the receiving end, as well as lasting negative perceptions of the organisation offering it.

...but residents are in a difficult position when they receive poor customer service from their local authority, as they cannot take their 'custom' elsewhere

- 1.9 An underlying frustration for participants when receiving what they perceive as poor customer service from the council is that short of moving to another area, they feel there is little they can do about it. Essentially, residents are at a disadvantage as they cannot take their 'custom' elsewhere as they would following poor service at, say, a retail establishment.
- 1.10 Moreover, while elected members can (and in some areas do) try and ensure services run as they should, it was argued that this should not be necessary if services are responsive and efficient – and that good customer service should not be dependent on the proactivity of councillors.

LBB's customer service is variable, but there was more negativity than praise

- 1.11 Participants in both groups highlighted their frustrations with LBB's customer service in a broad sense, from their calls not being answered/transferred and having to deal with an automated answering service, to being treated disrespectfully by council staff or having to repeat their issue many times to different people.
- 1.12 In relation to the last issue, some participants suggested a better system for recording notes from calls with members of the public and enabling the provision of progress updates. This, it was said, would give customers confidence that their queries are being logged, addressed and not 'lost in the system'.
- 1.13 In terms of specific services, highways was the one most complained about, most commonly in relation to potholes and poor maintenance of pavements. There were also significant concerns about a lack of planning enforcement, with accusations of constant (seven days a week) and/or poor-quality building work, and inadequate construction of infrastructure such as pavements – as well as about a lack of urgency and action on the part of environmental health in response to complaints.
- 1.14 This is not to say that LBB's customer service was universally considered to be poor: some services were praised, library services (in-house) and environmental health (Capita) in particular.

The COVID-19 pandemic has worsened council communications, but some good practice has been evident

- 1.15 General public participants complained of worsening council communications during the COVID-19 pandemic, particularly around a lack or slowness of response, not being able to speak to an actual person, frustrations while using the automated answering system, and a lack of cross-department co-ordination.

- 1.16 Some participants suggested that the council and councillors have used COVID-19 as an excuse for inactivity. While understandable at the outset of the pandemic when everyone was navigating the ‘new normal’ of working from home, it was no longer considered a valid reason for non-responsiveness, especially when other sectors have successfully implemented remote working practices.
- 1.17 On a more positive note, participants again praised environmental health for its response during the pandemic, and another commended the council more generally for the way it administered the COVID-19 business grants. Communication relating specifically to the pandemic and assisting vulnerable people was also thought to be good, as was the action taken to provide for those having to shield.
- 1.18 One of the frequent engagers conceded that Capita’s ability to offer a scalable response to grant distribution has been a benefit with respect to ensuring timely financial assistance to those requiring it. However, this was considered the only benefit served by the Capita contracts since their inception.

### The frequent engagers were especially critical of Capita’s performance

- 1.19 Participants - especially those in the frequent engagers group - were highly vocal in their criticisms of the Capita contracts, and indeed of Capita itself. They particularly alleged poor and impersonal customer service, a lack of openness and visibility around performance, and a serious loss of management control and accountability.
- 1.20 The frequent engagers also suggested that the power balance within the council/Capita relationship has tipped too heavily in favour of the latter. In relation to this, a specific example was given whereby a provider ‘walked away’ from the provision of clinical services for children, and there was significant concern that Capita will do the same if it ceases to make a profit from its contracts with LBB.
- 1.21 Moreover, there was suspicion (fuelled by a recent report by the independent accounting firm Grant Thornton) that the decision to outsource to Capita was, and remains, ideologically and politically driven and that the case for greater economies through outsourcing (as opposed to in-house service provision) is no longer necessarily as clear cut as it might have been.
- 1.22 Planning came in for particularly heavy criticism, especially in relation to the perceived over-development of the Borough, local asset reduction (the loss of community spaces was noted several times), a lack of transparency, and the alleged prioritisation of profit over the needs of the local area and its residents.

### There was scepticism about the proposed direction of travel for certain services

- 1.23 One frequent engager had read the document outlining the proposed direction of travel for the Capita-provided services and commented that those proposed to return to council control are typically non-revenue generating, whereas Capita would retain the most profit-making service, planning. The frequent engagers were generally concerned to see this as, in their view, planning is one of the services not suited to outsourcing given their belief that local knowledge is required to properly deliver it.
- 1.24 Moreover, it was argued that other services provisionally proposed to be retained by Capita - such as Accounts Payable - have not performed sufficiently well to justify this. Again, the feeling was that saving money is the key criterion, and that this overrides any consideration of performance.
- 1.25 Capita’s management of Barnet’s cemetery at Hendon was also heavily criticised by a couple of frequent engagers, who alleged significant disrepair because of disinterest – which has, in their view, arisen as a result of the service not meeting Capita’s initial (unrealistic) expectations for revenue raising.



## Outsourcing remains a controversial option for the delivery of council services

- 1.26 Some participants in the general public group highlighted the potential advantages of having a national organisation running services, arguing that for many services it matters not whether they are located locally or at a distance, especially with today’s access to technology. They also supposed that an organisation like Capita would have a higher level of expertise than a local council to perform the functions required, as well as greater purchasing power to minimise costs.
- 1.27 Moreover, it was suggested that the vast majority of residents know little about how the council provides its services, nor do they care as long as the relationship is a largely transactional one.
- 1.28 On the other hand, a lack of local knowledge and accountability was considered by many participants in both groups to be a significant disadvantage of providing services through a third party like Capita – as was the potential for more emphasis to be placed on revenue generation than the needs of local residents (which the frequent engagers argued has happened as a result of the contracts).
- 1.29 Furthermore, a particular concern was that important service provision is in the hands of people with no local knowledge of or vested interest in the area. This, it was said, could lead to poorer customer service as a result of ‘outsiders’ having less care for what happens locally in Barnet.

## Some suggestions for improvement were made

- 1.30 A couple of further specific suggestions were made for improving services and the customer response in Barnet. These included: re-visiting the terms of the Capita contract to enable the amalgamation of inter-related services (customer services and revenues and benefits for example); and LBB and Capita working to establish of a more personal (as opposed to wholly transactional) relationship between the latter and local residents.

## The frequent engagers were cynical about the Review and the engagement/consultation process

- 1.31 Finally, the frequent engagers felt that the Capita Contracts Review and associated engagement/consultation process are somewhat futile inasmuch as they are unlikely to influence the proposed directions of travel (which were described as a “*done deal*”). This viewpoint has been fuelled by a feeling that the council has refused to enter into dialogue with and listen to them and other residents over recent years – as well as a perception that the findings of consultation exercises (the 2019 Capita Contracts consultation for example) are often ignored if they yield the ‘wrong’ answers.
- 1.32 While most of the frequent engagers said there was nothing the council could do to change their views, one did suggest that if LBB were to show willing in entering into true two-way dialogue, this would go some way to persuading them that this engagement process, and the forthcoming formal consultation, are genuine attempts to inform future service provision. They did not consider this likely though.
- 1.33 Finally, both the frequent engagers and the general public said that being as open and transparent as possible about Capita’s performance to date was essential in ensuring all parties can make an informed judgement about the merits or otherwise of any formal proposals.

## 2. The Consultation Process

### Overview of the consultation

#### Background to the review

- 2.1 The London Borough of Barnet (henceforth LBB or the council) has a longstanding approach to service delivery, which is based on commissioning services from whichever organisation can deliver them most effectively.
- 2.2 In accordance with this approach, the council currently has two major contracts with the private sector company Capita. The first, the CSG (Customer and Support Group) contract between the council and Capita, is for the delivery of the council's 'back office' functions, including finance, human resources, customer services and information technology. The second, known as the RE (Regional Enterprise) contract, relates to the provision of development and regulatory services. These include planning, regeneration, highways, environmental health and cemeteries/crematorium. These services are delivered through a joint venture company that is jointly owned by Capita and the council, known as Regional Enterprise Limited, or RE.
- 2.3 The contracts began in September 2013 and October 2013 respectively and are due to run for ten years, with an option to extend for up to a further five. Year 6 (CSG) and Year 7 reviews (DRS) were built in to agree any changes required before 2023 and consider any elements of the contracts that may be extended. However, owing to delays to the Year 6 review as a result of the COVID-19 pandemic, the council is now undertaking a combined review of the CSG and DRS contracts known as "*Capita Contracts Review*", during which it will:
- Consider the council's future needs and aspirations, and best practice from other organisations
  - Monitor performance of existing providers against contractual obligations
  - Review cost and quality of service provision
  - Analysis of alternative service providers
  - Monitor user/customer satisfaction and feedback
  - Financial cost of future delivery options.
- 2.4 The aims of the Review are outlined below.

#### Aims

- **Establish**
  - **The council's long-term vision for how it provides services**
  - **The requirements for each service**
- **Understand the performance of each service in terms of quality and value for money**
- **Develop a future delivery plan for each service, post-2023**
- **Agree any changes to existing contracts between now and 2023**

## The commission

- 2.5 This engagement exercise, run at an early, formative stage of the Review, was undertaken in July 2021.
- 2.6 Opinion Research Services (ORS) - a spin-out company from Swansea University with a UK-wide reputation for social research - was appointed by LBB to independently facilitate and report two focus groups - one with 'frequent engagers' (members of the public who have previously commented or submitted questions on relevant Committee reports) and the other with randomly-selected members of the public. Five participants attended the former and nine attended the latter, and both lasted between 1.5 and two hours.
- 2.7 Each meeting began with an ORS presentation to provide the contextual background information outlined above. Participants were informed that they were taking part in an engagement exercise rather than a formal consultation process, and that while LBB has agreed a proposed direction of travel for each service, that is subject to the development of formal proposals and associated business cases.
- 2.8 As such, rather than discussing any firm proposals for the provision of council services, the discussions focused on the following issues with the intention of identifying people's priorities for customer service in a broader sense:
- The principles of good and poor customer service, and its impact on individuals and organisations
  - Service quality: what council services work well currently, what improvements are needed and what might facilitate them?
  - The impacts, if any, of COVID-19 on service delivery, priorities and expectations
  - Whether or not the concerns expressed in 2019 consultation remain (participants were informed of the key findings prior to discussion)
  - Elements of the contract and management arrangements (e.g., accountability and control).
- 2.9 Participants were encouraged to ask questions throughout, and both meetings were thorough and discursive. We hope the views expressed are helpful in informing the formal proposals and business cases for the services currently provided through the Capita contracts.

## The report

- 2.10 This report reviews the sentiments and judgements of participants on the discussion issues. Verbatim quotations are used, in indented italics, not because we agree or disagree with them - but for their vividness in capturing recurrent points of view. ORS does not endorse any opinions but seeks only to portray them accurately and clearly. The report is an interpretative summary of the issues raised by participants.

## 3. Focus Group Findings

### Introduction

- 3.1 This chapter reports the views from the two deliberative focus groups with local ‘frequent engagers’ and randomly-recruited members of the public. These focus groups were held as part of a pre-consultation engagement exercise, with the formal consultation to be launched in Autumn 2021.

### Main Findings

Good customer service is accessible, responsive, communicative, and offers speedy resolution to problems

Not receiving good customer service has negative repercussions for individuals and organisations...

...but residents are in a difficult position when they receive poor customer service from their local authority, as they cannot take their ‘custom’ elsewhere

LBB’s customer service is variable, but there was more negativity than praise

The COVID-19 pandemic has worsened council communications, but some good practice has been evident

The frequent engagers were especially critical of Capita’s performance

There was scepticism about the proposed direction of travel for certain services

The frequent engagers were cynical about the Review and the engagement/consultation process

Good customer service is accessible, responsive, communicative, and offers speedy resolution to problems

- 3.2 Participants were generally of the view that the first principle of good customer service is accessibility, followed by attempts at resolution by responsive, knowledgeable members of staff.

*“It’s being able to contact them and get a response and when you call someone, that they actually answer – that’s the crucial first step of good customer service” (General public)*

*“I expect them to answer the phone, for someone to have knowledge and responsibility on the other end and to be able to deal with the issue” (Frequent engagers)*

*“I should expect a quality service and responsiveness dealing with issues that affect me ...” (Frequent engagers)*

*“Taking action is quite important, especially if it’s to do with a complaint ...” (General public)*

*“Customer Service to me is about a dialogue. People have issues and questions that they raise and expect them to be resolved” (Frequent engagers)*

- 3.3 Being kept informed of the progress of an issue/complaint was also considered essential: indeed, it was said that people understand that things take time and can accept delays if they receive regular status updates.

*“When you are calling and asking for a service ... you want someone to be human and to look into it. I think that it’s ok if they take time to resolve it, but as long as you know someone is on it ...” (General public)*

*I think it’s all about communication, keeping you updated ... In reality you need to appease the customer and make them feel as if they are in the loop and know the progress ...” (General public)*

Not receiving good customer service has negative repercussions for individuals and organisations...

- 3.4 Poor customer service typically leads to feelings of anger and frustration for those on the receiving end, as well as lasting negative perceptions of the organisation offering it.

*“When you see customer service that is poor it can really enrage you ... it becomes a personal experience ...” (General public)*

*“... you get very frustrated and on the rare occasion you get to speak to a human you take it out on them” (General public)*

...but residents are in a difficult position when they receive poor customer service from their local authority, as they cannot take their ‘custom’ elsewhere

- 3.5 An underlying frustration for participants when receiving what they perceive as poor customer service from the council is that short of moving to another area, they feel there is little they can do about it. Essentially, residents are at a disadvantage as they cannot take their ‘custom’ elsewhere as they would following poor service at, say, a retail establishment.

*“(I would expect) politeness and feedback and a response ... I made a call to complain about parking on pavements ... and the person I spoke to was quite dismissive... no feedback, no response at all, so nothing happened ... The responsiveness was severely lacking and unfortunately with councils, it’s not like going to the shops where you can walk to another shop. Barnet have me by the short and curlies for good and for worse” (General public)*

*“At least with a commercial supplier you have the choice of going to them or not but with a borough you don’t have that choice ...” (General public)*

*“We are not customers. We can’t walk out and say, ‘I’m not giving you my business’ ...” (Frequent engagers)*

- 3.6 Moreover, while elected members can (and in some areas do) try and ensure services run as they should, it was argued that this should not be necessary if services are responsive and efficient – and that good customer service should not be dependent on the proactivity of councillors.

*“The one thing we have here, and it may not be in the whole Borough, is amazing councillors ... it seems to be that the councillors will raise a query and the officials have a bomb put under them and solve problems” (General public)*

*“You shouldn’t have to ... pay for the service and then forcefully have to back it up with councillors” (General public)*

*“Some people have said they don’t have a concern because they have a very proactive councillor but resorting to your councillor should be the last resort, not the first. The first resort should be to speak to a member of Barnet staff who deals with your problem. Why should I have to berate my councillor? The whole thing seems to be arse backwards” (General public)*

LBB’s customer service is variable, but there was more negativity than praise

- 3.7 Participants in both groups highlighted their frustrations with LBB’s customer service in a broad sense, from their calls not being answered/transferred or having to deal with an automated answering service, to being treated disrespectfully by council staff or having to repeat their issue many times to different people. Some typical comments are below.

*“All of us have had to call Barnet one time or another and gone through the automated service and have to speak to a robot who 1) can’t understand what you are saying, and you are trying to say a postcode and it doesn’t get it and 2) when you are finally put through to an operator they put you back to the same robot and it feels like you are going round in circles ... ” (General public)*

*“... I feel personally quite detached from the council ... I feel like there is no presence and that they are not accessible. When I call them then I never get put through to anybody and then ... months later I feel that nothing been resolved still” (General public)*

*“... You spend an inordinate amount of time chasing people you will never see, and councillors are in a hurry not to respond to you ...” (Frequent engagers)*

*“Anyone who phones the council will immediately fall into the dark abyss of the Capita run phone service which is and always has been appalling ...” (Frequent engagers)*

*“... I have had times when I’ve called Barnet Council and been told that the systems are down, so they can’t take any information, or everything is missing ... it’s an issue because somehow information is being lost...” (General public)*

*“I’ve had dealings with the revenue teams and there’s just some disconnect ... You can have a conversation with one person and if you call back tomorrow then they have no idea ... sometimes it feels like you have to do a detective work in case something goes wrong... you need to be the proactive one and do the leg work ... (General public)*

- 3.8 In relation to the last issue, some participants suggested a better system for recording notes from calls with members of the public and enabling the provision of progress updates. This, it was said, would give customers confidence that their queries are being logged, addressed and not ‘lost in the system’.

*“I think it helps if there is an audit trail ... and some sort of system to record things so you have someone who is following up. Sometimes you call and you have to explain everything from scratch and it’s frustrating” (General public)*

*“An experience I had last week was of someone fly tipping a fridge in the road. I used their reporting tool on the website, which was fine, but my one complaint was the lack of communication. I got a confirmation email to say my complaint had been received but there was no sign of 'we will do this in a certain time frame'. It was done eventually but it would be very nice to have, and I don’t think it would cost a lot of money, an update to say we hope to do this on e.g., Wednesday, or even to say your fly tipping has now been collected and we are closing the case. Once it’s logged you hear nothing at all” (General public)*

- 3.9 In terms of specific services, highways was the one most complained about – most commonly in relation to potholes and poor maintenance of pavements. There were also significant concerns about a lack of planning enforcement, with accusations of constant (seven days a week) and/or poor-quality building work, and inadequate construction of infrastructure such as pavements – as well as about a lack of urgency and action on the part of environmental health in response to complaints.

*“Highways and potholes is a big issue in Barnet. They might have to reconsider Capita’s contract there because they are not fulfilling their obligation to us as a community” (General public)*

*“... Building is going on ad infinitum on a Sunday, so it’s seven days a week and there’s no enforcement at all .... they spend fortunes re-doing the road and the pavements and yet some of it looks like the Somme. So, we are just wasting tax-payers money...” (General public)*

*“There’s a lack of enforcement. Even minor things, you know, people nicking strips of land, pavements being wrecked ... various teams not communicating ...” (General public)*

*“I did complain once to Environmental Health when there were builders a few doors down ... burning wood and timber in the back garden and there were plumes of smoke travelling across our neighbourhood. Environmental Health were so slow and there was no resolve ... and it was very disheartening. This was during COVID as well which, with respiratory disease, it must have caused an issue for everybody” (General public)*

- 3.10 This is not to say that LBB’s customer service was universally considered to be poor: some services were praised, library services (in-house) and environmental health (Capita) in particular.

*“The library service... they are trying extremely hard. The people there are just so nice and they are trying to provide a service within the limitations of COVID” (General public)*

*“I phoned Environmental Health due to an issue with the brook at back of my house. We phoned in the morning and by the afternoon they came and fixed it and even followed up the next week so actually it was a really positive and quick experience” (General public)*

The COVID-19 pandemic has worsened council communications, but some good practice has been evident

- 3.11 General public participants complained of worsening council communications during the COVID-19 pandemic, particularly around a lack or slowness of response, not being able to speak to an actual person, frustrations while using the automated answering system, and a lack of cross-department co-ordination.

*“Due to COVID restrictions, no-one answers the phone, so you’d be hanging on for ages ... that’s the thing that’s been most apparent in the last year and a half ... I was trying to help my mum with issues to do with Barnet Council and we couldn’t get hold of anyone ... It was a nightmare trying to speak to the council. Eventually we did but it took ages ... because of COVID it’s made it even worse because you can’t talk to anyone... I wanted to call for other reasons and I thought, you know what, there’s no point ... There’s something wrong that needs addressing ... it’s very frustrating ...”* (General public)

*“I just haven’t been able to speak to a human since the pandemic ... it’s got worse since lockdown ... and it’s very frustrating ... If you send an email there’s no reply and if you call you can’t speak to a human being ...”* (General public)

*“At the moment it feels very robotic, and you can’t get through to anyone and you are usually hanging on the phone ages before you get any contact ... There isn’t any customer service. It’s obviously to do with COVID because people are working from home”* (General public)

*“I had some issues with the Revenues and Benefits service because of furlough problems. The stress it caused ... you have several different people talking to each other, again the communications between teams and even people in the same team not knowing what’s what ... Also, the communication: revenues and benefits don’t necessarily talk to the disabled side of stuff because although they are connected, they are completely separate, so you have your carers allowance and your normal benefits, and your disability benefits and they don’t interlink ... and they need that communication”* (General public)

- 3.12 Some participants suggested that the council and councillors have used COVID-19 as an excuse for inactivity. While understandable at the outset of the pandemic when everyone was navigating the ‘new normal’ of working from home, it was no longer considered a valid reason for non-responsiveness, especially when other sectors have successfully implemented remote working practices.

*“Covid has been an excuse for the council to go to sleep. I reported to a councillor... that a household nicked a strip of land, and nothing’s been done and that was a year and a half ago. COVID has been used as an excuse for some of the services to go comatose”* (General public)

*“The councillors have sat at home on their sofas keeping safe ... they are still (as I understand it) not holding surgeries, even virtually. They are invisible, they are unaccountable”* (Frequent engagers)

*“... I work in the legal sector and if I can manage to attend a supreme court trial from my home office, why can’t I contact Barnet Council? I don’t think that COVID can be an excuse. Maybe in the first few weeks of the pandemic that’s fine, but we have been working from home for 16 months and it’s no longer a valid excuse”* (General public)



- 3.13 One frequent engager also criticised the way in which residents’ forums have been conducted during the pandemic, which, in their view, disenfranchises members of the public who wish to participate.

*“The residents’ forums are a farce, attending meetings during Covid ... I had to object to the planning application for a neighbouring property and my only way of participating, they make you speak on a phone. They wouldn’t even allow you on a Zoom thing and you weren’t able to challenge [anything]. They don’t listen” (Frequent engagers)*

- 3.14 On a more positive note, participants again praised environmental health for its response during the pandemic, and another commended the council more generally for the way it administered the COVID-19 business grants. Communication relating specifically to the pandemic and assisting vulnerable people was also thought to be good, as was the action taken to provide for those having to shield.

*“Through all of it the one [service] that I’ve not had an issue with is environmental health. They have been on it every time I’ve had to call them” (General public)*

*“With regards to the grants ... I think they’ve been very good with them ... and from my personal experience and from the experience of other people in my sector, Barnet have been probably one of the best councils in London ... ” (Frequent engagers)*

*“Their communication about ... COVID-related things and echoing what the government have been saying has been pretty good. The different initiatives ... the magazine and the emails from Barnet Council, the communication is pretty good ... the public health things and also giving a positive spin with nice stories about local heroes and the NHS and local people doing wonderful works. That’s been very nice to see” (General public)*

*“When people had to shield, they did really well communicating to residents and they moved really quickly about food boxes ... to make sure vulnerable people had provisions ... On that front they did really well because I know people in other boroughs really struggled to get essential supplies” (General public)*

- 3.15 One of the frequent engagers conceded that Capita’s ability to offer a scalable response to grant distribution has been a benefit with respect to ensuring timely financial assistance to those requiring it. However, this was considered the only benefit served by the Capita contracts since their inception.

*“... One of the things that the Conservative Group will say is the advantage we had was having a scalable resource in Capita to be able to respond to this particular situation and deliver a lot more administration at a time when people needed to do it quickly ... and they may be right ... That’s the one positive that has come out. But there are still so many negatives and to set it in context: the contracted value to date was £331 million and to date we’ve paid Capita £545 million. We’ve paid them £214 million more ... When you are paying a single company over half a billion quid and the contract isn’t finished then you have to say, ‘hang on a minute, is this quite right?’ (Frequent engagers)*

## The frequent engagers were especially critical of Capita’s performance

- 3.16 Participants - especially those in the frequent engagers group - were highly vocal in their criticisms of the Capita contracts, and indeed of Capita itself. They particularly alleged poor and impersonal customer service, a lack of openness and visibility around performance, and a serious loss of management control and accountability.

*“Capita bring very little added value and create poor customer service because their focus is only about creating revenue ...”* (Frequent engagers)

*“It tends to be the major organisations you have issues with because they have lost the personal touch which is what I think has happened with the council ...”* (General public)

*“I have not read the contract because we were not given access to it and I am operating in ignorance ... The fact that there was a contract which we couldn’t read, and [the councillors] didn’t read says a lot about what has happened since”* (Frequent engagers)

*“Over the years they have farmed out a lot of the services within Barnet ... and as a council taxpayer, I have no idea of the functionality or efficiency of the services that Barnet offer ... ”* (General public)

*“I have been very concerned about how services have been outsourced and the loss of management control and local accountability”* (Frequent engagers)

- 3.17 The frequent engagers also suggested that the power balance within the council/Capita relationship has tipped too heavily in favour of the latter.

*“It sounds to me like a classic example that when push comes to shove eventually in a couple of years’ time, Capita will hold all the cards because they can say ... ‘we’ll walk away unless you give us whatever...’”* (Frequent engagers)

- 3.18 In relation to this, a specific example was given whereby a provider ‘walked away’ from the provision of clinical services for children, and there was significant concern that Capita will do the same if it ceases to make a profit from its contracts with LBB.

*“... another provider walked away from providing clinical services for children. They just said, ‘we are not doing it anymore, see you later’ ... Now the argument has always been that if you keep services in-house then that can’t happen; if you give it to someone like Capita ... then you have a risk because you are over a barrel and there is nothing you can do. Be under no illusion, if things change in a post COVID world, things became more difficult, and Capita stopped making a profit out of Barnet then they would walk away. If that left the people of Barnet in the lurch and if it left the council unable to do all of the things that they have to do by law, that would be no concern at all...”* (Frequent engagers)

*“It’s all very well saying well we’ll extend the contract by three years or we’ll have a short extension for a year. I’ve not had any reassurance that Capita have agreed to that so we may get to the end of the process and Capita say no. Nobody has been able to answer that question for me ...”* (Frequent engagers)

- 3.19 Moreover, there was suspicion (fuelled by a recent report by the independent accounting firm Grant Thornton) that the decision to outsource to Capita was, and remains, ideologically and politically driven and that the case for greater economies through outsourcing is no longer necessarily as clear cut as it might have been.

*“Along with the report that came about which services may come back in house and which may be retained, there was a Grant Thornton report and ... it says, ‘Historically procurement has been ideologically driven and highly political’ and that is exactly what happened at the outset of this contract. Unfortunately, from where I’m sitting, that is exactly what’s happening as part of this contract review, it is still ideologically driven and highly political. The report was quite candid, and it said the gap between cost and efficiency for delivery between public and private sector had been significantly squeezed over the last decade .... This means that outsourcing is not always the most cost-effective option by default ...”* (Frequent engagers)

- 3.20 Planning came in for particularly heavy criticism, especially in relation to the perceived over-development of the Borough, local asset reduction, a lack of transparency, and the alleged prioritisation of profit over the needs of the local area and its residents. The strength of feeling around this issue is demonstrated in the typical comments below.

*“I view this planning as the most destructive thing in this Borough ...”* (Frequent engagers)

*“... The Planning Department is one of the busiest in England and it generates lots of cash and therefore wants to see as many applications going through as possible ...”* (Frequent engagers)

*“Everywhere you look there is development, and they are looking for profit from every square inch. The park has gone ... the local hospital. They have stolen the local community space to build flats ... knocking down what was once our number one library and just leaving the façade which is a metaphor for everything they are doing... ”* (Frequent engagers)

*“... all the good things we thought about this Borough are being put up for sale: libraries, spaces etc.”* (Frequent engagers)

*“Everything comes back to, in my view ... squeezing so much profit out of us, not by providing the housing or social development we need but for the benefit of developers”* (Frequent engagers)

*“Capita have huge interest as a developer and rely on the income from planning and regeneration here ... The planning system is ... geared towards their planning and regeneration and fee-generating processes”* (Frequent engagers)

*“The council’s role is to balance the needs of residents with the need to progress. There is a strong feeling that when it comes to planning, enforcement of regulation then the people of Barnet are not in the picture at all and are an inconvenience ...”* (Frequent engagers)

*“Barnet residents are jaundiced about the planning system and have given up on commenting on planning because they know it will be without effect. There is no control of developers ... it’s an absolute scandal”* (Frequent engagers)

## There was scepticism about the proposed direction of travel for certain services

- 3.21 One frequent engager had read the document outlining the proposed direction of travel for the Capita-provided services and commented that those proposed to return to council control are typically non-revenue generating, whereas Capita would retain the most profit-making service, planning.

*“What they are doing and proposing is to take out some services that don’t generate revenue. They are planning to take out environmental health, trading standards and licencing from the RE contract [and] that contract will make a lot more profit because they will take out costs for the services that are cost generating. But they are retaining one of the most profitable sources of income, which is Planning, and Capita get 51% of all that profit. That is fundamentally wrong ...”*

(Frequent engagers)

*“The last thing I heard was they want to leave the potholes with Barnet while they take on some other positively money-making ventures. So yeah, you can have the highways back which we haven’t kept in shape for the last nine years, but we’d like to get rid of them now ...”* (Frequent engagers)

*“... If you read the review, it seems that it’s what suits Capita’s plan and not what suits Barnet’s strategic plan...”* (Frequent engagers)

- 3.22 The frequent engagers were generally concerned to see this as, in their view, planning is one of the services not suited to outsourcing given their belief that local knowledge is required to properly deliver it.

*“I think there are very few other local authorities that outsource planning because it’s quite a specialist thing and needs local knowledge...”* (Frequent engagers)

*“What I have seen in a number of planning applications is you have planning officers with no knowledge of the local area, and they don’t understand what is happening now and has happened in the past, and they are setting precedents with roads when planning decisions are made, and that’s a huge problem. They have a big churn of staff going through the planning department ... We then lose corporate memory and local knowledge ...”* (Frequent engagers)

- 3.23 Moreover, it was argued that other services provisionally proposed to be retained by Capita - such as Accounts Payable - have not performed sufficiently well to justify this. Again, the feeling was that saving money is the key criterion, and that this overrides any consideration of performance.

*“There are a number of services that they are saying they want to retain under Capita. One for example, is Accounts Payable which is done in Darlington. Accounts Payable has had four internal audit warnings about the services they provide, and they were implicated in large fraud... They are saying that ... it doesn’t really matter that they have had those warnings because they do it remotely and cheaper and so we are going to leave it with Capita. But what are the criteria for assessing what services are retained by Capita and what should be brought back to Barnet? It seems to be that if they are cheap [to provide], they are left with Capita, but the fact is that they are really poor performing and that doesn’t seem to come into the process”* (Frequent engagers)

- 3.24 Capita’s management of Barnet’s cemetery at Hendon was also heavily criticised by a couple of frequent engagers, who alleged significant disrepair because of disinterest – which has, in their view, arisen as a result of the service not meeting Capita’s initial (unrealistic) expectations for revenue raising.

*“In Hendon, the gravestones are falling down, the grass is growing ... it’s gone to rack and ruin under Capita ... Capita don’t see it as a core business but in the absence of any better ideas they will keep them running ... But people don’t want to go to the graveyard anymore because it’s so upsetting and horrible ... I think if people knew a private contractor was running the graveyards and they couldn’t be bothered, they would be absolutely furious”* (Frequent engagers)

*“Capita wanted the graveyard in the contract as a sweetener because they thought they were going to make lots of money with live stream funerals and a café ...”* (Frequent engagers)

*“... the report says, ‘the service has performed well throughout the life of the contract and has clearly benefitted from the commercial freedoms being delivered by a third party’. That’s not ... other people’s experiences...”* (Frequent engagers)

### Outsourcing remains a controversial option for the delivery of council services

- 3.25 Some participants in the general public group highlighted the potential advantages of having a national organisation running services, arguing that for many services it matters not whether they are located locally or at a distance, especially with today’s access to technology. They also supposed that an organisation like Capita would have a higher level of expertise than a local council to perform the functions required, as well as greater purchasing power to minimise costs.

*“If you have a pothole on the road, it doesn’t matter if you speak to someone from Barnet or someone in the North of England. They’ve got it all mapped out, they’ve got the technology there, they can press buttons and turn around a repair service ... For the likes of Capita, I would hope that there would be greater skills and economy ... to be able to provide a better service than a local council. They bring an expertise. I don’t know if Capita look after other boroughs throughout the UK, but I would think there would be greater subcontract purchasing power there”* (General public)

*“To me it makes sense economically to have economy of scale, synergy or whatever you want to call it to outsource some of the services ...”* (General public)

*“Obviously they have saved money and we know that local government is very inefficient so I can see their point in tendering and subcontracting to the most efficient provider ... I think it has become a bit more impersonal but ... rates cost a lot of money and if they can at least keep them in check, that’s not a bad thing”* (General public)

*“I’m pro-outsourcing certain functions of the council to the likes of Capita for scales of economy and bringing in special consultancy but retaining some of the local and interactive elements of the services to the local borough”* (General public)

- 3.26 Moreover, it was suggested that the vast majority of residents know little about how the council provides its services, nor do they care as long as the relationship is a largely transactional one.

*"In an ideal world you probably don't need to have an awful lot of interaction with the council ... you hope that it's almost like you pay your council tax, it's quite transactional and you have the faith that it's all done, and you don't mind who looks after it as long as it's done" (General public)*

- 3.27 On the other hand, a lack of local knowledge and accountability was considered by many participants in both groups to be a significant disadvantage of providing services through a third party like Capita – as was the potential for more emphasis to be placed on revenue generation than the needs of local residents (which the frequent engagers argued has happened as a result of the contracts). Some typical comments were as follows.

*"The key here is that the move to Capita is again taking responsibility away from your elected individuals" (Frequent engagers)*

*"You don't know with whom you are dealing ... there is a lack of accountability ... What's the point of something being called local government when it's outsourced to anywhere in the country?... (General public)*

*"Capita is a private entity and the directors have got no accountability to me as a local resident ... I think there is a them and us oversight ... There's no feedback coming back to me ..." (General public)*

*"It's because it's primarily a business then sometimes corners are cut for economic gain rather than for the lives in the locality ..." (General public)*

*"... The council seems to be operating as a business to make profit at any cost and [says] this will save us all money and provide better services in the end – but I don't believe that ... there is no expanding or improvement of the services to cope with [the growing] number of residents" (Frequent engagers)*

*"[It's about the] culture shift that has taken place with Capita coming in, the language used, and all the terminology is about profit, return etc. But councils are about services and meeting people's needs and therein lies the problem ..." (Frequent engagers)*

- 3.28 Furthermore, a particular concern was that important service provision is in the hands of people with no local knowledge of or vested interest in the area. This, it was said, could lead to poorer customer service as a result of 'outsiders' having less care for what happens locally in Barnet.

*"They have no local knowledge or accountability ... these people are in Burnley, Belfast, in Kent, Surrey and they don't care about the locality. And because they don't have local jobs, they are not wedded to a good outcome of anything" (Frequent engagers)*

*"... It's a worry for me that you haven't got a local Barnet Council ... it should be called something like the Whole of England Council because it's not my council" (General public)*

*"... if they are not local to the area then a lot of the things we are complaining about, they are not really aware of it and they can't relate to the issues we've got and the things that need fixing. I am quite passionate about the libraries closing and ... we've got potholes on our side of the street... they aren't from the area, so they don't know what I'm talking about" (General public)*

## Some suggestions for improvement were made

- 3.29 A couple of further specific suggestions were made for improving services and the customer response in Barnet. These included: re-visiting the terms of the Capita contract to enable the amalgamation of inter-related services (customer services and revenues and benefits for example); and LBB and Capita working to establish of a more personal (as opposed to wholly transactional) relationship between the latter and local residents.

*“Think about amalgamating customer services and revs and bens into one department and then instead of someone passing it on, they could deal with it and resolve it at one step, because the people answering calls are then trained and empowered to deal with it ... The contractual structure we have doesn’t allow that to happen. The argument would be to look at not how the contract was structured in 2013 ... take the opportunity to restructure [it] and look at how it could meet the needs of the people it’s meant to serve in Barnet” (Frequent engagers)*

*“Capita obviously have a business-to-business relationship with Barnet, and then Barnet and the council have a business relationship with the customer. I think they both need to work on the customer connection collectively, so they are seen as a joint force even though they are separate companies” (General public)*

The frequent engagers were cynical about the Review and the engagement/consultation process

- 3.30 The frequent engagers felt that the Capita Contracts Review and associated engagement/consultation process are somewhat futile inasmuch as they are unlikely to influence the proposed directions of travel (which were described as a “done deal”).

*“To be talking about what direction of travel now, it’s a myth ... This is a process to tick the box and to give the impression that they are consulting. The deal is done, the decisions are made ...” (Frequent engagers)*

- 3.31 This viewpoint has been fuelled by a feeling that the council has refused to enter into dialogue with and listen to them and other residents over recent years – as well as a perception that the findings of consultation exercises (the 2019 Capita Contracts consultation for example) are often ignored if they yield the ‘wrong’ answers.

*“They don’t want to listen or be directed by the people ... and they have systematically, over the years, amended the constitution so as to cut off all meaningful ways of consultation and dialogue ... They fear scrutiny and for us to ask questions ...” (Frequent engagers)*

*“I don’t know what good this Review will do, or if the council will take any notice at all. They generally don’t take any notice of consultations at all. In fact, we call them non-sultations for that reason” (Frequent engagers)*

*“The last one didn’t give the right answers and it will be kicked down the road [by the council] ...” (Frequent engagers)*

- 3.32 While most of the frequent engagers said there was nothing the council could do to change their views, one did suggest that if LBB were to show willing in entering into true two-way dialogue, this would go some way to persuading them that this engagement process, and the forthcoming formal consultation, are genuine attempts to inform future service provision. They did not consider this likely though.

*"They can try to genuinely begin a dialogue with residents ... take away the rules that restrict the expression of opinion at residents forums; put back the right to speak to your elected representatives at committee meetings; give us again the freedom to ask the questions that we need to ask to be properly informed and meaningfully consulted but they will never do that because it would present a challenge to what they have already decided" (Frequent engagers)*

- 3.33 Finally, both the frequent engagers and the general public said that being as open and transparent as possible about Capita's performance to date was essential in ensuring all parties can make an informed judgement about the merits or otherwise of any formal proposals.

*"This is the perfect opportunity if the contract is coming to a natural end for the council to show us as residents ... which areas are better than others and to act on those ... and adjust [the contract] accordingly and show us what better outcomes might be in store" (General public)*

*"They should be open ... some information being sent out widely in a sort of newsletter going to every house telling people, 'here's the independent assessment of the successes and failures of the Capita contract'. Basically, I would say not trying to hide it. There is a sense here that it's all being hidden" (Frequent engagers)*

*"I would like to see the paperwork published ... a clear and transparent view rather than having all these reports with everything redacted and all the figures not shared because it's commercial ... I would like to see proper business cases where they can say this has worked or this hasn't worked ... If this hasn't worked ... then just say it, tell us the truth" (Frequent engagers)*



## 4. Conclusions

Good customer service is accessible, responsive, communicative, and offers speedy resolution to problems

Not receiving good customer service has negative repercussions for individuals and organisations...

...but residents are in a difficult position when they receive poor customer service from their local authority, as they cannot take their 'custom' elsewhere

LBB's customer service is variable, but there was more negativity than praise

The COVID-19 pandemic has worsened council communications, but some good practice has been evident

The frequent engagers were especially critical of Capita's performance

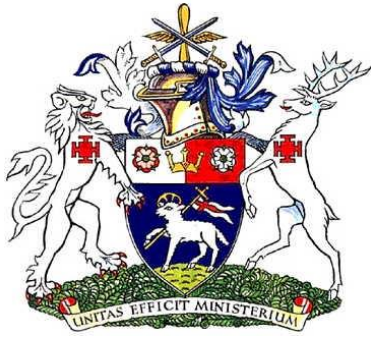
There was scepticism about the proposed direction of travel for certain services

The frequent engagers were cynical about the Review and the engagement/consultation process

- 4.1 Offering good customer service (defined as accessible, responsive, communicative, and attempting to offer speedy resolution to problems) is essential for any organisation, not only because it is the 'right thing to do' but also because not doing so can result in lasting negative perceptions among service users. This negativity can be particularly acute with respect to local authorities, as residents cannot take their 'custom' elsewhere.
- 4.2 LBB's customer service appears to be variable: some departments (libraries and environmental health for example) were praised for their communication and responsiveness, but there were many more complaints about unresponsiveness, disrespect, and issues/complaints being lost in the system. Participants also equated good customer service with service quality, highlighted by the fact that highways was the service most complained about – most commonly in relation to potholes and poor maintenance of pavements.
- 4.3 Although LBB was commended for its practical response to COVID-19 (particularly with respect to public health messaging, the administration of financial grants and assistance for shielders and other vulnerable people), its general communications were thought to have worsened since March 2020. The pandemic was thought to have been (and continues to be) used as an "excuse" for inactivity and non-responsiveness on the part of both the council and councillors, something with which residents are becoming increasingly frustrated given the 'new normal' of remote working.
- 4.4 Although not the focus of this engagement process, participants inevitably discussed the Capita contracts. Those in the frequent engagers group were particularly vocal in their criticism of them, and indeed of Capita itself, alleging poor and impersonal customer service, a lack of openness and visibility around performance, a serious loss of management control and accountability, and a power balance within the council/Capita relationship that has tipped too heavily in favour of the latter.
- 4.5 Indeed, the discussions certainly showed that the outsourcing of council services remains controversial: some supported it, mainly for reasons for economy and expertise, whereas others opposed it on the

grounds of lack of local knowledge and accountability – and the potential for more emphasis to be placed on revenue generation than the needs of local residents. Both groups acknowledged, though, that most residents give little thought to the nature of service provision: as long as their relationship with the council is largely transactional, they tend to care little who is on the other end of that transaction providing it is completed without difficulty.

- <sup>4.6</sup> Finally, work is needed to convince the frequent engagers about the value of the Capita Contracts Review and associated engagement/consultation, for they are currently of the view that the process is a “*done deal*”. Openness and transparency in terms of Capita’s performance will be key to this, as will LBB’s wiliness to engage in proper two-way dialogue.



## Council 25 January 2022

<b>Title</b>	<b>Referral from Licensing Committee – Revised Gambling Statement of Principles (Policy)</b>
<b>Report of</b>	Executive Director Assurance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Annex 1 – Licensing Committee – Revised Gambling Statement of Principles (Policy) Appendix 1 – Draft Policy
<b>Officer Contact Details</b>	Nicholas Stabeler, Group Manager, Commercial Premises, <a href="mailto:Nicholas.stabeler@barnet.gov.uk">Nicholas.stabeler@barnet.gov.uk</a>

### Summary

At Licensing Committee on the 10 November 2022, the Committee considered a report on the outcome of the recent consultation in relation to a revised Gambling Act Statement of Principles (Policy) which, if approved by the Council, will come into effect on Friday 28<sup>th</sup> January 2022.

### Officers Recommendation

**That Council approve the adoption of the revised Gambling Statement of Principles Policy in Appendix 1.**

#### 1. WHY THIS REPORT IS NEEDED

- 1.1 At its meeting on the 10 November 2022, the Licensing Committee approved the policy as outlined in Appendix 1 and recommended the policy be adopted at the next Full Council meeting.

## **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 As set out in the report at Annex 1.

## **4. POST DECISION IMPLEMENTATION**

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

## **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 As set out in the report attached at Annex 1

### **5.3 Social Value**

5.3.1 As set out in the report attached at Annex 1

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

5.4.1 As set out in the report attached at Annex 1

5.4.2 Article 4 of the Council's Constitution sets out the role and function of Full Council which includes the following responsibilities:

Approving and adopting the Policy Framework including the Statement of Gambling Licensing Policy.

### **5.5 Risk Management**

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

### **5.6 Equalities and Diversity**

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

### **5.7 Corporate Parenting**

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

## **5.8 Consultation and Engagement**

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

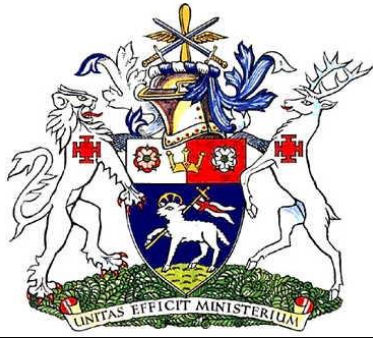
## **5.9 Insight**

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

## **6. BACKGROUND PAPERS**

6.1 N/A

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## Licensing Committee

10<sup>th</sup> November 2021

<b>Title</b>	<b>Revised Gambling Statement of Principles (Policy)</b>
<b>Report of</b>	Director of Assurance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix 1 – Draft Policy Appendix 2 – Consultation Responses
<b>Officer Contact Details</b>	Nicholas Stabeler Group Manager, Commercial Premises <a href="mailto:Nicholas.stabeler@barnet.gov.uk">Nicholas.stabeler@barnet.gov.uk</a>

### Summary

This report relates to the outcome of the recent consultation in relation to a revised Gambling Act Statement of Principles (Policy) which, if approved by the committee, will come into effect on Friday 28<sup>th</sup> January 2022

### Officer Recommendations

The Committee is requested to:

1. Approve the proposed policy in Appendix 1; and
2. Recommend that this policy be adopted at the next full meeting of the Council.

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

- 1.1 The Gambling Act 2005 (the “Act”) places a duty on the Council as the ‘Licensing Authority’ for gambling premises in the Borough. It requires that a licensing authority should aim to permit the use of premises for gambling in so far as it thinks it is:
- a) in accordance with any relevant code of practice or any guidance from the Gambling Commission;
  - b) reasonably consistent with the licensing objectives; and
  - c) in accordance with its gambling licensing policy.
- 1.2 The Council has a number of important regulatory functions in relation to gambling. These include licensing premises, regulating gaming and gaming machines in clubs, granting permits to what the Guidance refers to as ‘family entertainment centres’ for the use of certain lower stake gaming machines, regulating gaming and gaming machines on alcohol licensed premises, granting permits for prize gaming, and registering small society lotteries.
- 1.3 In accordance with the Act, the Council must prepare, consult on and publish a Statement of Principles which it proposes to apply when exercising relevant functions. In exercising their functions, licensing authorities must have regard to the statutory guidance issued by the Gambling Commission.
- 1.4 The Act also requires that this statement of principles must be reviewed and published at least every 3 years. The policy was last reviewed in January 2019.
- 1.5 Where there are any proposed changes to the statement of principles, the Council is required under the Act to consult on any revisions.
- 1.6 The proposed policy (Which can be found in Appendix 1) is an update on the previous policy showing new demographic information and new document formatting.
- 1.7 A consultation was undertaken on whether to adopt the Council’s draft Gambling Statement of Principles. This took place between 12<sup>th</sup> August 2021 and concludes 24<sup>th</sup> September 2021. Information on this consultation can be found in paragraph 5.9.
- 1.8 One response has been received.

## **2 REASONS FOR RECOMMENDATIONS**

- 2.1 The local authority is required, under the Act, to consult prior to publishing a statement of principles or any subsequent revision to the statement of principles, in relation to the exercise of its functions under the Act.
- 2.2 This report confirms the outcome of the public consultation on the Council’s Gambling Act 2005 Statement of Principles policy (as amended 2021).

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

- 3.1 There are no alternative options. The London Borough of Barnet has a duty to prepare, consult and publish a statement of principles or any proposed changes to the same.



## **4 POST DECISION IMPLEMENTATION**

- 4.1 The Committee are being asked to recommend that the Policy be adopted at the next meeting of the full Council to come into effect in Friday 28<sup>th</sup> January 2022.

## **5 IMPLICATIONS OF DECISION**

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

- 5.1.1 The approach taken by the Licensing Authority in relation to applications fully supports objectives contained within the corporate plan. It promotes delivering “quality services and striving to continually improve the standard of services”

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

- 5.2.1 Administration and enforcement are carried out by the Commercial Premises Licensing team in Regional Enterprise, together with support from HB Public Law and from Governance Services, when arranging and co-ordinating arrangements for hearings.

- 5.2.2 In relation to the decisions made by the Licensing Authority there is always a risk of an appeal. However, making consistent decisions in line with agreed policies, guidance and procedures minimises this risk.

- 5.2.3 There are no financial implications of the proposed action.

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

- 5.3.1 Under the Gambling Act 2005 there are three statutory objectives to be met through licensing:

- (1) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- (2) Ensuring that gambling is conducted in a fair and open way; and
- (3) Protecting children and other vulnerable persons from being harmed or exploited by gambling. A good policy ensures that these objectives are promoted by the London Borough of Barnet.

- 5.3.2 Section 349 of the Gambling Act 2005 requires a licensing authority to prepare and publish a statement of the principles that it proposes to apply in exercising its functions under the Act, and the licensing authority is expected to review this from time to time (and amend it if necessary), ensuring that it is reviewed and published at least before the end of each successive three-year period.

- 5.3.3 Where there are any proposed changes to the statement of principles, section 349 of the Act also sets out who the Council should consult with:

- the chief officer of police for the authority's area, or
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area, and

- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

5.3.4 Article 7 – Committees, Forums, Working Groups and Partnerships, of the Council's Constitution states that the Licensing Committee is responsible for, "all policy matters relating to licensing with licencing hearings concerning all licencing matters delegated to sub-committees." As such, the approval of this policy is a non-executive function reserved to full Council as set out in the Council's Constitution.

5.3.5 There are no direct Human Rights Act or other implications anticipated.

#### **5.4 Insight**

5.4.1 Not relevant to this report.

#### **5.5 Social Value**

5.5.1 Not relevant to this report

#### **5.6 Risk Management**

5.6.1 It is prudent to monitor performance to ensure that the Gambling Licensing function is delivered efficiently and effectively.

5.6.2 It is important that the London Borough of Barnet adopts a robust and accountable regulatory regime in relation to gambling. It needs to ensure that the risk of non-compliance and the regulatory burden to both the Local authority and to the trade is minimised. However, it must balance this with the need to uphold the licensing objectives.

#### **5.7 Equalities and Diversity**

5.7.1 The Council has a legal obligation under section 149 of the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.

5.7.2 When considering applications, only issues provided for in the relevant legislation, in addition to the authority's policy will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits.

5.7.3 In consideration of the section 149 duty, an equalities impact assessment has been completed and the conclusions are that there are no adverse or negative impacts on any of the protected groups.

5.7.4 This report is for information only and therefore unlikely to result in any equalities implications.

#### **5.8 Corporate Parenting**

5.8.1 There will be no impact on looked after children and care leavers.

## **5.9 Consultation and Engagement**

- 5.9.1 The consultation document will be sent to the Police, trade associations for gambling businesses, and residents groups. It will also be sent to councillors, responsible authorities, gambling businesses in the borough, faith groups, voluntary organisations, community organisations working with children and young people and organisations working with problem gambling. The consultation will also be published on the Council's consultation portal on the Barnet online website.
- 5.9.2 The Statement of Principles was consulted upon with all relevant stakeholders for a period of 6 weeks. All replies have been taken into account and the Statement of Principles, revised as necessary, is put before the Committee for final approval at this meeting (10<sup>th</sup> November 2021). If approved, then the Statement of Principles will be put before the Full Council at the next scheduled meeting.

## **6 BACKGROUND PAPERS**

- 6.1 None.

## Appendix 1 Proposed Licensing Policy

### Appendix 2 Consultation responses

The consultation process started on 12<sup>th</sup> August 2021 and concluded on Friday 24<sup>th</sup> September 2021. The below responses were those that were received by all necessary parties.

Consultee	Comments	Response
Betting and Gaming Council (BGC) - representatives	Paragraph 10.3.3 should be redrafted to remove the sentence which suggests that a policy may be adopted regarding areas where gambling should not be located. Any such policy is likely to be unlawful and is certainly contrary to the s153 “aim to permit” principle detailed in paragraph 10.1.4.	<b>This authority does not currently intend to impose a policy which will restrict gambling establishments, however, given that the Gambling Act is currently under review this gambling statement remains open to the possibility of change. Therefore, the reference has been changed to state “should a policy be lawfully decided upon” then this gambling statement is able to be amended.</b>
Betting and Gaming Council (BGC) - representatives	Paragraph 10.4.2 should be redrafted so that it is clear that it is not the application that requires an explanation of how the proposals will not exacerbate any problems to individuals or ASB in the vicinity. This is a matter for the local area risk assessment in which an applicant will identify risks posed by the provision of the gambling facilities proposed and detail policies, procedures and control measures in place to mitigate the risk as, indeed, is recognised in the following paragraph.	<b>This paragraph has been amended to: “Where paragraph 10.4.1 applies this Authority will expect applicants to fully explain in their local area risk assessment, which is attached to their application, how their proposal will not exacerbate any problems to individuals living in the vicinity, or exacerbate any ASB problems within the vicinity generally”</b>
Betting and Gaming Council (BGC) - representatives	The list of bullet points contained within paragraph 10.5.6 should also be redrafted to delete matters that are not relevant to any assessment of risk to the licensing objectives. SR Code Provisions 10.1.1 and 10.2.2 provide for “relevant matters identified in the licensing authority’s statement of licensing policy” to be taken into	<b>This authority upholds that the matters referred to in this paragraph are relevant to the licensing objectives.  If on an individual basis an operator believes that in their case a particular matter is not relevant, they should indicate</b>

	<p>account. The list of bullet points detailing examples of matters that the licensing authority expects to be considered needs therefore only to reflect matters that are relevant to the licensing objectives. For example, issues relating to youths participating in anti-social behaviour, drug dealing, graffiti/tagging or underage drinking have no bearing whatsoever on any assessment of risk to the licensing objectives posed by the provision of gambling facilities. Similarly, “gaming trends that may mirror days for financial payments such as pay days or benefit payments” can only be relevant to an assessment of risk to the licensing objectives if the authority’s view is that anyone in receipt of benefits or indeed paid employment is deemed vulnerable or likely to commit crime as a result of gambling. This cannot be correct and references to any issue that is not relevant to the licensing objectives should be removed</p>	<p><b>this in their Local Risk Assessment.</b>  <b>Also, these are provided as examples for applicants rather than an authoritative list. Each application should be completed based on its own local assessment.</b></p>
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# London Borough of Barnet

# Statement of Principles

## Gambling Act 2005

**2022 - 2024**

# Contents

1. Introduction .....	4
2. The licensing objectives .....	8
3. Declaration .....	8
4. Responsible authorities .....	8
5. Interested parties .....	9
6. Exchange of Information .....	11
7. Inspection and Enforcement.....	11
8. Licensing Authority's Functions.....	13
9. Applications: General Principles.....	14
10. Premises Licences .....	15
10.1. General.....	15
10.2. Definition of "Premises" .....	16
10.3. Location.....	18
10.4. Local Area Profile (LAP).....	19
10.5. Local Risk Assessments (LRA).....	20
10.6. Premises "ready for gambling" .....	21
10.7. Duplication with Other Regimes.....	22
10.8. Licensing Objectives.....	23
10.9. Adult Gaming Centres.....	24
10.10. Licensed Family Entertainment Centres .....	24
10.11. Tracks .....	25
10.12. Casinos.....	26
10.13. Bingo .....	26
10.14. Betting premises .....	26
10.15. Provisional Statements.....	27
10.16. Licence Conditions.....	28
10.17. Reviews.....	30
11. Permits .....	32
11.2. Unlicensed Family Entertainment Centre gaming machine permits .....	32
11.3. Alcohol Licensed Premises Gaming Machine Permits.....	33



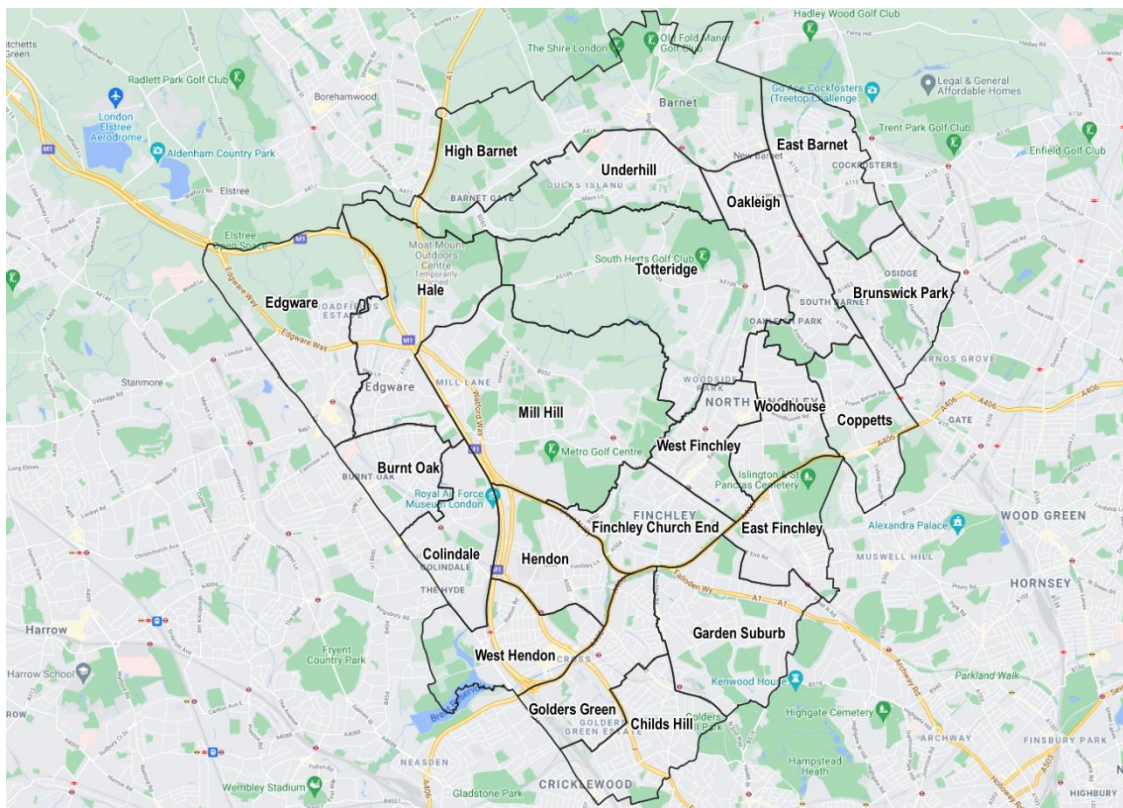
11.4	Alcohol Licensed Premises Gaming Machine Permits3 or More Machines .....	33
11.5	Prize Gaming Permits .....	34
11.6	Club Gaming and Club Machine Permits .....	35
11.7	Temporary Use Notices .....	36
11.8	Occasional Use Notices .....	37
12.	Travelling Fairs.....	37
13.	Small Society Lotteries.....	37
14.	Integration of licensing with other strategies .....	38
15.	Tourism and employment.....	38
16.	Promotion of equality.....	38
17	Licensing Register.....	39
18.	Relevant documents.....	39
19.	Complaints about the Licensing Service .....	39
20.	Further information.....	39
21.	Commencement and Review .....	40

# 1. INTRODUCTION

- 1.1 The London Borough of Barnet herein sets out a statement of principles that it will apply when carrying out its functions as a licensing authority in accordance with the Gambling Act 2005.
- 1.2 The London Borough of Barnet is situated in North London. Barnet's overall population in 2013 was projected to be 369,088. This figure has risen to 402,700 in 2020 which is an increase of 9%. Meaning that Barnet now has the largest population of any London borough.

In terms of area Barnet is the fourth largest. 36% of the borough is undeveloped, being greenbelt (28%) and metropolitan open land (8%). The rest of the borough is made up of densely populated suburban areas, 20 town centres and the transport network.

- 1.3 The current Borough map is shown below



- 1.4. With effect from May 2022 new ward boundaries will take effect. These new boundaries are shown in the map below:



<https://www.barnet.gov.uk/your-council/electoral-review-barnet-ward-boundaries>

1.5. Licensing Authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This statement must be published at least every three years and may also be reviewed from “time to time”. Any amendments must be consulted upon and the statement published before giving it effect.

1.6 In preparing a statement, the Act requires Licensing Authorities to consult the following:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.

1.7. The London Borough of Barnet has consulted widely upon this statement in accordance with the Act. A list of the groups consulted upon is provided below:

- The Metropolitan Police Service
- Social Services
- Trade associations
- Resident associations
- Responsible authorities
- Councillors
- Faith Groups
- Voluntary Groups
- Gambling businesses

A full copy of the individuals and groups consulted can be found in appendix 1 of this statement.

1.8. This Statement of Principles was approved at a meeting of the Full Council on 25<sup>th</sup> January 2022 and will come into effect on Friday 28<sup>th</sup> January 2022.

1.9. The Gambling Commission states in the introduction to its Guidance to Licensing Authorities:

1.1 'When the [Gambling Act 2005](#) (the Act) came into force in late 2007, it brought in a new, comprehensive system for gambling regulation in Great Britain. For the first time, the vast majority of commercial gambling was brought together into a single regulatory framework. The Act established a dedicated regulator, at a national level, in the form of the Gambling Commission (the Commission). But it also recognised the potential local impact and importance of gambling. So it created many local regulators, whose job it is to manage gambling locally, in line with local circumstances. Those regulators are the 368 licensing authorities of England, Wales and Scotland. In doing so, the Act established a strong element of local decision-making and accountability in gambling regulation.

1.2 The Act gives local regulators discretion to manage local gambling provision, including discretion as to the level of fees set to cover the cost of administering the local system of regulation within limits set by The Department for Digital Culture Media and Sport (DCMS) in England and Wales. It sets out some boundaries to that discretion, consistent with the recognition of gambling as a mainstream leisure activity.

1.3 The Act also provides scope for the Commission to act to set an overall direction at national level, while leaving licensing authorities in the lead locally, with appropriate support from the Commission. This Guidance, to which licensing authorities must have regard, is an important part of those arrangements.

1.10. It should be noted that this Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and in accordance with the statutory requirements of the Gambling Act 2005.

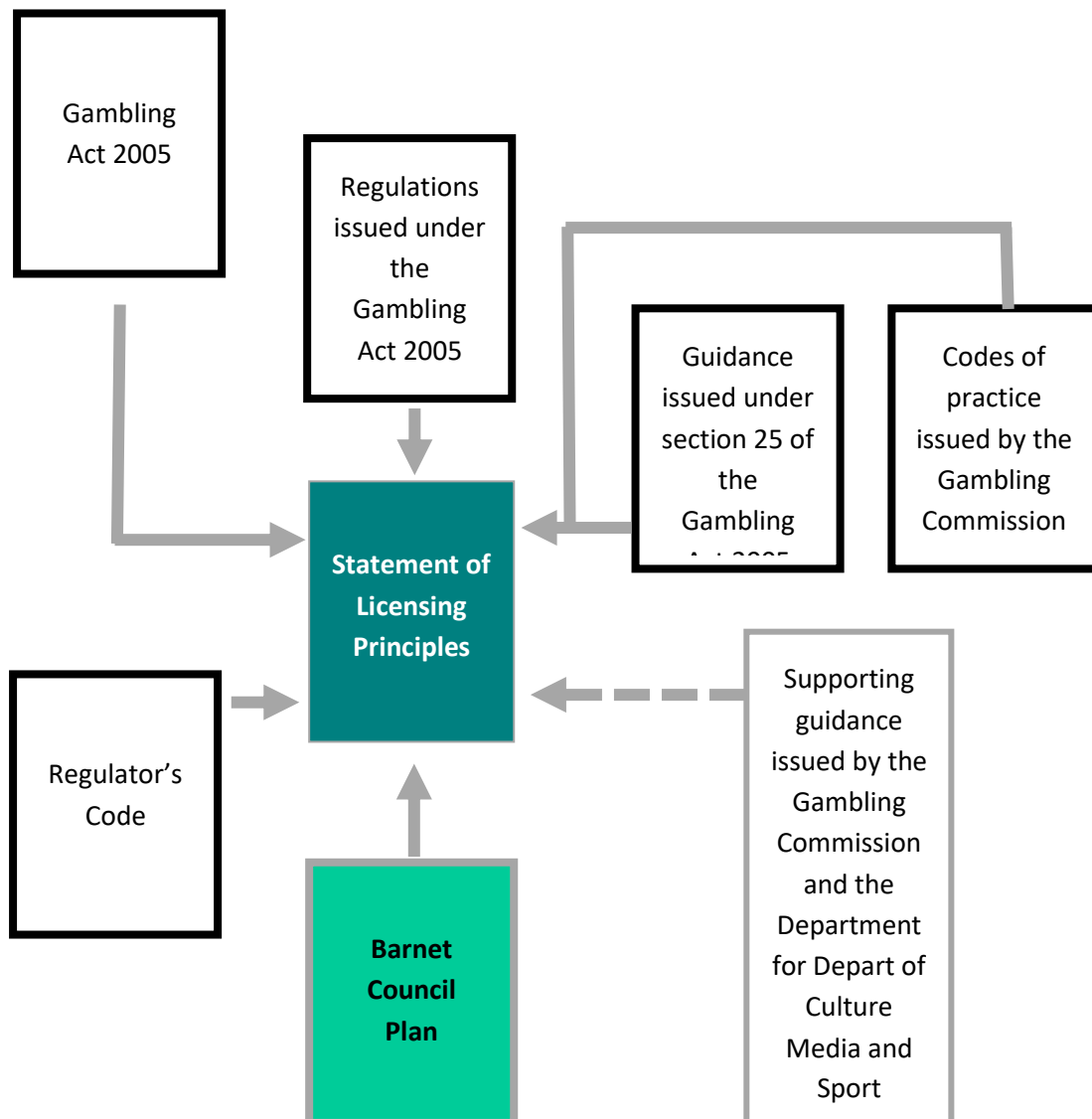
The Gambling Act 2005 is available at:

<http://www.legislation.gov.uk/ukpga/2005/19/contents>

and the Gambling Commission's Guidance to Licensing Authorities is available at:

<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities/gla-part-1-general-guidance-on-the-role-and-responsibilities-of-licensing>

### 1.11. Statement of licensing policy hierarchy



## 2. THE LICENSING OBJECTIVES

- 2.1 In exercising functions under the Gambling Act 2005 licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
  - Ensuring that gambling is conducted in a fair and open way.
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.2 The London Borough of Barnet as the relevant licensing authority accepts that the term “vulnerable person” is not defined. It may for example include people who gamble more than they want to, or beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. The London Borough of Barnet will consider this objective on a case by case basis and will not interpret the term narrowly.
- 2.3 The London Borough of Barnet recognises that harm in relation to gambling is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.

## 3. DECLARATION

- 3.1. In preparing this Statement of Principles, the licensing authority has had regard to the licensing objectives of the Act, and the Guidance to Licensing Authorities issued by the Gambling Commission and any responses from those consulted on this Statement of Principles.

## 4 RESPONSIBLE AUTHORITIES

- 4.1. The responsible authorities with respect to licensing premises in Barnet are:
- The Gambling Commission
  - The Metropolitan Police Service
  - London Borough of Barnet’s Planning Service
  - The London Fire and Emergency Planning Authority
  - The Safeguarding Children Board
  - HM Revenue and Customs
  - London Borough of Barnet itself as the licensing authority
- 4.2. The London Borough of Barnet are required by regulations to state the principles it will apply in exercising its powers under Section 157 of the Act to designate, in writing, a

body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area and
- The need for the body to be answerable to the democratically elected persons rather than any particular vested interest group

4.3. In accordance with the suggestion in the Gambling Commission Guidance to Local Authorities the London Borough of Barnet designates the local Safeguarding Children's Board for this purpose.

4.4. In selecting the Safeguarding Children Board as the body competent to advise about the protection of children from harm, the London Borough of Barnet took into account the following points:

- The Safeguarding Children Board has a responsibility under the Children Act 2004 to promote the welfare and safety of children and young people in the London Borough of Barnet
- The Board includes a variety of professionals with skills and experiences directly relevant to the need to protect children from being harmed or exploited by gambling
- The Board is answerable to democratically elected persons and does not represent any particular interest group
- The Board is the responsible authority for the purposes of the Licensing Act 2003 and has experience of the licensing process
- The Board works in partnership with other local authority services and other organisations to make Barnet a safer place for children
- The Board is able to provide advice about protecting children and guidance in accessing appropriate training
- The Board works within the wider pan London framework of child protection so as to promote a consistent approach across London

4.5. Responsible authorities have the right to make representations in connection to an application, or to ask for a review of an existing licence. Any such representation must be relevant to the application.

## 5 INTERESTED PARTIES

5.1. Interested parties are defined in Section 158 of the Act as follows:

“A person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person;

- (a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities

- (b) Has business interests that might be affected by the authorised activities
- (c) Represents persons who satisfy paragraph a) or b)”

- 5.2. Interested Parties have the right to make representations in connection to an application, or to ask for a review of an existing licence. Any such representation must be relevant to the application.
- 5.2 To enable the London Borough of Barnet to decide whether a person is an interested party it will expect any person making a representation to give their name and address and explain how they or their business interests would be affected by the authorised activities. If this information is not provided then the representation will not be accepted by the licensing authority.
- 5.3 In considering whether an interested party lives or has business interests sufficiently close to the premises certain factors will be taken into account including:
- The size of the premises
  - The nature of the premises
  - The distance of the premises from the habitual residence or workplace of the person making the representation
  - The potential impact of the premises (number of customers, routes likely to be taken when visiting the premises)
  - The circumstances of the complainants and their interest that may be relevant to the distance from the premises
- 5.4 In determining whether a person or organisation has “business interests” the London Borough of Barnet will adopt the widest possible interpretation and may recognise certain groups which include but are not limited to; trade unions, partnerships, charities, faith groups, residents and tenants associations and medical practices.
- 5.5 If the representation is from an association or any other body then these will only be accepted provided that they have at least one member who is an interested party.
- 5.6 Unless the person making the representation is a locally elected councillor or Member of Parliament the London Borough of Barnet as licensing authority will require written evidence that they represent identified interested parties. A letter from one of these persons will be sufficient.
- 5.7 If individuals wish to approach locally elected councillors to ask them to represent their views then those councillors cannot sit on a licensing committee that meets to determine the licence application.
- 5.8 To be deemed relevant, a representation must relate to the licensing objectives or raise issues under the policy or the Gambling Commissions guidance or codes or practice.
- 5.9 In deciding whether to treat a representation as frivolous or vexatious the following will be taken into account



- Who is making the representation and whether that person has a history of making representation that are not relevant
- Whether or not it raises a relevant issue
- Whether it raises issues specifically to do with the premises which are the subject of the application

5.11 The validity of each representation will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities.

## 6 EXCHANGE OF INFORMATION

6.1 The London Borough of Barnet as licensing authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information with the Gambling Commission and other persons listed in Schedule 6 to the Act. This includes the provision that the Data Protection Act 2018 will not be contravened.

6.2 The London Borough of Barnet as licensing authority will also have regard to any guidance issued to local authorities by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under powers provided in the Act.

6.3 The London Borough of Barnet as licensing authority will seek to establish information exchange protocols with the responsible authorities and will make these available.

## 7 INSPECTION AND ENFORCEMENT

7.1 The London Borough of Barnet is required to state the principles to be applied by the authority in exercising its functions under Part 15 of the Act with respect to the inspection of premises; and the powers under Section 346 of the Act to institute criminal proceedings in respect of the offences specified.

7.2 The London Borough of Barnet's principles are that it will have regard to the Gambling Commissions Guidance for Local Authorities and in doing so will endeavour to be:

- Proportionate -London Borough of Barnet will only intervene when necessary; remedies will be appropriate to the risks posed and costs identified and minimised
- Accountable - London Borough of Barnet must be able to justify decisions and will be subject to public scrutiny
- Consistent - rules and standards will be implemented fairly
- Transparent -London Borough of Barnet will be open and do its best to keep things simple and user friendly
- Targeted – London Borough of Barnet will focus on the problem and do its best to minimise side effects.

7.3 Any enforcement action will be in accordance with the relevant enforcement policy.

- 7.4 The main enforcement and compliance role for the London Borough of Barnet in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the London Borough of Barnet but should be notified to the Gambling Commission.
- 7.5 The London Borough of Barnet also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities. The Better Regulation Executive is a government agency within the Department for Business, Energy and Industrial Strategy which aims to achieve more effective regulation and reduce existing regulatory burdens affecting business, the third sector and frontline staff in the public sector.
- 7.6 The London Borough of Barnet's licensing officers will monitor ongoing compliance with licence conditions. They may carry out inspections without prior notice to the occupier or licensee.
- 7.7 As per the Gambling Commission's Guidance to Licensing Authorities the London Borough of Barnet will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.8 Planned enforcement activity will be prioritised according to assessed risk (the potential for harm to the licensing objectives). This London Borough of Barnet has adopted and implemented a risk-based inspection programme, based on:
- The licensing objectives
  - Relevant codes of practice
  - Guidance issued by the Gambling Commission, in particular at Part 36
  - The principles set out in this statement of licensing policy
- 7.9 When assessing risk, London Borough of Barnet will take into account the following matters:
- The type of gambling and its potential to result in harm
  - The size of the premises and the number of patrons
  - The standard of compliance with licence conditions
  - Officers' confidence in the ability and intention of the management of the premises to maintain good standards of compliance with licence conditions
  - Relevant information from other agencies.
- 7.10 The risk rating for each premises will be kept under constant review and may change at any time.
- 7.11 The London Borough of Barnet is prepared to receive complaints about licensed premises and, with the agreement of the complainant, deal with them informally with the aim of securing improvement if necessary without the need for a formal review of the licence.

7.12 The London Borough of Barnet will not tolerate non-compliance with licence conditions or licensable activity at unlicensed premises except in accordance with a Temporary Use Notice.

## 8 LICENSING AUTHORITY'S FUNCTIONS

8.1.1 The London Borough of Barnet are required under the Act to assume responsibility for;

- Licensing premises where gambling activities are to take place by issuing premises licences
- Issuing provisional statements
- Regulation of members clubs and miners welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres
- Receiving notifications from alcohol licensed premise (Under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issuing Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.
- Registration of small society lotteries below the prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission regarding details of licensing issues
- Maintaining registers of the permits and licences that are issued under these functions.

8.2 It should be noted that the London Borough of Barnet are not involved in licensing remote gambling at all. This falls within the remit of the Gambling Commission via operating licences. Remote gambling is defined as "gambling in which persons participate by the

use of remote communication" namely, the internet, telephone, television, radio or "any other kind of electronic or other technology for facilitating communication".

## 9 APPLICATIONS: GENERAL PRINCIPLES

9.1 The London Borough of Barnet has no rigid rules about the acceptability of applications and will consider each on its merits.

9.2 The matters that it will generally take into account when considering applications for permits and licences and when reviewing a licence are set out below:

- The type and nature of the gambling activity.
- The proximity of the gambling premises to sensitive premises such as schools or centres for vulnerable adults, or to residential areas where there may be a high concentration of families with children, and the likelihood that children or vulnerable adults will enter the premises.
- Where permits or licences are sought for use at premises that may attract children, or where children may be present, the London Borough of Barnet will give particular weight to child protection issues. The London Borough of Barnet is aware that children may be harmed not only by taking part in gambling, but also if they are able to watch it taking place. This concern may be particularly relevant at premises where there are multiple licences, where only part of a premises is licensed or where permits are to be used in part of a premises only.
- The adequacy of any proposed measures to prevent crime connected with gambling.
- The adequacy of any proposed steps to prevent access by children and vulnerable adults, or to prevent such people from seeing gambling taking place.
- The public availability at the premises of information about organisations that can provide advice and support in relation to gambling and debt, for example GamCare, Gamblers Anonymous, the Gordon Moody Association, the National Debtline and local Citizens Advice Bureaux and other relevant advice agencies.
- The existence of crime and disorder (particularly if it has required police intervention) or actual harm to children or vulnerable adults, where these are connected to gambling at the premises.

9.3 It will assist the sub-committee in contested cases if applicants, responsible authorities and interested parties address these matters.

9.4 When considering applications, sub-committees will decide matters of fact on the balance of probabilities.

9.5 The London Borough of Barnet will place information about licence applications on its website and will notify ward councillors when applications are received.

9.6 The London Borough of Barnet expects the premises licence application, and plan accompanying the application, to be sufficiently detailed for the authority to determine the application. This would include for example entry, exit, the location of the gaming machines and counter. The London Borough of Barnet need to determine whether the application is 'in accordance with the relevant code of practice' and this will include social responsibility codes. The authority must also determine whether the application is 'reasonably consistent with the licensing objectives' - such as protecting the young and vulnerable. The application and the accompanying plan must be sufficient to satisfy these requirements

## 10 PREMISES LICENCES

### 10.1. General

10.1.1 A premises licence may authorise:

- The operation of a casino
- The provision of facilities for playing bingo
- Adult Gaming Centres
- Licensed Family Entertainment Centres
- The provision of facilities for betting.

10.1.2 Premises licences are subject to the requirements as set out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

10.1.3 The London Borough of Barnet recognises that every application and representation made in connection with premises licences, with the exception of applications for a casino licence, must be treated on its merits.

10.1.4 The London Borough of Barnet is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and  
in accordance with the authority's statement of licensing policy.

10.1.5 It is appreciated that as stated in the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for London Borough of Barnet as licensing authority.

10.1.6 Premises licences that are granted must be consistent with the licensing objectives. In consideration of the Gambling Commission's Guidance to Licensing Authorities the following comments are made:

- This Council is aware that the Gambling Commission takes a lead role in preventing gambling from being a source of crime. The guidance does envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.
- The London Borough of Barnet has noted that the Gambling Commission states it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- The London Borough of Barnet has noted that Gambling Commissions Guidance on protecting children from being harmed or exploited by gambling means preventing children from taking part in gambling as well as restriction of advertising so that gambling products are not aimed at or are particularly attractive to children.

## **10.2 Definition of "Premises"**

10.2.1 In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place.

10.2.2 However, the London Borough of Barnet will pay particular attention if there are issues about sub-divisions of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.

10.2.3 In most cases the expectation is that a single building or plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer.

10.2.4 The London Borough of Barnet does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.

10.2.5 The London Borough of Barnet will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used

for other (non-gambling) purposes. In particular, the attention of applicants is drawn to the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

10.2.6 Other factors which The London Borough of Barnet will consider are:

- Do the premises have a separate registration for business rates?
- Are the neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises

The London Borough of Barnet will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

10.2.7 The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

Type of premises	Access provisions
Casinos	<ul style="list-style-type: none"> <li>• the principal entrance to the premises must be from a ‘street’</li> <li>• no entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons</li> <li>• no customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.</li> </ul>
AGCs	

	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from any other licensed gambling premises.</li> </ul>
Betting shops	<ul style="list-style-type: none"> <li>access must be from a 'street' or from other premises with a betting premises licence</li> <li>no direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.</li> </ul>
Tracks	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from a casino or AGC</li> </ul>
Bingo premises	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track</li> </ul>
FECs	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from a casino, an AGC or a betting premises,</li> </ul>

10.2.8 Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

### 10.3 Location

10.3.1 The London Borough of Barnet will take into account the location of premises in the context of the crime prevention objective. For example, if an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime, the London Borough of Barnet will consider what, if any, controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence, such as a requirement for door supervisors. London Borough of Barnet has not identified any such areas, but will be receptive to advice from the Police when considering applications.

10.3.2 As stated in the Gambling Commission's Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling. Applications for granting



licences in respect of gambling premises that are in close proximity to locations for such vulnerable persons for example schools, centres for gambling addicts, hostels, centres catering for people with mental disabilities or learning difficulties or those with drug or alcohol abuse problems, will receive very careful consideration.

10.3.3 Should any policy be lawfully decided upon as regards areas where gambling premises should not be located, this statement will be updated. Again it should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

#### **10.4 Local Area Profile (LAP)**

10.4.1 The London Borough of Barnet have created a Local Area Profile. (LAP).

The LAP will be regularly reviewed to ensure that it reflects the current profile of the London Borough of Barnet.

The LAP contains detail on the location of all schools and also hotspots of anti-social behaviour (ASB).

The London Borough of Barnet will pay particular attention to applications for the new grant of, or variations to existing, premises licences where those premises lie within areas with a concentration of schools, ASB, hostels/homes for vulnerable people and centres for people with a gambling addiction.

10.4.2 Where paragraph 10.4.1 applies this Authority will expect applicants to fully explain within their local area risk assessment, which is attached to their application, how their proposal will not exacerbate any problems to individuals living in the vicinity, or exacerbate any ASB problems within the vicinity generally.

10.4.3 Applicants should also be aware of areas with concentrations of hostels and other types of accommodation for vulnerable people. Where they propose to make an application for the new grant of a premises licence, or a variation to an existing licence, in such areas they should explain fully in their risk assessments how they will mitigate any risks of operating gambling premises in close proximity to concentrations of housing for vulnerable people.

10.4.4 Some further publicly available sources of information to assist in operators completing a Local Risk Assessment include:

(a) the Crime Mapping website; <https://www.met.police.uk/sd/stats-and-data/met/crime-data-dashboard/>

(b) Neighbourhood Statistics websites; <https://www.ons.gov.uk/help/localstatistics>

(c) websites or publications by local responsible authorities;  
<https://www.barnet.gov.uk/citizen-home/council-and-democracy/council-and-community/maps-statistics-and-census-information/statistics-about-barnet.html>

## **10.5 Local Risk Assessments (LRA)**

- 10.5.1 The LRA must be submitted with any new or variation application, otherwise the application has not been properly served
- 10.5.2 Applicants will be expected to tailor their application, and have site specific policies, procedures and control measures to mitigate any risks.
- 10.5.3 All premises should have the appropriate numbers of trained staff, and propose licence conditions, to cater for the local area in which they propose to run their business.
- 10.5.4 LRAs should be kept on the individual premises and be available for inspection.
- 10.5.5 The LRA must also be submitted when changes in the local environment or the premises warrant a risk assessment to be conducted again. If the changes are minor then the premises holder may alternatively email notification that a minor change has taken place to the London Borough of Barnet.
- 10.5.6 Examples of what the London Borough of Barnet will expect to be considered within the LRA include:
- Information held by the licensee regarding self-exclusions and incidences of underage gambling
  - Arrangement for localised exchange of information regarding self-exclusions and gaming trends
  - Urban setting such as proximity to schools, commercial environment, factors affecting footfall
  - Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
  - Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.
  - Assessing staffing levels when a local college closes and the students begin to vacate the grounds.
  - Proximity of machines to the entrance door
  - Age verification policies including 'Think 21' and 'Think 25'.
  - Consideration of line of sight from the counter to gambling machines.

- Larger operators (William Hill, Coral, Ladbrokes, Betfred and Paddy Power) are responsible for conducting/taking part in underage testing, results of which are shared with the Gambling Commission. However, operators are urged to also make the results available to the London Borough of Barnet if an issue is identified with any particular premises within the area.
- Information on where a child or young person repeatedly attempts to gamble on the premises, this information should also be contained in a register held at the premises which can be inspected upon reasonable request by the London Borough of Barnet.
- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling alleys, cinemas etc
- Any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted
- Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking etc
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate etc.

## **10.6 Premises “ready for gambling”**

10.6.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the London Borough of Barnet can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

10.6.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement may be deemed as appropriate. The current guidance from the Gambling Commission and recent case law will be used to assess which application is more appropriate in the circumstance and it is prudent for applicants to discuss this with the London Borough of Barnet prior to submitting an application for such premises.

10.6.3 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at any particular premises, the London Borough of Barnet will determine applications on their merits, applying a two stage consideration process;

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

10.6.4 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

## **10.7 Duplication with Other Regimes**

10.7.1 The London Borough of Barnet seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. The London Borough of Barnet will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

10.7.2 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, building control and other regulations and must not form part of the consideration for the premises licence.

10.7.3 The London Borough of Barnet wishes to reconcile planning, building control and licensing considerations whenever possible. However, it should be noted that licensing decisions will not over-rule planning or building control decisions, as the legal framework for each is different.

10.7.4 Licensable activities cannot lawfully be carried on at premises unless there is a premises licence or permit (other than in accordance with a Temporary or Occasional Use Notice) and any necessary planning permission and building regulation approval. A licence will not remove the need for planning permission or building regulation approval, should these be necessary. The onus is on the licence holder or applicant to ensure that these permissions exist.

10.7.5 The London Borough of Barnet has a duty to take into consideration all relevant matters and not to take into considerations irrelevant matters; i.e. those nor related to gambling and licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their application.

10.7.6 The London Borough of Barnet will take into account any concerns about conditions that are not able to be met by licence holders due to planning restrictions

## **10.8. Licensing Objectives**

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the London Borough of Barnet has considered the Gambling Commissions Guidance to licensing authorities and some comments are made below.

### **Preventing Gambling from being a source of crime and disorder or being associated with crime and disorder or being used to support crime**

10.8.1 The London Borough of Barnet is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commissions guidance does however envisage that licensing authorities should pay attentions to the proposed location of gambling premises in terms of this objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This London Borough of Barnet is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

### **Ensuring that gambling is conducted in a fair and open way**

10.8.2 The London Borough of Barnet has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. For Local Authorities with tracks: There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section– see page 14).

### **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

10.8.3 The London Borough of Barnet has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). London Borough of Barnet will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

10.8.4 The London Borough of Barnet expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are

protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.

10.8.5 This London Borough of Barnet is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

## **10.9. Adult Gaming Centres**

10.9.1 The London Borough of Barnet will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that those who are aged under 18 years old are not attracted to or gain access to the premises.

10.9.2 The London Borough of Barnet may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.9.3 The London Borough of Barnet will have particular regard to the location and management of entrances to adult gaming centres. It will wish to see that the opportunities for children to gain access are minimised. This will be of particular importance if young people are likely to be unsupervised and the gaming centre is in a complex, such as a shopping centre.

## **10.10. Licensed Family Entertainment Centres**

10.10.1 Gaming machines are a form of gambling which is attractive to children and Licensed Family Entertainment Centres will contain machines of the Category D machine types on which they are allowed to play. Because gaming machines provide opportunities for solitary play and for immediate pay-outs, they are likely to engender repetitive and excessive play. In considering applications the London Borough of Barnet will have regard to the need to protect children and vulnerable people from harm or being exploited by gambling and will expect the applicant to satisfy the London Borough of

Barnet, for example, that those aged under 18 years old do not have access to the adult only gaming machine areas.

10.10.2 The London Borough of Barnet may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.10.3 The London Borough of Barnet will refer to the Gambling Commission's website from time to time to ascertain any conditions that may apply to operating licences regulating the way in which the area containing the category C machines should be delineated. The London Borough of Barnet will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

## **10.11 Tracks**

10.11.1 Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. London Borough of Barnet has no special policy on these issues, but will take into account the size of the track and associated area and the ability of staff to monitor the use of the machines by children and vulnerable people when determining the number of machines permitted.

10.11.2 The London Borough of Barnet will normally attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public.

## **10.12 Casinos**

10.12.1 London Borough of Barnet resolved in 2006 not to license casinos, with immediate effect. Any applications received will be returned with a notification that a 'no-casino' resolution is in place.

## **10.13 Bingo**

10.13.1 London Borough of Barnet will need to be satisfied that appropriate conditions exist for bingo to be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

10.13.2 London Borough of Barnet also notes the Gambling Commission's Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

10.13.3 Children and young people are allowed into bingo premises. However, they are not permitted to participate in the playing of bingo and if category B or C machines are made available for use, then these must be separated from areas where children and young people are allowed.

## **10.14 Betting premises**

10.14.1 London Borough of Barnet is aware that there is a trend to enlarge betting offices and that this can result in improved customer facilities. The London Borough of Barnet will look favourably on applications to improve customer facilities by enlarging or relocating existing premises, provided this does not entail risk to the licensing objectives.

10.14.2 London Borough of Barnet recognises that certain bookmakers have a number of premises within its area. In order to ensure compliance and that issues are recognised and resolved at the earliest stage, operators are requested to give the London Borough of Barnet a single named point of contact, who should be a senior individual, and whom the London Borough of Barnet will contact first should any compliance queries or issues arise.

10.14.3 Betting machines - This London Borough of Barnet will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people, when considering the number, nature and circumstances of betting machines an operator wants to offer.



## 10.15 Provisional Statements

10.15.1 Developers may wish to apply to this London Borough of Barnet for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

10.15.2 Section 204 of the Gambling Act provides for a person to make an application to the London Borough of Barnet for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

10.15.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

10.15.4 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. London Borough of Barnet will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage,
- they reflect a change in the applicant's circumstances.

10.15.5 In addition, London Borough of Barnet may refuse the premises licence or grant it on terms different to those attached to the provisional statement only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the London Borough of Barnet's opinion reflect a change in the operator's circumstances;
- where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this London Borough of Barnet notes that it can discuss any concerns it has with the applicant before making a decision.

## 10.16 Licence Conditions

10.16.1 Premises licences will be subject to the permissions and restrictions set out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions detailed in regulations. It is expected that in most cases the mandatory and default conditions will be appropriate and sufficient but the London Borough of Barnet is able to exclude default conditions and also attach others. London Borough of Barnet will be concerned to ensure that appropriate conditions are attached to licences and if it believes that the mandatory and default conditions will not be appropriate or sufficient in a particular case, it will be minded to impose others. Similarly, it may be prepared to remove or amend default conditions if satisfied that to do so would not harm the licensing objectives.

10.16.2 The London Borough of Barnet accepts that conditions, other than mandatory ones, must be tailored to the individual style and characteristics of the premises concerned. Apart from the mandatory conditions, the London Borough of Barnet will not apply conditions from a standard list without regard to the particular circumstances of the application. It will only apply conditions if they are:

- Relevant to the need to make the proposed building suitable as a gambling facility, or
- Directly related to the type of licence applied for
- Relevant to one or more of the licensing objectives
- Fairly and reasonably related to the scale and type of premises
- Reasonable in all other respects.

In this way, unnecessary or disproportionate conditions will be avoided.

10.16.3 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the London Borough of Barnet will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This London Borough of Barnet will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

10.16.4 This London Borough of Barnet will also consider specific measures which may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

10.16.5 The London Borough of Barnet believes that children should not normally be permitted access to premises or parts of premises where gambling takes place.

10.16.6 The London Borough of Barnet will ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder;
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18 years of age.
- Ages of younger patrons are checked.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

10.16.7 The London Borough of Barnet is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The London Borough of Barnet will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

10.16.8 If there is justified concern about serious, disruptive or threatening disorder, particularly if Police intervention has been necessary, suitable licence conditions such as door supervision or the use of CCTV will normally be appropriate.

10.16.9 Licence conditions may be imposed if there is justified concern about burglary targeted at gaming machines or the use of gaming machines by children.

10.16.10 If The London Borough of Barnet is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

10.16.11 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be Security Industries Act licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Gambling Commission's Guidance, Part 33).

10.16.12 When considering whether to impose a licence condition to restrict the number of betting machines in particular premises, London Borough of Barnet will take into

account the size of the premises, the number of counter positions available for person to person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

10.16.13 It is noted that there are conditions which the London Borough of Barnet cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes

10.16.14 The fairness and openness of gambling are primarily matters for the Gambling Commission, which has the power to impose relevant conditions on operating and personal licences. The London Borough of Barnet will not impose conditions on premises licences in connection with this objective except in the case of track licences, where the track operator may not have an operating licence.

## 10.17 REVIEWS

10.17.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the London Borough of Barnet to decide whether the review is to be carried out. This decision will be made on the basis of whether the request for the review is relevant to the matters listed below but London Borough of Barnet will not review a licence if it considers the request to be frivolous, vexatious or repetitious, or that a review will certainly not cause the London Borough of Barnet to alter, revoke or suspend the licence, or the request is substantially the same as previous representations or requests for review. The holding of a review must be:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- consistent with the licensing objectives and
- in accordance with the authority's statement of principles.

10.17.2 The London Borough of Barnet can itself initiate a review of a licence and may do so if it appears to its officers that the licensing objectives are being harmed. It is open to any officer of the London Borough of Barnet authorised to do so to initiate a review in the London Borough of Barnet's name but it is expected that in most cases licensing officers will take the lead.

10.17.3 The London Borough of Barnet does not wish its licensing officers to take on the initiation of a review that could otherwise be requested by another responsible authority or an interested party. Where evidence of harm to the licensing objectives is provided by either a responsible authority or interested party wanting a review to take place, London Borough of Barnet expects that they, not the licensing officers, will normally initiate the review.

10.17.4 Once a valid application for a review has been received by The London Borough of Barnet, representations can be made by responsible authorities and interested parties during a 28-day period. This period begins 7 days after the application was received by London Borough of Barnet, who will publish notice of the application within 7 days of receipt. London Borough of Barnet must carry out the review as soon as possible after the 28-day period for making representations has passed.

10.17.5 The purpose of the review will be to determine whether The London Borough of Barnet should take any action in relation to the licence. If action is justified, the options open to the London Borough of Barnet are;

- (a) add, remove or amend a licence condition imposed by The London Borough of Barnet;
- (b) exclude a default condition imposed by the Secretary of State or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months;  
and
- (d) revoke the premises licence.

10.17.6 In determining what action, if any, should be taken following a review, the London Borough of Barnet will have regard to the principles set out in section 153 of the Act, as well as any relevant representations. In particular, London Borough of Barnet will also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

10.17.7 Once the review has been completed, the London Borough of Barnet must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Gambling Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

## 11. PERMITS

### 11.1 General

- 11.1.1 The London Borough of Barnet believes that gambling, including the use of category D gaming machines, is harmful to children. London Borough of Barnet believes that the use of gaming machines by children is not consistent with the third licensing objective.
- 11.1.2 The London Borough of Barnet will not grant permits for any category of gaming machines where it considers that they are likely to be used or easily accessed, by children. Permits may be granted if adequate precautions are offered by the applicant. These could include, for example, steps to prevent access to the machines by children, and training for staff with respect to suspected truants and unsupervised very young children on the premises.
- 11.1.3 This Council is concerned about burglary targeted at gaming machines. The authority considers that this is relevant to the first licensing objective.
- 11.1.4 Precautions to reduce the risk of burglary or theft from the machines may include:
- good security to deter break-ins
  - machines monitored by overt CCTV systems of an adequate standard to meet Police recommendations
  - machines to be of substantial construction to resist damage
  - emptying machines of cash nightly, and displaying a notice stating that this is done
  - siting machines where they can be observed by staff or the licence holder to deter theft when the premises are open
  - providing adequate secure cash storage facilities to Police recommendations.
- 11.1.5 The London Borough of Barnet recommends that applicants consult the Police, including the local Safer Neighbourhood Team, at an early stage, to obtain advice about crime prevention measures.
- 11.1.6 When considering an application for a permit, the London Borough of Barnet will take into account the applicant's suitability (including whether they have a conviction for any relevant offence).

### 11.2 Unlicensed Family Entertainment Centre gaming machine permits

- 11.2.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to The London Borough of Barnet for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 11.2.2 An application for a permit may be granted only if The London Borough of Barnet is satisfied that the premises will be used as an Unlicensed Family Entertainment Centre (UFEC) and if the chief officer of police has been consulted on the application.

11.2.3 The London Borough of Barnet will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures including training for staff as regards suspected truant school children on the premises, measures including training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.

11.2.4 The London Borough of Barnet will expect applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions
- that staff are trained to have a full understanding of the maximum stakes and prizes.

11.2.5 It should be noted that The London Borough of Barnet cannot attach conditions to this type of permit.

### **11.3 Alcohol Licensed Premises Gaming Machine Permits**

11.3.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify The London Borough of Barnet.

11.3.2 The London Borough of Barnet can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the London Borough of Barnet, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

11.3.3 The London Borough of Barnet expects licensed premises to be clear on the expectations and requirements in relation to gambling on licensed premises.

<http://www.gamblingcommission.gov.uk/for-licensing-authorities/Licensing-authority-toolkit/Pubs-and-clubs/Pubs-and-clubs-toolkit.aspx>

### **11.4 Alcohol Licensed Premises Gaming Machine Permits 3 or More Machines**

11.4.1 If premises wish to have more than 2 machines, then it needs to apply for a permit. The London Borough of Barnet will consider that application based upon the licensing

objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and any other matters that it may think relevant.

11.4.2 The London Borough of Barnet expects licensed premises to be clear on the expectations and requirements in relation to gambling on licensed premises.

<http://www.gamblingcommission.gov.uk/for-licensing-authorities/Licensing-authority-toolkit/Pubs-and-clubs/Pubs-and-clubs-toolkit.aspx>

11.4.2 The London Borough of Barnet considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that those aged under 18 years old do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

11.4.3 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

11.4.4 It should be noted that The London Borough of Barnet can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions other than these cannot be attached.

11.4.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

## 11.5 PRIZE GAMING PERMITS

11.5.1 Gaming is prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming.

11.5.2 The London Borough of Barnet has prepared a statement of principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- Clear policies that outline the steps to be taken to protect children from harm.



11.5.3 In making its decision on an application for this permit The London Borough of Barnet does not need to but may have regard to the licensing objectives. However, it must have regard to any Gambling Commission guidance.

11.5.4 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the London Borough of Barnet cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations if a money prize, or the prescribed value if non-monetary prize;
- participation in the gaming must not entitle the player to take part in any other gambling.

11.4.5 The London Borough of Barnet may not impose any further conditions

## **11.6 CLUB GAMING AND CLUB MACHINE PERMITS**

11.6.1 Members clubs and miners' welfare institutes but not commercial clubs may apply for a club gaming permit. The club gaming permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in regulations.

11.6.2 Members clubs, miner's welfare institutes and commercial clubs may apply for a club machine permit. A club machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). It should be noted that commercial clubs may not site category B3A gaming machines offering lottery games in their club.

11.6.3 Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs, which replicates the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

11.6.4 Licensing authorities may refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;

- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years;
- (e) an objection has been lodged by the Gambling Commission or the Police.

11.6.5 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police and the grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

11.6.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## 11.7 TEMPORARY USE NOTICES

11.7.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice would include hotels, conference centres and sporting venues.

11.7.2 The London Borough of Barnet can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

11.7.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

11.7.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each

notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the London Borough of Barnet needs to look at, amongst other things, the ownership/occupation and control of the premises.

- 11.7.5 The London Borough of Barnet expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

## **11.8 OCCASIONAL USE NOTICES**

- 11.8.1 The London Borough of Barnet has very little discretion as regards occasional use notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This Council will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## **12. TRAVELLING FAIRS**

- 12.1 The London Borough of Barnet is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 12.2 The London Borough of Barnet will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 12.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land.
- 12.4 The London Borough of Barnet will work with its neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **13. SMALL SOCIETY LOTTERIES**

- 13.1 Registration of non-commercial society lotteries may be refused if it appears that the applicant is a commercial society, and The London Borough of Barnet will therefore expect full details to be provided of the purpose for which the society is established. The London Borough of Barnet may make enquiries to satisfy itself on this point.
- 13.2 If the London Borough of Barnet is minded to refuse to register a lottery, or to revoke a registration, it will inform the applicant, stating the reasons, and the applicant will have the right to make representations. Any such representations will be heard by a sub-committee of the Licensing Committee.

13.3 The London Borough of Barnet does not currently possess an operating licence in its own name for the purposes of promoting a lottery for the benefit of the community.

## 14. INTEGRATION OF LICENSING WITH OTHER STRATEGIES

14.1 The London Borough of Barnet will ensure, so far as is consistent with the Act and Guidance, that action taken under this policy supports and does not conflict with strategies for local crime prevention and community safety, planning, equality, tourism and cultural issues, including in particular:

- The Cultural Strategy for London  
[https://www.london.gov.uk/sites/default/files/2017\\_draft\\_strategies\\_culture\\_2.0.pdf](https://www.london.gov.uk/sites/default/files/2017_draft_strategies_culture_2.0.pdf)
- The objectives of the Security Industry Authority  
<http://www.sia.homeoffice.gov.uk/Pages/home.aspx>
- The Safer Communities Strategy  
<https://www.barnet.gov.uk/citizen-home/housing-and-community/community-safety.html>
- The Sustainable Communities Strategy  
<https://www.barnet.gov.uk/citizen-home/council-and-democracy/policy-and-performance/major-policy-proposals/sustainable-community-strategy.html>
- Barnet's Equalities policy  
<https://www.barnet.gov.uk/citizen-home/council-and-democracy/policy-and-performance/equality-and-diversity.html>

## 15. TOURISM AND EMPLOYMENT

15.1 The London Borough of Barnet recognises the relevance of licensed premises to tourism and employment in the borough. The Licensing Committee will receive reports from anybody that it considers appropriate on the needs of the local cultural strategy, and tourist economy, including the employment situation in the area and the need for new investment and employment. These issues will be taken into account so far as the Gambling Act permits when making licensing decisions.

## 16. PROMOTION OF EQUALITY

16.1 The London Borough of Barnet encourages the provision of proper facilities for disabled people at licensed premises, and will offer advice and information where necessary to assist applicants.

16.2 The London Borough of Barnet is obliged to have due regard to the need to eliminate unlawful discrimination, for example on the grounds of race, gender, disability, sexual orientation or religion, and to promote equality of opportunity and good relations

between persons of different groups. When considering applications and representations, the London Borough of Barnet will treat all parties equally. However, it can take into account only the issues provided for in the Gambling Act.

## 17 LICENSING REGISTER

17.1 The London Borough of Barnet will establish and maintain a Licensing Register containing the information required by statute, and keep it available for inspection. It can be seen on request to the Licensing Team, telephone 0208 359 7443.

## 18. RELEVANT DOCUMENTS

- The Enforcement Concordat  
<http://webarchive.nationalarchives.gov.uk/+http://www.berr.gov.uk/files/file10150.pdf>
- The Regulators' Compliance Code  
<https://www.gov.uk/government/publications/regulators-code>
- The Human Rights Act 1998  
<http://www.legislation.gov.uk/ukpga/1998/42/contents>
- Crime and Disorder Act 1998  
<http://www.legislation.gov.uk/ukpga/1998/37/contents>
- Equality Act 2010  
<https://www.legislation.gov.uk/ukpga/2010/15/contents>
- Guidance to Local Authorities issued by the Gambling Commission under section 25 of the Gambling Act 2005  
<https://www.gamblingcommission.gov.uk/authorities>

## 19. COMPLAINTS ABOUT THE LICENSING SERVICE

19.1 The London Borough of Barnet will investigate any complaint about the way it deals with a licensing issue and will inform the complainant of the outcome. If the complaint is justified, it will put the problem right if possible. London Borough of Barnet has a formal complaints procedure. For information see [www.barnet.gov.uk/contact-us.htm](http://www.barnet.gov.uk/contact-us.htm)

## 20. FURTHER INFORMATION

20.1.1 Information about applications, fees, how to make a representation, details of the responsible authorities and the licensing register, see [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or contact the Licensing Team on 020 8359 7443,

[licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk) or see The London Borough of Barnet's website, [www.barnet.gov.uk](http://www.barnet.gov.uk)

## 21. COMMENCEMENT AND REVIEW

This policy will come into effect on 13<sup>th</sup> January 2019 It will be kept under review and The London Borough of Barnet may make changes after consultation. It will be renewed every three years. The London Borough of Barnet will be pleased to receive the views of responsible authorities, individuals or organisations at any time.

Matter to be dealt with	Full Council	Licensing Committee	Licensing sub committee	Officers
Final approval of the Licensing Authority Statement of Policy	X			
Policy not to permit casinos	X			
Application for premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application to vary premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for transfer of a licence			Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for provisional statement			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence			All cases	

Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections have been made/objections have been withdrawn
Cancellation of club gaming/club machine permits		All cases	
Applications for other permits			All cases
Cancellation of licensed premises gaming machine permits			All cases
Consideration of temporary use notice			All cases
Decision to give a counter notice to a temporary use notice		All cases	
Decision to reject a representation on the grounds that it is not from an interested party			All cases
Initiation of review of a premises licence by London Borough of Barnet in its capacity as licensing authority			All cases
Fee setting (when appropriate)		Normal budget-setting arrangements	
Consideration of representations when London Borough of Barnet is minded to refuse to register a lottery		All cases	

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or to revoke a lottery  
registration

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**Council**  
**25 January 2022**

<b>Title</b>	<b>Report of the Constitution &amp; General Purposes Committee – Revised Boundaries and Arrangements Residents Forums and Area Committees</b>
<b>Report of</b>	Head of Governance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Appendix 1 – Report to Constitution and General Purposes Committee – 6 January 2022 Appendix 2 – Amendments to Article 7
<b>Officer Contact Details</b>	Salar Rida – Senior Governance Officer 0208 359 7113 – <a href="mailto:salar.rida@barnet.gov.uk">salar.rida@barnet.gov.uk</a>
<b>Summary</b>	
<p>The Constitution and General Purposes Committee at its meeting on 6 January 2022 considered a report (Appendix 1) containing three options for revised boundaries and arrangements for Residents Forums and Area Committees. The Committee agreed a preferred option as set out in recommendations below. Following approval of the preferred option the required Constitution amendments are reported to Council for approval. Council are therefore recommended to approve the proposed Constitution amendments to come into effect in May 2022 in line with the implementation of the local ward boundary changes.</p>	

## **Recommendations**

- 1. That Council note the report of the Constitution & General Purposes Committee held on 6 January 2022 (Appendix 1).**
- 2. That Council note that the Constitution & General Purposes Committee agreed the following:**

**That the preferred option for revised arrangements for Residents Forums and Area Committees is the following:**

  - a) Option 2 is preferred in terms of geographical composition, but with East renamed as Chipping Barnet, South as Finchley & Golders Green and West as Hendon.**
  - b) For Member composition, political proportionality will not apply, and appointments will be area based so each ward sends one member to their respective committee. For three-Member split wards, the party with most members in that ward will decide the representative. For two-Member split wards, Full Council will appoint.**
  - c) It is noted that the number of councillors and residents per committee is unequal, and it proposed that the principles of the committee structure be established first, then at a later date the financial allocations for each committee can be decided.**
  - d) The new structure should be implemented from 6 May 2022.**
- 3. That Council approve the Constitution amendments as set out in Appendix 2 of this report, which will come into effect on 6 May 2022.**
- 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 Appendix 1.
- 1.2 Following consideration of the report attached at Appendix 1, the Committee resolved the following:

“That the preferred option for revised arrangements for Residents Forums and Area Committees is the following:

  - a) Option 2 is preferred in terms of geographical composition, but with East renamed as Chipping Barnet, South as Finchley & Golders Green and West as Hendon.
  - b) For Member composition, political proportionality will not apply, and appointments will be area based so each ward sends one member to their

respective committee. For three-Member split wards, the party with most members in that ward will decide the representative. For two-Member split wards, Full Council will appoint.

c) It is noted that the number of councillors and residents per committee is unequal, and it proposed that the principles of the committee structure be established first, then at a later date the financial allocations for each committee can be decided.

d) The new structure should be implemented from 6 May 2022.”

1.3 The associated Constitution amendments are set out in Appendix 2 for Council consideration and approval.

## **2. REASONS FOR RECOMMENDATIONS**

2.1 As set out in the report attached at Appendix 1.

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

3.1 Alternative options are set out in the report attached at Appendix 1.

## **4. POST DECISION IMPLEMENTATION**

4.1 Following approval by Council, the amendments to the Constitution as set out Appendix 2 will be implemented on 6 May 2022 when the new ward boundaries come into effect. 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.

## **5. IMPLICATIONS OF DECISION**

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

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

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

5.2.1 As set out in the report attached at Appendix 1.

### **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 Insight**

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

#### **5.5 Social Value**

5.5.1 Not applicable in the context of this report.

#### **5.6 Risk Management**

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

#### **5.7 Equalities and Diversity**

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

#### **5.8 Corporate Parenting**

5.8.1 None in the context of this report.

#### **5.9 Consultation and Engagement**

5.9.1 As set out in the report attached at Appendix 1.

### **6. Environmental Impact**

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

## **7. BACKGROUND PAPERS**

7.1 As set out in the report attached at Appendix 1.

	<h2>Constitution and General Purposes Committee</h2> <h3>6 January 2022</h3>
<b>Title</b>	<b>Revised Boundaries and Arrangements – Residents Forums and Area Committees</b>
<b>Report of</b>	Head of Governance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	None
<b>Officer Contact Details</b>	Salar Rida – Senior Governance Officer <a href="mailto:salar.rida@barnet.gov.uk">salar.rida@barnet.gov.uk</a> – 020 8359 7113

## Summary

As a result of the final outcomes of the Local Government Boundary Commission for England (LGBCE) review of ward boundaries in the London Borough of Barnet, there will be changes to the number of wards, the number of Councillors per ward and ward boundaries which will come into effect in May 2022.

The ward boundary changes will have an impact on the Councils area based governance arrangements (i.e. Area Committees and Residents Forums) as there will be more wards and a mixture of two and three Member wards.

Officers developed various options for revised arrangements relating to Residents Forums and Area Committees which were discussed with the Local Government Boundary Review Member Reference Group. Feedback was received from the individual political groups on the options. The Committee are asked to agree the preferred option for implementation in May 2022.

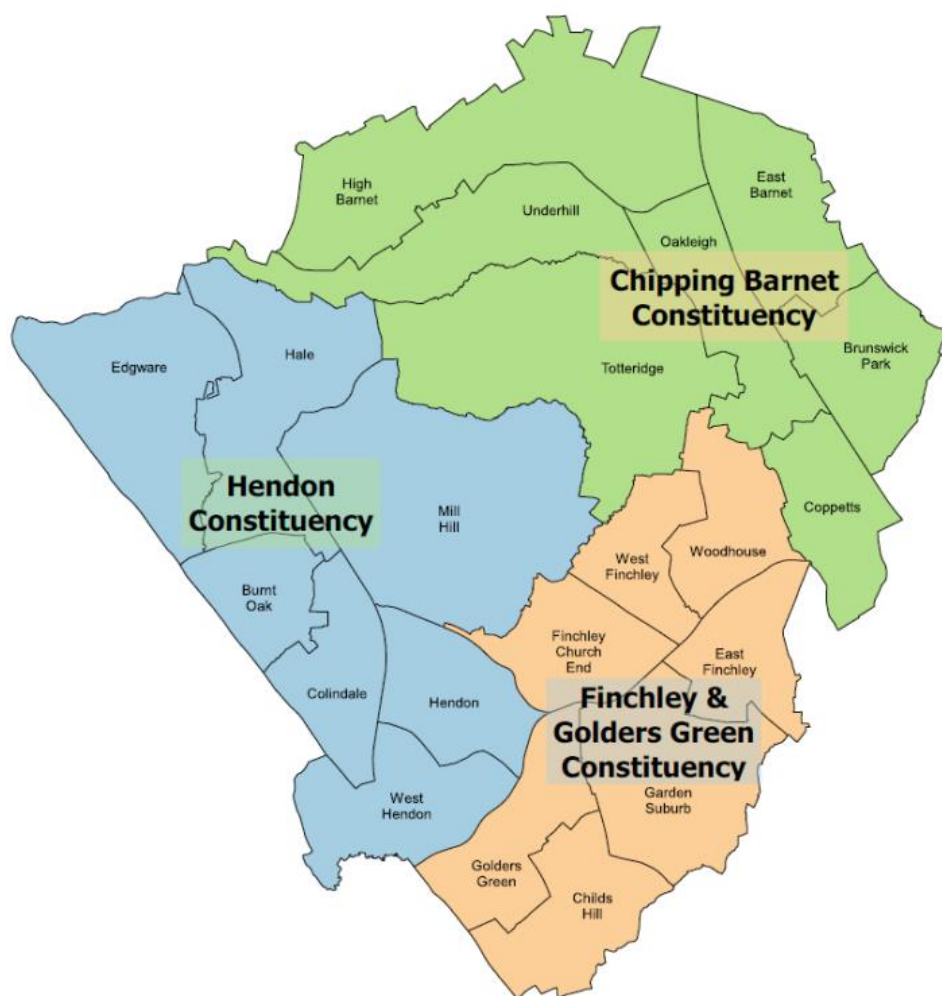
Subject to Committee approval of the preferred option, officers will draft the required Constitution amendments and report these to Council for approval.

## **Officers Recommendations**

- 1. That the Constitution and General Purposes Committee note the report.**
- 2. That the Constitution and General Purposes Committee indicate their preferred option for revised arrangements for Residents Forums and Area Committees:  
a) is there a desire for Area Committees to which proportionality does not apply and the membership is made up of elected members from that area; and  
b) the preferred option for the geographical areas for the committees.**
- 3. That the Constitution and General Purposes Committee approve the option for revised arrangements for Residents Forums and Area Committees and recommend to Council in May 2022 that the Constitution be amended to give effect to the changes in May 2022.**
- 4. That the Constitution and General Purposes Committee agree that Residents Forums are aligned to the revised Area Committee boundaries from May 2022 and continue to operate under the existing membership format consisting of Chair and Vice-Chair appointed by Council.**

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

- 1.1 In Barnet, there are currently 21 wards in total and seven wards for each of the Parliamentary constituencies for Hendon, Chipping Barnet and Finchley & Golders Green.



1.2 Each of the Barnet Parliamentary constituencies currently include the following wards:

<b>Hendon</b>	<b>Chipping Barnet</b>	<b>Finchley &amp; Golders Green</b>
1. Burnt Oak	1. Brunswick Park	1. Childs Hill
2. Colindale	2. Coppetts	2. Finchley Church End
3. Edgware	3. East Barnet	3. East Finchley
4. Mill Hill	4. High Barnet	4. Garden Suburb
5. Hale	5. Oakleigh	5. Golders Green
6. Hendon	6. Underhill	6. Woodhouse
7. West Hendon	7. Totteridge	7. West Finchley

1.3 The key changes from the final recommendations of the Local Government Boundary Commission for England (LGBCE) for Barnet are summarised below. The new changes mean that there will be an increase in the number of wards in Barnet from 21 to 24.

<b>Existing Arrangements</b>	<b>New Arrangements (5 May 2022)</b>
63 Councillors	63 Councillors
21 Wards	24 Wards
3 Councillors/Ward	15 x 3-Councillor Wards and 9 x 2-Councillor Wards

1.4 The number of Councillors per ward for the current and new ward arrangements are:

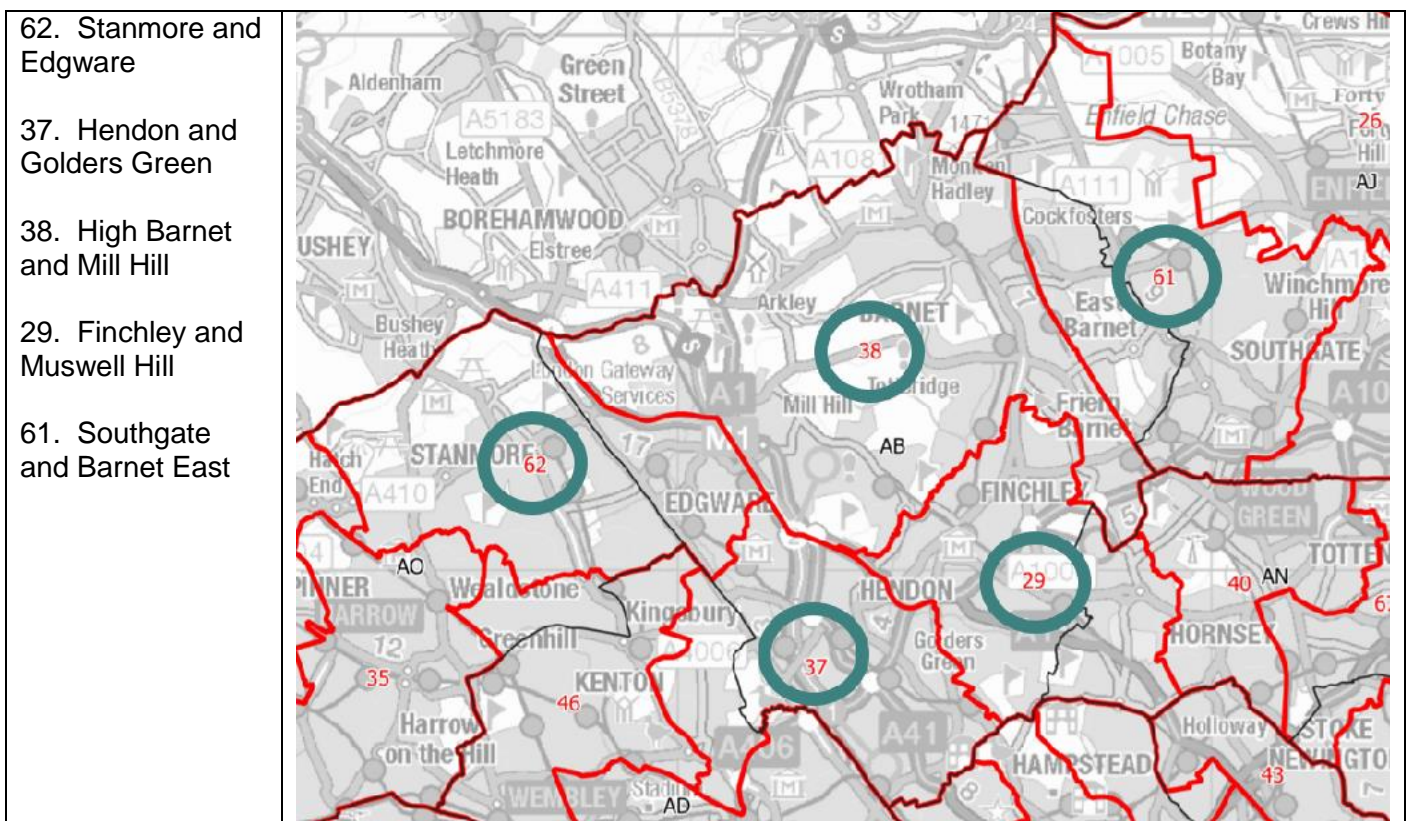
Existing Ward Arrangements			New Ward Arrangements		
	Ward	Councillors		Ward	Councillors
1	Brunswick Park	3	1	Barnet Vale	3
2	Burnt Oak	3	2	Brunswick Park	3
3	Childs Hill	3	3	Burnt Oak	3
4	Colindale	3	4	Childs Hill	3
5	Coppetts	3	5	Colindale North	2
6	East Barnet	3	6	Colindale South	3
7	East Finchley	3	7	Cricklewood	2
8	Edgware	3	8	East Barnet	3
9	Finchley Church End	3	9	East Finchley	3
10	Garden Suburb	3	10	Edgware	3
11	Golders Green	3	11	Edgwarebury	2
12	Hale	3	12	Finchley Church End	3
13	Hendon	3	13	Friern Barnet	3
14	High Barnet	3	14	Garden Suburb	2
15	Mill Hill	3	15	Golders Green	2
16	Oakleigh	3	16	Hendon	3
17	Totteridge	3	17	High Barnet	2
18	Underhill	3	18	Mill Hill	3
19	West Finchley	3	19	Totteridge & Woodside	3
20	West Hendon	3	20	Underhill	2
21	Woodhouse	3	21	West Finchley	3
			22	West Hendon	3
			23	Whetstone	2
			24	Woodhouse	2
	<b>Total</b>	<b>63</b>		<b>Total</b>	<b>63</b>

1.5 The implications for the ward arrangements from the LGBCE review means that each ward will have new boundaries as of May 2022, as displayed in the map below.



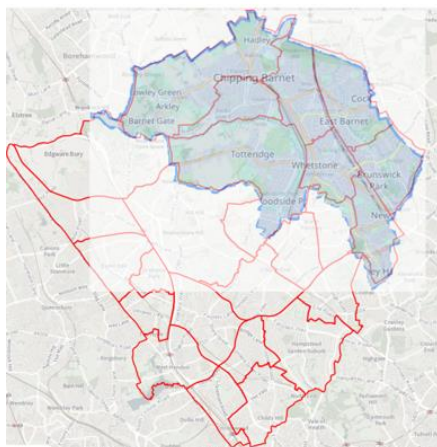


- 1.6 The Boundary Commission for England (BCE) is currently conducting a review of the Parliamentary constituencies. The BCE is required to make a formal final report to the Speaker of the House of Commons before 1 July 2023, recommending any changes that it believes are appropriate to the distribution, size, shape, name or designation of constituencies in England.
- 1.7 The Member Steering Group requested that consideration was given to aligning the local government ward boundary changes with the BCE review of parliamentary constituencies. Whilst this may have been a helpful consideration, the timetables for the two reviews are not aligned. Changes to the Barnet Parliamentary constituencies are not expected until mid-2023 at the earliest and proposals could change following consultation. The initial proposals for the London Region covering Barnet are set out below:

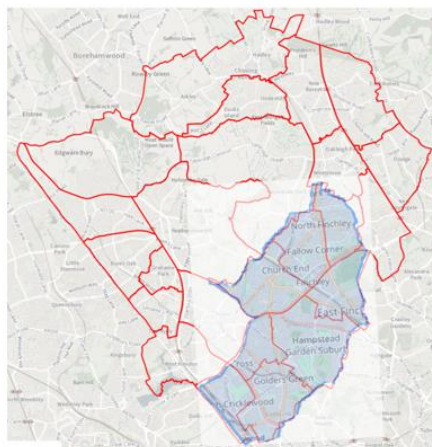


- 1.8 The timetable for consultation and submission of the final report and recommendations of the Parliamentary Boundary review 2023 can be found here: <https://boundarycommissionforengland.independent.gov.uk/2023-review/>
- 1.9 Using the BCE parliamentary constituency proposals presents a number of key issues for area based arrangements, as follows:
- Using the proposed constituencies would require a comprehensive revision to the existing three areas as there is no congruence between proposed new parliamentary constituencies, the borough boundaries and the local government wards.
  - If Barnet’s new area committee boundaries link to the new parliamentary constituencies, then there will be a gap between the ward boundaries coming into effect in May 2022 and the new parliamentary boundaries coming into effect (on a date TBC).
  - In the interim period, between May 2022 and the new parliamentary boundaries coming into effect (expected 2023) the new ward arrangements are not coterminous with the existing parliamentary boundaries in Barnet, as illustrated below:

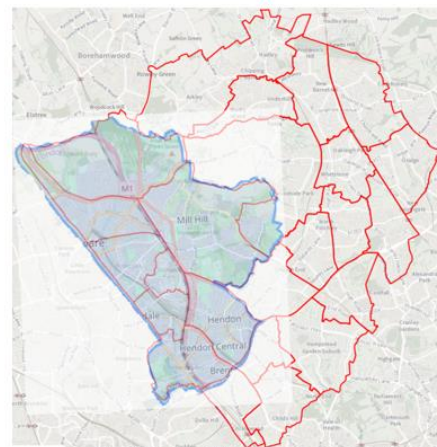
Chipping Barnet



Finchley & Golders Green



Hendon



1.10 It was therefore agreed by the Member Reference Group that proposals should be worked up without reference to the parliamentary review.

1.11 The Member Reference Group considered Area Committee / Residents Forums options at their meetings on 13 July 2021 and 14 September 2021. The Group were consulted and agreed on the principles for the revision for area-based governance arrangements as follows:

- Retain x3 Area Committees and x3 Residents Forums
- Develop 3 new areas which are broadly congruent with existing Area Committee and Residents Forum boundaries
- Equal number of Wards per Area – 24 new Wards → 8 Wards within each Area Committee area
- Equal number of Members per Area:  $63/3= 21$  Members per Area (in so far as is possible)
- Equal number of Electors per Area (as far as possible) taking into account projected growth in electors and population
- Have regard to the Parliamentary Constituency Boundary Review

1.12 Following consultation and feedback from the Member Reference Group, three options were proposed for the new area based governance arrangements for Residents Forums and Area Committees.

1.13 The initial proposals are summarised as follows:

Option 1:

	East Area	West Area	South Area
Number of Cllrs	21	21	21
Number of Wards	8	8	8

Option 2:

	East Area	West Area	South Area
Number of Cllrs	21	22	20
Number of Wards	8	8	8

Option 3:

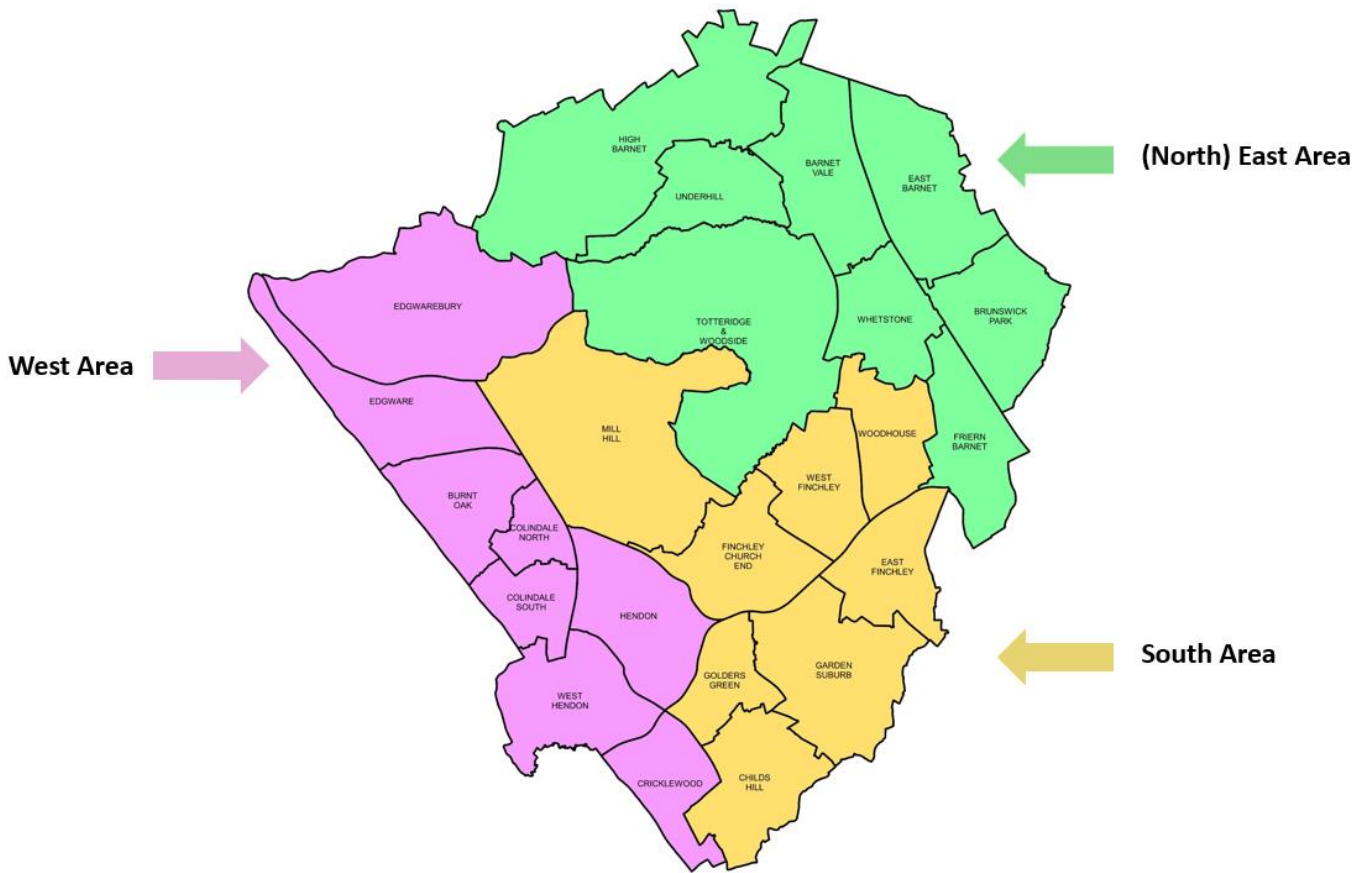
	North Area	West Area	East Area
Number of Cllrs	21	21	21
Number of Wards	8	8	8

- 1.13 A detailed breakdown for each option including maps is presented in following sections of the report:
- Option 1 sections 1.14 – 1.17
  - Option 2 sections 1.18 – 1.20
  - Option 3 sections 1.21 – 1.25

#### Option 1

- 1.14 Option 1 retains an equal number of councillors per area. The elector numbers based on 2020 figures are slightly unbalanced, but are approximately balanced by 2025. This option is broadly consistent with our existing area-based governance arrangements.

1.15 Map for option 1:



1.16 The number of Councillors per Area and per Ward for option 1:

East Area		West Area		South Area	
High Barnet	2	Edgwarebury	2	Mill Hill	3
Barnet Vale	3	Edgware	3	Childs Hill	3
Underhill	2	Burnt Oak	3	East Finchley	3
East Barnet	3	West Hendon	3	West Finchley	3
Brunswick Park	3	Hendon	3	Golders Green	2
Whetstone	2	Cricklewood	2	Woodhouse	2
Friern Barnet	3	Colindale North	2	Finchley Church End	3
Totteridge & Woodside	3	Colindale South	3	Garden Suburb	2
<b>TOTAL:</b>	<b>21</b>	<b>TOTAL:</b>	<b>21</b>	<b>TOTAL:</b>	<b>21</b>

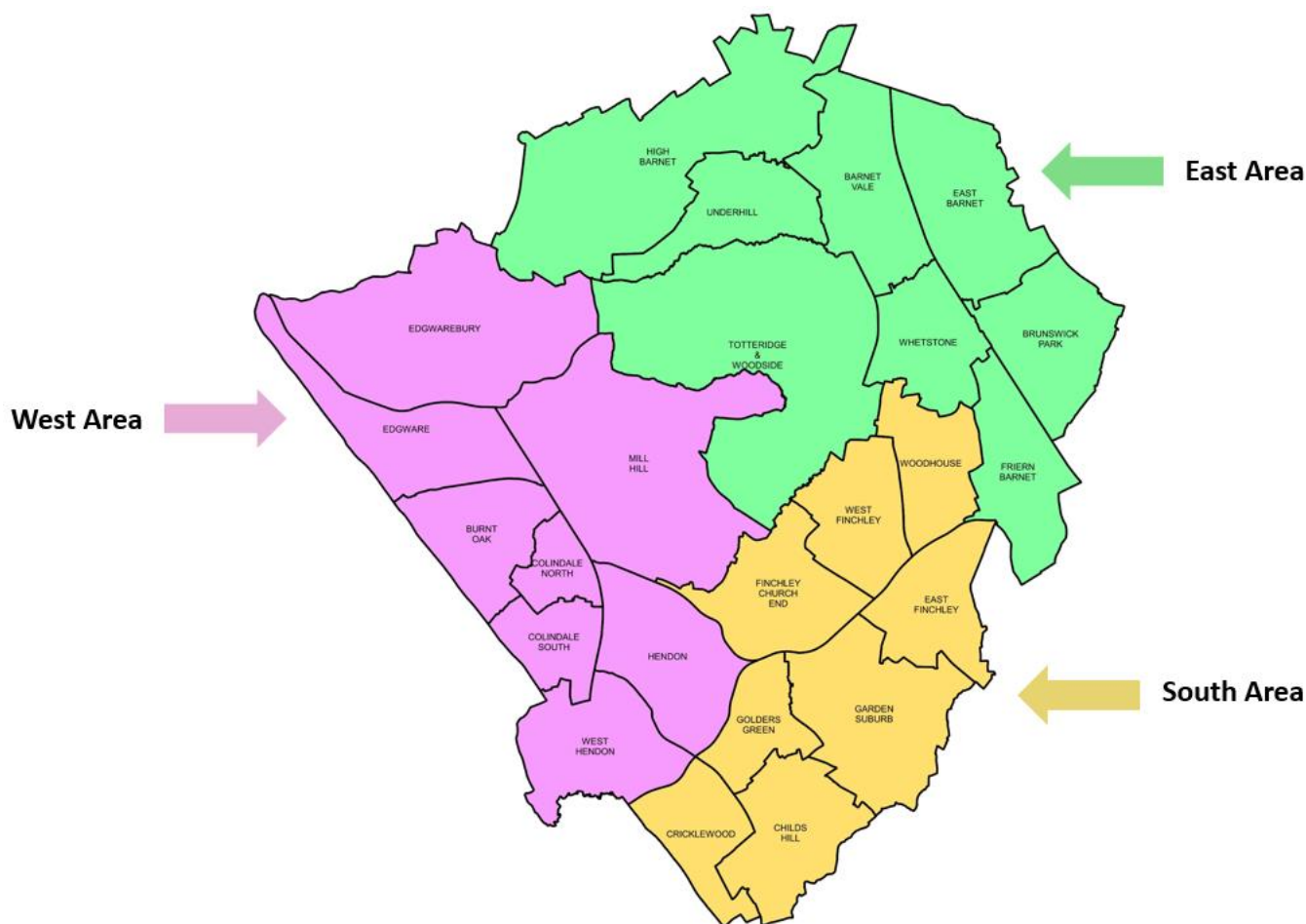
1.17 The number of electors\*<sup>1</sup> per Area and per Ward for option 1:

East Area			West Area			South Area		
Ward	2020	2025	Ward	2020	2025	Ward	2020	2025
High Barnet	8,493	9,233	Edgwarebury	7,927	8,769	Mill Hill	11,799	13,018
Barnet Vale	11,578	12,284	Edgware	12,391	13,743	Childs Hill	11,014	12,581
Underhill	8,491	9,156	Burnt Oak	11,424	13,447	East Finchley	10,487	11,545
East Barnet	11,818	13,007	West Hendon	9,028	12,506	West Finchley	11,650	13,004
Brunswick Park	11,029	13,096	Hendon	11,786	13,576	Golders Green	7,818	8,396
Whetstone	7,370	8,543	Cricklewood	5,177	7,903	Woodhouse	8,716	9,493
Friern Barnet	11,564	12,795	Colindale North	6,254	9,055	Finchley Church End	12,036	13,523
Totteridge & Woodside	9,481	11,910	Colindale South	8,814	13,360	Garden Suburb	8,863	9,231
<b>TOTAL:</b>	<b>79,824</b>	<b>90,024</b>	<b>TOTAL:</b>	<b>72,801</b>	<b>92,359</b>	<b>TOTAL:</b>	<b>82,383</b>	<b>90,791</b>

Option 2

1.18 Option 2 has an unequal number of Councillors per area which could impact on the way that the committees are constituted. Elector numbers based on 2020 figures are balanced, but an imbalance is projected by 2025. This option is the closest comparison to the existing Barnet parliamentary constituency boundaries for Chipping Barnet, Hendon and Finchley & Golders Green. Map for option 2:

<sup>1</sup> Note: Options presented are based on electorate rather than population figures. Population figures currently use 2011 census data and so are out of date. If population data were to be used, it would ideally use the 2021 census data which will not be available until later in 2022.



1.19 The number of Councillors per Area and per Ward for option 2:

East Area		West Area		South Area	
High Barnet	2	Edgwarebury	2	Cricklewood	2
Barnet Vale	3	Edgware	3	Childs Hill	3
Underhill	2	Burnt Oak	3	East Finchley	3
East Barnet	3	West Hendon	3	West Finchley	3
Brunswick Park	3	Hendon	3	Golders Green	2
Whetstone	2	Mill Hill	3	Woodhouse	2
Friern Barnet	3	Colindale North	2	Finchley Church End	3
Totteridge & Woodside	3	Colindale South	3	Garden Suburb	2
<b>TOTAL:</b>	<b>21</b>	<b>TOTAL:</b>	<b>22</b>	<b>TOTAL:</b>	<b>20</b>

1.20 The number of electors<sup>2</sup> per Area and per Ward for option 2\*:

East Area			West Area			South Area		
Ward	2020	2025	Ward	2020	2025	Ward	2020	2025
High Barnet	8,493	9,233	Edgwarebury	7,927	8,769	Cricklewood	5,177	7,903
Barnet Vale	11,578	12,284	Edgware	12,391	13,743	Childs Hill	11,014	12,581
Underhill	8,491	9,156	Burnt Oak	11,424	13,447	East Finchley	10,487	11,545
East Barnet	11,818	13,007	West Hendon	9,028	12,506	West Finchley	11,650	13,004
Brunswick Park	11,029	13,096	Hendon	11,786	13,576	Golders Green	7,818	8,396
Whetstone	7,370	8,543	Mill Hill	11,799	13,018	Woodhouse	8,716	9,493
Friern Barnet	11,564	12,795	Colindale North	6,254	9,055	Finchley Church End	12,036	13,523
Totteridge & Woodside	9,481	11,910	Colindale South	8,814	13,360	Garden Suburb	8,863	9,231
<b>TOTAL:</b>	<b>79,824</b>	<b>90,024</b>	<b>TOTAL:</b>	<b>79,423</b>	<b>97,474</b>	<b>TOTAL:</b>	<b>75,761</b>	<b>85,676</b>

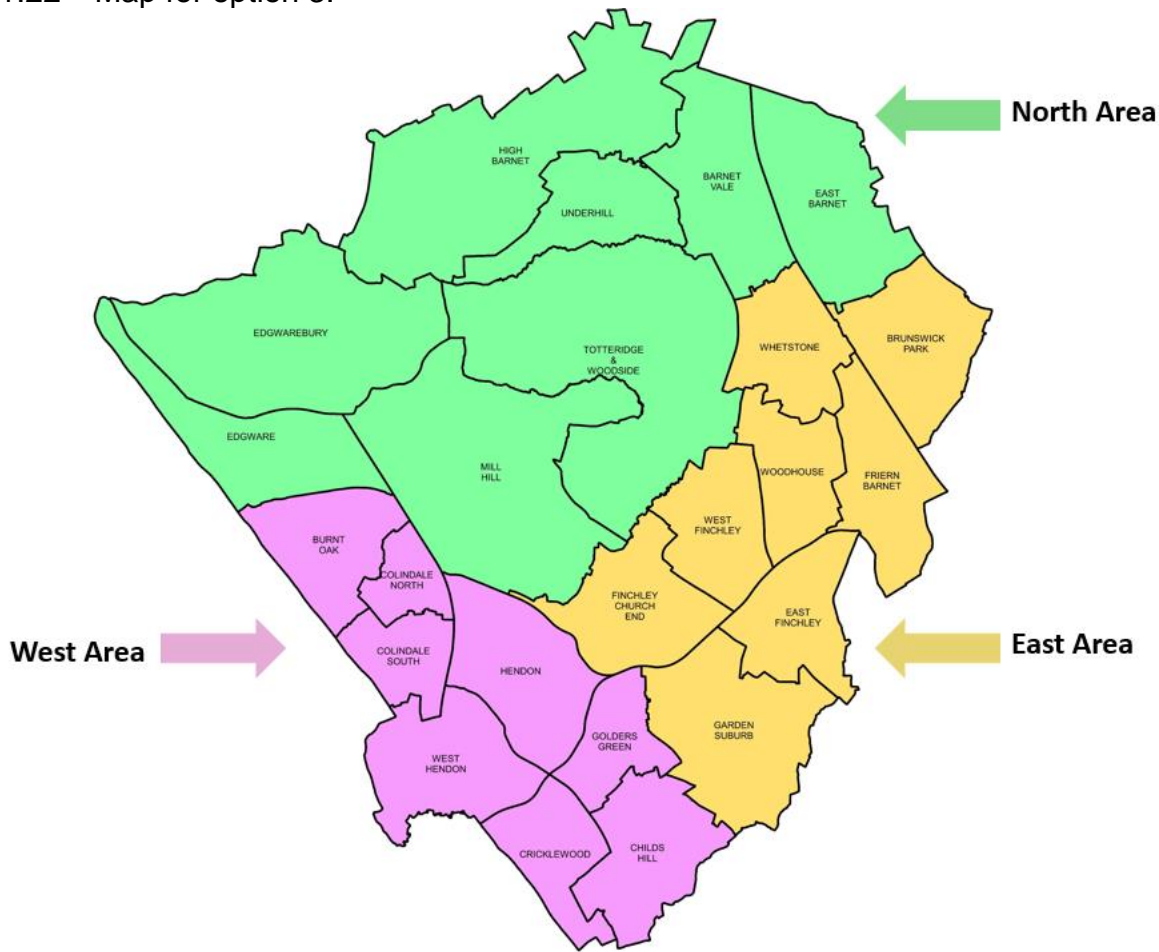
Option 3

1.21 Option 3 retains an equal number of councillors per area. Elector numbers based on 2020 figures are slightly unbalanced, but are broadly balanced by 2025. This option is inconsistent with our existing area based governance boundary arrangements.

<sup>2</sup> Note: Options presented are based on electorate rather than population figures. Population figures currently use 2011 census data and so are out of date. If population data were to be used, it would ideally use the 2021 census data which will not be available until later in 2022.



1.22 Map for option 3:



1.23 The number of Councillors per Area and per Ward for option 3:

North Area		West Area		East Area	
East Barnet	3	Burnt Oak	3	Brunswick Park	3
Barnet Vale	3	Colindale North	2	Friern Barnet	3
High Barnet	2	Colindale South	3	Whetstone	2
Underhill	2	West Hendon	3	Woodhouse	2
Totteridge and Woodside	3	Hendon	3	West Finchley	3
Mill Hill	3	Golders Green	2	Finchley Church End	3
Edwarebury	2	Cricklewood	2	East Finchley	3
Edware	3	Childs Hill	3	Garden Suburb	2
<b>TOTAL:</b>	<b>21</b>	<b>TOTAL:</b>	<b>21</b>	<b>TOTAL:</b>	<b>21</b>

1.24 The number of electors<sup>3</sup> per Area and per Ward for option 3:

Ward	2020	2025	Ward	2020	2025	Ward	2020	2025
East Barnet	11,818	13,007	Burnt Oak	11,424	13,447	Brunswick Park	11,029	13,096
Barnet Vale	11,578	12,284	Colindale North	6,254	9,055	Friern Barnet	11,564	12,795
High Barnet	8,493	9,233	Colindale South	8,814	13,360	Whetstone	7,370	8,543
Underhill	8,491	9,156	West Hendon	9,028	12,506	Woodhouse	8,716	9,493
Totteridge and Woodside	9,481	11,910	Hendon	11,786	13,576	West Finchley	11,650	13,004
Mill Hill	11,799	13,018	Golders Green	7,818	8,396	Finchley Church End	12,036	13,523
Edgwarebury	7,927	8,769	Cricklewood	5,177	7,903	East Finchley	10,487	11,545
Edgware	12,391	13,743	Childs Hill	11,014	12,581	Garden Suburb	8,863	9,231
<b>Total:</b>	<b>81,978</b>	<b>91,120</b>	<b>Total:</b>	<b>71,315</b>	<b>90,824</b>	<b>Total:</b>	<b>81,715</b>	<b>91,230</b>

1.25 Under the options presented, Area Committees could be appointed to on a politically proportionate basis, or on an area basis. Legal provisions are set out in the table below:

Area Based	Proportionately
<p>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 –</p> <p>(i) the authority is a county, district or London borough council; and</p> <p>(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</p>	<p>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 (Committees and Political Groups) Regulations 1990. Section 15(5) of the Local Government and Housing Act 1989 sets out the principles as follows:</p> <p>a) that not all the seats on the body are allocated to the same political group;</p> <p>b) that the majority of the seats on the body is allocated to a particular political group if the</p>

<sup>3</sup> Note: Options presented are based on electorate rather than population figures. Population figures currently use 2011 census data and so are out of date. If population data were to be used, it would ideally use the 2021 census data which will not be available until later in 2022.

<p>(iii) the area of that part does not exceed two-fifths of the total area of the authority; or</p> <p>(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.</p>	<p>number of persons belonging to that group is a majority of the authority's membership;</p> <p>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</p> <p>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.</p>
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### Composition Considerations

- 1.26 Retaining three areas meets the requirements to enable Area Committees to be constituted on an area basis (i.e. less than 2/5 of the area; and less than 2/5 of the estimated population)
- 1.27 The current composition of Area Committees = 7 (comprising one Member and one substitute Member for each Ward). Each new area will have 8 wards. If constituting on an area basis continues, the number of Members appointed could increase to 8.
- 1.28 An alternative to area composition is to appoint based on political proportionality. Each committee would have representation proportionate to their strength on the Council. Based on an 8 Member committee and using the current political balance figures the seat allocations would be 5 Conservative and 3 Labour for each committee.
- 1.29 To retain an area link, Article 7 of the Constitution could be amended to have in the 'Membership' column that: the primary Member is a Ward Member; and the Substitute Member is recommended to be the Ward Member, but could be any Member from the area covered by the Area Committee.
- 1.30 Ward Members could still make applications to the Area Committee CIL Budgets without being appointed to the Committee (as is the case currently).

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The above recommendations are put forward to the Committee in order to enable the Council to effectively plan towards future business of the Area based arrangements for Area Committees and Residents Forums.

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

- 3.1 As set out under section 1.9 of the report, using the proposed BCE parliamentary constituency proposals would require a comprehensive revision to the existing three

areas as there is no congruence between parliamentary constituencies, the borough boundaries and the local government wards. If Barnet's new area committee boundaries link to the new parliamentary constituencies, then there will be a gap between the ward boundaries coming into effect in May 2022 and the new parliamentary boundaries coming into effect (on a date TBC).

- 3.2 Three alternative options were proposed to Members for consideration as outlined in section 1 above.

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

- 4.1 Following the Committee's decision, a report will be prepared for Council detailing the Constitution amendments required to give effect to the approved option for area based arrangements for Area Committees and Residents Forums for implementation in May 2022 when the new ward boundaries come into effect.

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

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

- 5.1.1 To ensure effective participation and efficient procedures are in place are key aims which align with the Council's Corporate Plan, Barnet 2024.

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

- 5.2.1 There are no direct resource implications arising from the proposals set out in this report. The options presented have no current implications for the Neighbourhood CIL budgets delegated to Area Committees (£0.4m per committee per year). The options have no impact on the current officer support arrangements either.

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

- 5.3.1 Under Article 7 (Committees Forums Working Groups and Partnerships) of the Council's Constitution, the terms of reference of the Constitution and General Purposes Committee includes the following responsibilities:

To have responsibility for overseeing the Council's governance arrangements including:

- 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

- 5.3.2 Under Article 4 (Full Council) of the Council's Constitution Council has responsibility for "Adopting and changing the Constitution (unless delegated)."

- 5.3.3 Legal considerations for the composition of the Residents Forums and Area Committees are set out in sections 1.25 to 1.29 of the report.

## 5.4 Insight

5.4.1 Insight information has been used to inform the recommendations and content of the report from:

- Boundary Commission for England review <https://boundarycommissionforengland.independent.gov.uk/2023-review/>
- Mapping data: <https://mapit.mysociety.org/area/2489.html>
- Recommendations from the Local Government Boundary Commission for England review for Barnet: <https://consultation.lgbce.org.uk/node/15057>
- Electoral data: <https://boundarycommissionforengland.independent.gov.uk/wp-content/uploads/2021/06/2021-06-08-Initial-Proposals-London-Region.pdf>
- Population data: <https://s3-eu-west-2.amazonaws.com/lgbce/Reviews/Greater London/Barnet/Final Recs/Barnet Final Recs Report web.pdf>

## 5.5 Social Value

5.5.1 Not applicable in the context of this report.

## 5.6 Risk Management

5.6.1 There is a risk of imbalance and disproportionate representation of areas on the Area Committees and Residents Forums if the new ward boundaries are not coterminous with the area based arrangements coming into effect on 5 May 2022.

## 5.7 Equalities and Diversity

5.7.1 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that committees have regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Tackle prejudice, and
- b) Promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- a) Age
- b) Disability
- c) Gender reassignment
- d) Pregnancy and maternity
- e) Race
- f) Religion or belief
- g) Sex
- h) Sexual orientation
- i) Marriage and civil partnership

5.7.2 Officers do not consider that the proposals will have any detrimental equality implications. Having area committees means that decisions can be made that are more bespoke to a particular area.

## 5.8 Corporate Parenting

5.7.1 None in the context of this report.

## 5.9 Consultation and Engagement

5.9.1 The cross-party Members Reference Group for the implementation of the new ward boundaries arrangements were consulted on the proposals and engaged through their feedback which has informed the content of this report. In addition, service areas such as the Organisational Insight & Intelligence and Electoral Services were consulted on data and information sources set out in the report.

## 6. Environmental Impact

6.1 There are no direct environmental implications from noting the recommendations. Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact, or at least it is neutral.

## 7. BACKGROUND PAPERS

- 7.1 Constitution and General Purposes Committee 4 October 2021 – Implementing the New Warding Arrangements for the London Borough of Barnet – Project Update (June – September 2021):  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=174&MId=10960&Ver=4>
- 7.2 Constitution and General Purposes Committee 22 June 2021 – Implementing the New Warding Arrangements for the London Borough of Barnet – Project Update:  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=174&MId=10959&Ver=4>
- 7.3 Constitution and General Purposes Committee 12 October 2020 – Implementing the Final Recommendations from the Local Government Boundary Commission for England (LGBCE):  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=174&MId=10215&Ver=4>
- 7.4 Council 20 October 2020 – Report of the Constitution and General Purposes Committee, Area Planning Committees and the Boundary Review:  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=10235&Ver=4>

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## **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 as indicated by the Chairmen of the relevant committees in consultation with the Leader. If there is no indication from the committee chairmen, 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"> <li>• 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</li> <li>• Finance including: <ul style="list-style-type: none"> <li>➤ Treasury management</li> <li>➤ Local taxation</li> <li>➤ Insurance</li> <li>➤ Corporate procurement</li> <li>➤ Grants</li> <li>➤ Writing-off debt</li> <li>➤ Virements</li> <li>➤ Effective use of resources</li> </ul> </li> <li>• Procurement Forward Plan</li> <li>• Local Plans (except for matters reserved to Full Council)</li> <li>• Information Technology</li> <li>• Strategic Partnerships</li> <li>• Customer Services and Resident Engagement</li> <li>• Emergency Planning</li> <li>• Equalities</li> </ul> <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 &amp; Safeguarding Committee; Housing &amp; Growth Committee; Children, Education &amp; Safeguarding Committee; Community Leadership &amp; Libraries Committee; or Environment 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"> <li>➤ Analysis of performance</li> <li>➤ Contract variations</li> <li>➤ Undertaking deep dives to review specific issues</li> <li>➤ Monitoring the trading position and financial stability of external providers</li> <li>➤ Making recommendations to the Policy &amp; Resources Committee and/or theme committees on issues arising from the scrutiny of external providers</li> </ul> <p>(2) At the request of the Policy &amp; 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>10</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 &amp; 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"> <li>• housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing.</li> <li>• regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.</li> </ul> <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 &amp; 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 &amp; 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 &amp; Golders Green (Cricklewood, Childs Hill, East Finchley, West Finchley, Golders Green, Woodhouse, Finchley Church End and Garden Suburb Wards);</p> <p>Chipping Barnet (High Barnet, Barnet Vale, Underhill, East Barnet, Brunswick Park, Whetstone, Friern Barnet and Totteridge &amp; Woodside Wards); and</p> <p>Hendon (Edgwarebury, Edgware, Burnt Oak, West Hendon, Hendon, Mill Hill, Colindale North and Colindale South Wards)</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>8</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One Member and one substitute member for each Ward. For three-Member split wards, the party with most Members in that ward will decide the representative. For two-Member split wards, Full Council will appoint</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"> <li>• is within the categories which must be referred to the Mayor of London under the London Mayor Order;</li> <li>• does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure; or</li> <li>• is by or on behalf of the Council and, in the opinion of the relevant Chief Planning Officer], it is a significant development</li> </ul> <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"> <li>• Applications for Planning Permission made under the Town and Country Planning Act 1990;</li> <li>• Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990;</li> <li>• Applications for Consent to Display an Advertisement made under the Town and Country Planning (Control of</li> </ul>	<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"> <li>• 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”</li> </ul> <p>Where the recommendation is for:</p> <ul style="list-style-type: none"> <li>• 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)</li> <li>• approval or refusal and there is a Councillor referral of an application which that Member has ‘called-in’ to committee identifying a planning consideration.</li> </ul> <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"> <li>• Electoral Services including: elections and electoral registration performance; and polling places and polling district boundaries</li> <li>• Determine Members requests for non-committee information as specified in the Members Information Management Policy</li> <li>• Endorsing the calendar of meetings prior to Council approval</li> <li>• Health and Safety Strategy and Performance</li> <li>• Member Development</li> <li>• Staff matters generally (other than those within the remit of Chief Officer Appointment Panel) including: <ul style="list-style-type: none"> <li>➤ salaries and terms and conditions;</li> <li>➤ approval of staffing restructures involving 20 or more employees;</li> <li>➤ deciding on chief officer salary or severance packages over £100,000;</li> <li>➤ approving the chief officer structure;</li> <li>➤ pay and reward strategy;</li> <li>➤ HR policies which go over and above statutory requirements;</li> <li>➤ develop the annual pay policy statement for Full Council approval</li> </ul> </li> </ul>	<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	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:  (1) To ensure compliance with all Local Government Pension Scheme statutes, regulations and best practice.  (2) To consider approval and act in accordance with statutory Pension Fund documents: <ul style="list-style-type: none"> <li>• Investment Strategy Statement</li> <li>• Funding Strategy Statement</li> <li>• Governance Policy Statement</li> <li>• Pension Administration Strategy</li> <li>• Communication Policy Statement.</li> </ul> To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so.  (3) If required, to appoint and monitor: <ul style="list-style-type: none"> <li>• Investment advisors</li> <li>• Pension Fund investment managers</li> <li>• Pension Fund actuaries</li> </ul>	7  Chairman, Vice Chairman, Members and substitutes appointed by Council.  To invite a recognised representative from the trades unions and a representative from Middlesex University (the largest scheduled / admitted body) to committee meetings  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.

	<ul style="list-style-type: none"> <li>• Performance management company</li> <li>• Custodians</li> <li>• Pension Administrator</li> </ul> <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"> <li>○ securing compliance with Local Government Pension Scheme (LGPS) Government regulations and any other legislation relating to the governance and administration of the LGPS</li> <li>○ securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator.</li> <li>○ such other matters that the LGPS regulations may specify</li> </ul> <p>Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund.</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>

	<i>The Local Pension Board maintain separate detailed terms of reference which are approved annually</i>	
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 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 and accountability</p> <p>(5) To promote partnership and, as</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 &amp; Young People</p> <p>Strategic Director for Adults, Communities &amp; Health</p> <p>Barnet Clinical Commissioning Group-Board members x 3</p> <p>Barnet Clinical Commissioning Group- Chief Officer</p> <p>Barnet Healthwatch</p>



	<p>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"> <li>• Overseeing public health and promoting prevention agenda across the partnership</li> <li>• Developing further health and social care integration.</li> </ul>	<p>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 of Barnet and other boroughs for the purpose of responding to consultations by NHS bodies</p>	<p>8</p> <p>Chairman, Vice-Chairman, Members and substitutes to be appointed by Council</p>

	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> High Barnet, Barnet Vale, Underhill, East Barnet, Brunswick Park, Whetstone, Friern Barnet and Totteridge & Woodside Wards. <u>Hendon Residents Forum</u> Edgwarebury, Edgware, Burnt Oak, West Hendon, Hendon, Mill Hill, Colindale North and Colindale South Wards <u>Finchley and Golders Green Residents Forum</u> Cricklewood, Childs Hill, East Finchley, West Finchley, Golders Green, Woodhouse, Finchley Church End and Garden Suburb 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"> <li>• Met Police</li> <li>• Middlesex University</li> <li>• Barnet Clinical Commissioning Group</li> <li>• Community Barnet</li> <li>• Brent Cross Shopping Centre</li> <li>• Barnet and Southgate College</li> <li>• Job Centre Plus</li> </ul>
<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"> <li>• LB Barnet – Lead Member for Children’s Services; Executive Director for Children’s Services; Assistant Director Education Strategy &amp; Partnerships; Commissioning Strategy &amp; Policy Advisor; Assistant Director Commissioning &amp; Strategy; Voice of the</li> </ul>

	<p>The Children's Partnership Board is accountable for the following:</p> <ul style="list-style-type: none"> <li>• Ensuring the voice of children and young people is heard in Barnet</li> <li>• Developing and delivering the Children &amp; Young People's Plan.</li> <li>• Ensuring that the collective resources of the partners are being used to the best effect to meet the priorities in the Children &amp; Young People's Plan.</li> <li>• Resolving issues that block progress against the priorities.</li> <li>• Reviewing Plans and Strategies relating to Children and Young People in Barnet prior to consideration by executive groups (e.g. Children, Education &amp; Safeguarding Committee, Health &amp; Wellbeing Board, etc.)</li> <li>• Working with the Voluntary Sector in a particular approach to enable the best outcomes for children and young people</li> </ul> <p>This includes shared responsibility for:</p> <ul style="list-style-type: none"> <li>• Meeting the priorities in the Children &amp; Young People's Plan</li> <li>• Jointly developing, delivering and resourcing strategies and action plans necessary to meet the priorities</li> <li>• Addressing barriers to meeting the priorities and to identifying future needs, including communication, information and data sharing</li> <li>• Keeping Children's workforce informed and involved, providing clear direction, development and training as necessary</li> <li>• Releasing staff to develop and attend network events</li> <li>• Clarifying and simplifying governance structures and decision-making</li> <li>• Ensuring that children, young people and families have a voice in decision making that affects them</li> <li>• Monitoring performance towards agreed outcomes and taking remedial action where necessary.</li> <li>• Building upon good practice and developing an evidence-based approach to what works.</li> </ul>	<p>Child Participation Officer; Housing Commissioning Lead; Commissioning Lead Growth &amp; Development; Senior Communications &amp; Campaigns Manager; Public Health Consultant;</p> <ul style="list-style-type: none"> <li>• North Central London Clinical Commissioning Group (NCL CCG) – Director for Adults Joint Commissioning and CYP Health Commissioning Children's Clinical Lead NHS;</li> <li>• Metropolitan Police – Inspector;</li> <li>• Schools – Three representative headteachers, one each from Barnet primary, secondary and special schools</li> <li>• Barnet Education &amp; Learning Service – Chief Executive;</li> <li>• Voluntary Sector – Chief Executive, Inclusion Barnet; Chief Executive, Young Barnet Foundation;</li> <li>• Young Persons Representatives – Member of Barnet Youth Parliament 1; Member of Barnet Youth Parliament 2</li> <li>• Multi-Faith Representative - Chair, Barnet Multi-Faith Forum;</li> <li>• Parent / Carer Group Representative – Chair of the Parent</li> </ul>
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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"> <li>• Attendance at all Board meetings (or representation provided by as senior replacement).</li> <li>• 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.</li> <li>• Provide leadership on strategic issues to members of the Board</li> <li>• Champion the objectives of the Children and Young People's Plan and ensure relevant activities within the plan are implemented by their organisation.</li> <li>• Contribute to the development of a strategic three to five-year vision</li> </ul> <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"> <li>• Chairman (or deputy)</li> <li>• At least one representative of the LB Barnet</li> <li>• At least one representative NCL CCG</li> <li>• At least one representative of Schools</li> <li>• At least one member representing the voluntary sector</li> </ul>
<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"> <li>• London Probation Trust</li> <li>• National Probation Service</li> <li>• London Fire Brigade</li> <li>• Barnet Clinical Commissioning Group</li> <li>• MOPAC (Mayor’s Office Policing/Crime)</li> <li>• Barnet Safer Neighbourhood Board</li> <li>• Middlesex University</li> <li>• North West London Magistrates’ Court</li> <li>• Inclusion Barnet</li> <li>• Victim Support, North London Division</li> <li>• Department for Work and Pensions</li> </ul>
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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. For Area Committees, the Substitute Member is recommended to be a Ward Member, but could be any Member from the area covered by the Area Committee.
- 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).

- 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.

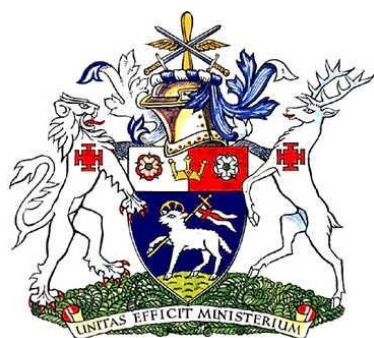
### **Voting and Recording of Votes**

- 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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## Council

25 January 2022

<b>Title</b>	<b>London Boroughs Grants Scheme – Borough Contributions, 2022/23</b>
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<b>Report of</b>	Director of Resources & Section 151 Officer
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<b>Wards</b>	All
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<b>Status</b>	Public
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<b>Urgent</b>	Yes
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<b>Key</b>	No
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<b>Enclosures</b>	None
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<b>Officer Contact Details</b>	Ken Argent, Grants Manager, Finance Service ( <a href="mailto:ken.argent@barnet.gov.uk">ken.argent@barnet.gov.uk</a> ) (020 8359 2020)
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### Summary

This report considers the proposals of the London Councils Leaders' Committee regarding the overall level of expenditure of, and borough contributions to, the London Boroughs Grants Scheme (LBGS) in 2022/23.

### Officer's Recommendations

1. That the recommendation of the London Councils Leaders' Committee for an overall level of expenditure and borough contributions of £6,668,000 in 2022/23, involving a levy on Barnet of £295,545, be approved.
2. That the Director of Resources & Section 151 Officer be instructed to inform the Chief Executive of London Councils accordingly.

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

- 1.1 Formal approval of the 2022/23 LBGS budget by at least 22 of the constituent boroughs is required before 1 February 2022. In the event of the budget not being agreed by this statutory deadline, the Secretary of State for Housing, Communities and Local Government has powers to intervene and set the budget at the same level as in 2021/22 (£6,668,000).

## **2. REASONS FOR RECOMMENDATIONS**

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

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

- 3.1 The next meeting of the Policy and Resources Committee to which this report would ordinarily have been submitted is not until 9 February, after the statutory deadline for notifying the council's decision.

## **4. POST DECISION IMPLEMENTATION**

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

## **5. IMPLICATIONS OF DECISION**

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

- 5.1.1 The council is committed to working in partnership with the voluntary and community sector (and with other public agencies and local businesses) to ensure that high quality public services are delivered in the most effective and efficient way in line with the Barnet Plan, 2021-25.
- 5.1.2 The LBGS was established in 1985 under section 48 of the Local Government Act 1985 to make grants to pan-London and sub-regional voluntary organisations. The scheme remains in force so long as a majority amongst London boroughs continues to support it.
- 5.1.3 Section 48(3) of the 1985 Act requires constituent councils to contribute towards any expenditure of the designated authority in the making of grants which has been incurred with the approval of at least a two-thirds majority of the councils.
- 5.1.4 With the consent of constituent authorities, the City Corporation succeeded the London Borough of Richmond upon Thames as the appointed designated authority for the LBGS in 2004, involving the discharge of certain formal requirements such as issuing the annual levy on boroughs. In all practical respects, however, the scheme is administered by London Councils.

### Reviews of Future Role and Scope of LBGS

- 5.1.5 In 2010, following a review of the future role and scope of the LBGS set against cuts in

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

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

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

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

5.1.8 A further review of the LBGS in 2015 against the backdrop of further announcements about the funding position of local authorities over the following five years resulted in discontinuance of the fourth priority (capacity building of the third sector) in commissioning new services for the four-year period from April 2017, subsequently extended by a further twelve months to March 2022 because of the disruption caused by the Covid-19 pandemic.

#### 2021/22 LBGS budget

5.1.9 An original budget of £6,668,000 in 2021/22 to meet the cost of the current set of commissions, reflecting the ending of the ESF programme; the impact on the match funding requirement; and reduced administrative costs following the completion of work on closing the programme, met entirely from borough subscriptions, was augmented by additional expenditure of £627,000 on development of a youth homelessness hub and support for people with no recourse to public funds, funded from an underspend on commissioned services with the approval of London Councils' Grants Committee.

## 2022/23 LBGS budget

5.1.10 The Leaders' Committee on 7 December 2021 agreed to recommend to constituent authorities for approval an overall level of expenditure of £6,668,000 for 2022/23, the same base budget as for the current year, made up of:

	2022/23	2021/22
	£	£
Payments to commissions	6,173,000	6,173,000
Operating expenditure (including central recharges and London Funders' membership fees)	495,000	495,000

5.1.11 It is proposed that the budget would once again be met entirely from borough subscriptions (of £6,668,000). Barnet's apportionment of the levy based on population data (see 5.2.1 below) will be 4.43% in 2022/23, which will result in a Barnet contribution of £295,545, an increase of £999 on the 2021/22 levy.

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

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

5.2.2 The levy on Barnet has fallen from £1,145,489 in 2010/11 to £294,546 in 2021/22.

5.2.3 Based on mid-year 2020 population estimates, when Barnet's population was 399,010 (compared to 395,870 in mid-2019), Barnet's contribution to the LBGS in 2022/23 will be 4.43% of total borough contributions.

5.2.4 Provision for the level of contribution to the LBGS, as finally approved, will be included in the draft 2022/23 revenue budget, which will be presented to the Policy and Resources Committee on 9 February 2022. If the LBGS budget put forward is approved, Barnet's contribution in 2022/23 will be £850,943 less than in 2010/11.

5.2.5 Approval of the budget will mean that total borough contributions to the LBGS will be £18,212,000 (73.1%) less than the sum of £24,900,000 paid in 2010/11.

## 5.3 Social Value

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

## **5.4 Legal and Constitutional References**

- 5.4.1 Article 7 of the council's constitution details the terms of reference of the Policy and Resources Committee, which includes grants. The committee is not scheduled to meet until after the statutory deadline for formal approval of the 2022/23 LBGS levy. Article 4 of the constitution provides that Full Council may make decisions on matters normally reserved to committees where an urgent decision is required. Determination of whether a matter is urgent is reserved to the mayor and chairman of the relevant committee in consultation with the leader and the relevant chief officer. The mayor and the leader, who is chairman of the Policy and Resources Committee, have been consulted and have agreed to the urgency.
- 5.4.2 Further legal and constitutional considerations are detailed in paragraphs 5.1.2, 5.1.3, 5.2.1, 5.5 (below) and 5.6 (below).

## **5.5 Risk Management**

- 5.5.1 The council is bound by law to contribute towards the costs incurred by the designated authority in the making of grants under the LBGS according to the formula set out above. In the event of the scheme being discontinued, constituent authorities would be required to contribute to its winding up costs, both in relation to grant commitments made and the closing of the unit that administers the scheme. These have not been quantified.
- 5.5.2 If the LBGS budget for 2022/23 is not agreed by two-thirds of constituent councils before 1 February 2022, the budget will be set at the same level as in 2021/22 (£6,668,000).

## **5.6 Equalities and Diversity**

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

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

- 5.6.2 An analysis by London Councils in accordance with the duties under the Act identified that a refocusing of the grants programme to reflect the reduced resources available in the context of the significant spending constraints facing local authorities would have an impact on protected groups of people. The principles and priorities of the reconfigured programme, and the service specifications and strands to deliver outcomes, seek to apply scarce resources to mitigate, where possible, any adverse equality impacts arising the new scheme operating with a reduced budget.

## 5.7 Corporate Parenting

5.7.1 Not relevant in the context of this report.

## 5.8 Consultation and Engagement

### Grants Programme, 2017-22 & 2022-26

- 5.8.1 In 2015, London Councils consulted boroughs and stakeholders on whether the grants programme should continue past March 2017 and, if it did, what the priorities of the programme should be.
- 5.8.2 The council in its response acknowledged the value of the LBGS in funding organisations that supported niche groups which would lack adequate scale if resourced locally but expressed concern about how effectively the scheme was promoted within boroughs and that many of the commissioned services did not benefit Barnet residents to any significant degree. Many of the organisations supported operated predominantly in central London and the disproportionate benefit that inner London boroughs with smaller populations received amounted to a redistribution of wealth from outer London.
- 5.8.3 The response stated that there was a need to take account of how many costly problems had migrated outwards to the suburbs and that sub-regional programmes tended to be better aligned to local need than those commissioned at the pan-London level. In the council's opinion, better outcomes could be achieved by redeploying the levy locally. Although it did not necessarily wish to withdraw from all activities funded through the LBGS, its overall view given the nature of the consultation, which posed a single question about the future of the programme, was that it should not continue.
- 5.8.4 The consultation and other evidence signified a majority view that acting collectively to address London-wide priorities was effective; provided value for money; and delivered positive outcomes for people with protected characteristics under the Equality Act 2010. A majority amongst stakeholders expressed support for continuation of a pan-London grants programme operating in accordance with the principles agreed in 2012.
- 5.8.5 The existing grants programme, extended to a fifth year, ending in March 2022, because of the disruption caused by the Covid-19 pandemic, eliminated capacity building of the third sector from the previously agreed commissioning priorities pursuant to announcements about the future funding position of local authorities. Fourteen projects have been commissioned, dedicated to tackling homelessness; sexual and domestic violence; or promoting access to employment on a pan-London basis. The latter-named theme of work, a fallback to when the scheme was a beneficiary of the European Social Fund, will no longer feature as a commissioning priority.
- 5.8.6 Under the new programme, to commence in April 2022, third sector organisations have been invited to bid for funding to deliver services that will address sexual and domestic violence and homelessness, continuing priorities which acknowledge the significant increase in demand for domestic abuse victim services during the pandemic; how many Londoners have experienced homelessness for the first time as employment terms have changed or ended; and how many people still have housing needs.



## 5.9 **Insight**

5.9.1 Not relevant in the context of this report.

## 6. **BACKGROUND PAPERS**

- 6.1 Council, 19 January 2021: approval of an overall level of LBGS expenditure of £6,668,000 in 2021/22, involving a levy on Barnet of £294,546.
- 6.2 Reports to London Councils Grants Committee (24 November 2021) and Leaders' Committee (7 December 2021) on the LBGS proposals for 2022/23.
- 6.3 London Councils Chief Executives' Circular 03/21 dated 10 December 2021 seeking approval to the 2022/23.

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**Council**  
**25 January 2022**

<b>Title</b>	<b>Report of Head of Governance</b>
<b>Report of</b>	Head of Governance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Appendix A – Calendar of Meetings 2022/23 (Month-By-Month) Appendix B – Calendar of Meetings 2022/23 (Collated) Appendix C – Appointments to Outside bodies Appendix D – Non-Councillor Appointments to Committee
<b>Officer Contact Details</b>	Andrew Charlwood, Head of Governance, 020 8359 2014, <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a>

### Summary

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

### Recommendations

1. That Council agree the calendar of meetings 2022/23 as set out in Appendices A and B.
2. That Council approve the appointments to Outside Bodies in Appendix C.
3. That Council approve the appointments to the Local Pension Board in Appendix D.

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

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

## **2. REASONS FOR RECOMMENDATIONS**

2.1 As set out in the attached appendices.

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

3.1 N/A

## **4. POST DECISION IMPLEMENTATION**

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

## **5. IMPLICATIONS OF DECISION**

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

5.1.1 None specifically arising from this report.

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

5.2.1 There are no specific financial implications from the changes in the appendices. All changes will be funded from the Council's budget.

### **5.3 Social Value**

5.3.1 N/A

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

5.4.1 Council Constitution, Article 4, Full Council, Council has responsibility for "agreeing and amending the terms of reference of committees, deciding their composition and making appointments to them."

5.4.2 As outlined in Article 4, The Full Council, Council has responsibility for "approving the Member and officer appointment to outside bodies and external organisations on the recommendation of the Group secretaries or Chief Executive."

### **5.5 Risk Management**

5.5.1 None specifically arising from this report.

### **5.6 Equalities and Diversity**

5.6.1 None specifically arising from the report.

## **5.7 Corporate Parenting**

5.7.1 None specifically arising from the report

## **5.8 Consultation and Engagement**

5.8.1 None specifically arising from the report

## **5.9 Insight**

5.9.1 None specifically arising from the report

## **6. BACKGROUND PAPERS**

6.1 None.

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**Calendar of meetings June 2022- May 2023**

June 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
30 <i>Half Term</i>	31 <i>Half Term</i>	1 <i>Half Term</i>	2 <i>Bank Holiday</i>	3 <i>Bank Holiday</i>
6 Adults and Safeguarding Committee	7 Children, Education and Safeguarding Committee	8 Planning Committee A	9 Environment Committee	10
13 Housing and Growth Committee	14 Residents Forums	15 Financial Performance & Contracts Committee	16 Strategic Planning Committee	17
20 Community Leadership and Libraries Committee	21 Constitution and General Purposes Committee	22 Planning Committee B	23 Local Pension Board	24
27 Hendon Area Committee	28 Chipping Barnet Area Committee	29 Finchley and Golders Green Area Committee	30 Policy and Resources Committee	1

**Calendar of meetings June 2022- May 2023**

July 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
27	28	29	30	1
4	5 Corporate Parenting Advisory Panel	6 Health Overview and Scrutiny Committee	7 Planning Committee C	8
11 Pension Fund Committee	12 Strategic Planning Committee	13 Barnet Children's Partnership Board	14 Health and Wellbeing Board (9.30am)	15
18 Licensing Committee	19 Audit Committee	20 Planning Committee A	21 Party Group Meetings	22 Safer Communities Partnership Board 10am
25 <i>School holidays begin</i>	26 Council	27 Welsh Harp Joint Consultative Committee (Barnet Provisional)	28	29



**Calendar of meetings June 2022- May 2023**

August 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26

**Calendar of meetings June 2022- May 2023**

September 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
29	30	31 <i>School holidays end</i>	1 Planning Committee B	2
5 Housing and Growth Committee	6 Environment Committee	7 Strategic Planning Committee	8 Local Pension Board  Residents Forums	9
12 Children, Education and Safeguarding Committee	13 Adults and Safeguarding Committee	14 Planning Committee C	15	16
19 Finchley and Golders Green Area Committee	20 Financial Performance and Contracts Committee	21 Planning Committee A	22 Hendon Area Committee  Chipping Barnet Area Committee	23 <i>Lib Dem Party Conference TBC</i>
26 <i>Rosh Hashana</i>  <i>Labour Party Conference TBC</i>	27 <i>Rosh Hashana</i>  <i>Labour Party Conference TBC</i>	28 <i>Labour Party Conference TBC</i>	29 Health and Wellbeing Board (9.30am)  Policy and Resources Committee	30

**Calendar of meetings June 2022- May 2023**

October 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
3 Corporate Parenting Advisory Panel  <i>Conservative Party Conference TBC</i>	4 <i>Yom Kippur</i>  <i>Conservative Party Conference TBC</i>	5 <i>Yom Kippur</i>  <i>Conservative Party Conference TBC</i>	6 Constitution and General Purposes Committee	7
10 <i>Sukkot</i>	11 <i>Sukkot</i>	12	13 Planning Committee B	14
17 <i>Sukkot</i>	18 <i>Sukkot</i>	19 Health Overview and Scrutiny Committee	20	21
24 <i>Half Term Diwali</i>	25 <i>Half Term</i>	26 <i>Half Term</i> Planning Committee C	27 <i>Half Term</i> Party Group Meetings	28 <i>Half Term</i> Safer Communities Partnership Board 10am

**Calendar of meetings June 2022- May 2023**

November 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
31 Community Leadership and Libraries Committee	1 Council	2 Audit Committee	3	4
7 Licensing Committee	8 Strategic Planning Committee	9 Barnet Children's Partnership Board	10 Pension Fund Committee	11
14 Adults and Safeguarding Committee	15 Planning Committee A	16 Housing and Growth Committee	17 Children, Education and Safeguarding Committee	18
21 Environment Committee	22	23	24 Strategic Planning Committee  Welsh Harp Joint Consultative Committee (Provisional)	25
28	29 Financial Performance and Contracts Committee	30 Planning Committee B	1	2

**Calendar of meetings June 2022- May 2023**

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December 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
5	6 Local Pension Board	7	8 Health Overview and Scrutiny Committee	9
12	13 Policy and Resources Committee	14 Planning Committee C	15 Strategic Planning Committee	16
19 <i>School holidays Begin</i> Chanukah	20 Chanukah	21 Chanukah	22 Chanukah	23 Chanukah
26 <i>Bank Holiday</i> Chanukah	27 <i>Bank Holiday</i>	28	29	30

**Calendar of meetings June 2022- May 2023**

January 2023				
Monday	Tuesday	Wednesday	Thursday	Friday
2  <i>School holidays End (TBC)</i>	3	4	5	6
9	10  Residents Forums	11  Planning Committee A	12  Constitution and General Purposes Committee	13
16  Audit Committee	17  Housing and Growth Committee	18  Strategic Planning Committee	19  Health and Wellbeing Board (9.30am)  Party Group Meetings	20  Safer Communities Partnership Board 10am
23  Planning Committee B	24  Council	25  Environment	26  Finchley and Golders Green Area Committee  Chipping Barnet Area Committee	27

**Calendar of meetings June 2022- May 2023**

30 Hendon Area Committee	31 Pension Fund Committee	1 Corporate Parenting Advisory Panel	2	3

February 2023				
Monday	Tuesday	Wednesday	Thursday	Friday
6	7 Community Leadership and Libraries Committee	8 Planning Committee C	9	10
13 <i>Half Term</i>	14 <i>Half Term</i>  Barnet Children's Partnership Board	15 <i>Half Term</i>	16 <i>Half Term</i>	17 <i>Half Term</i>
20  Licensing Committee	21  Planning Committee A	22 <i>Ash Wednesday</i>  Policy and Resources Committee	23  Strategic Planning Committee	24
27	28	1	2	3

**Calendar of meetings June 2022- May 2023**

Health Overview and Scrutiny Committee			Party Group Meetings	
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March 2023				
Monday	Tuesday	Wednesday	Thursday	Friday
27	28	1 Local Pension Board	2 Party Group Meetings	3
6 <i>Purim</i>	7 <i>Purim</i>	8 Budget Council	9 Resident Forums	10
13 Adults and Safeguarding Committee	14 Environment Committee	15 Planning Committee B	16 Health and Wellbeing Board (9.30am)  Welsh Harp Joint Consultative	17



**Calendar of meetings June 2022- May 2023**

			Committee (TBC)	
20 Children, Education and Safeguarding Committee	21 Planning Committee C	22 Pension Fund Committee	23 Housing and Growth Committee	24
27 Financial Performance and Contracts Committee	28 Chipping Barnet Area Committee Finchley & Golders Green Area Committee	29 Strategic Planning Committee	30 Hendon Area Committee	31

April 2023				
Monday	Tuesday	Wednesday	Thursday	Friday
3 <i>School Holiday</i>	4 <i>School Holiday</i> Planning Committee A	5 <i>School Holiday</i> <i>Pesach</i>	6 <i>School Holiday</i> <i>Pesach</i> <i>Maundy Thursday</i>	7 <i>School Holiday</i> <i>Pesach</i> <i>Good Friday</i>
10 <i>School Holiday</i> <i>Easter Monday</i>	11 <i>School Holiday</i> <i>Pesach</i>	12 <i>School Holiday</i> <i>Pesach</i>	13 <i>School Holiday</i> <i>Pesach</i>	14 <i>School Holiday</i> <i>Vaisakhi</i>

**Calendar of meetings June 2022- May 2023**

17 Corporate Parenting Advisory Panel	18 Planning Committee B	19 Strategic Planning Committee	20 Policy and Resources Committee	21
24	25	26 Audit Committee	27 Barnet Children's Partnership Board	28 Safer Communities Partnership Board 10am

May 2023				
Monday	Tuesday	Wednesday	Thursday	Friday
1 <i>Bank Holiday</i>	2	3 Planning Committee C	4	5
8	9	10	11 Community Leadership and Libraries Committee	12
15	16	17	18	19

**Calendar of meetings June 2022- May 2023**

	Planning Committee A	Health Overview and Scrutiny Committee	Party Group Meetings	
22	23 Annual Council	24	25 <i>Shavuot</i>	26 <i>Shavuot</i>
29 <i>School Holiday</i>  <i>Spring Bank Holiday</i>	30 <i>School Holiday</i>	31 <i>School Holiday</i>	1 <i>School Holiday</i>	2 <i>School Holiday</i>

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### CALENDAR BY NUMBER OF MEETINGS (June 2022 – May 2023)

Committee	Jun 2022	July	Aug	Sep	Oct	Nov	Dec	Jan 2023	Feb	Mar	Apr	May	Total
Council		26				1		24		8 (B/C)		23 (A/C)	5
Party Group		21			27			19		2		18	5
Adults & Safeguarding Committee	6			13		14				13			4
Audit Committee		19				2		16			26		4
Barnet Children's Partnership Board		13				9			14		27		4
Children, Education & Safeguarding Committee	7			12		17				20			4
Chipping Barnet Area Committee	28			22				26		28			4
Community Leadership & Libraries Committee	20				31				7			11	4
Constitution & General Purposes Committee	21				6			12					3
Corporate Parenting Advisory Panel		5			3				1		17		4
Environment Committee	9			6		21		25		14			5
Financial Performance & Contracts Committee	15			20		29				27			4
Finchley & Golders Green Area Committee	29			19				26		28			4
Health & Wellbeing Board (9.30am)		14		29				19		16			4
Health Overview & Scrutiny Committee		6			19		8		27			17	5
Hendon Area Committee	27			22				30		30			4
Housing & Growth Committee	13			5		16		17		23			5
<i>Joint Health Overview and Scrutiny Committee - TBC</i>													
Licensing Committee		18				7			20				3
Local Pension Board	23			8			6			1			4
Pension Fund Committee		11				10		31		22			4
Planning Committee A	8	20		21		15		11	21		4	16	8
Planning Committee B	22			1	13	30		23		15	18		7

<b>Committee</b>	<b>Jun 2022</b>	<b>July</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan 2023</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Total</b>
<b>Planning Committee C</b>		7		14	26		14		8	21		3	7
<b>Policy &amp; Resources Committee</b>	30			29			13		22		20		5
<b>Residents Forums</b>	14			8				10		9			4 of each forum
<b>Safer Communities Partnership Board (10am)</b>		22			28			20			28		4
<b>Schools Foun (4pm) - TBC</b>													
<b>Strategic Planning Committee</b>	16	12		7		8 24	15	18	23	29	19		10
<b>Welsh Harp Joint Consultative Committee (provisional)</b>		27				24				16			3

## Appendix D – Non-Councillor Appointments to Committees.

It is recommended that Council agree the re-appointments to the Local Pension Board positions below:

### Local Pension Board

<b>Member</b>	<b>Position</b>	<b>Status</b>	<b>Term</b>
Hem Savla	Employer Representative Vice-Chairman (Retired/Deferred)	To be re-appointed	4 years
David Woodcock	Employer Representative Admitted body (Middlesex University)	To be re-appointed	4 years
Alice Leach	Substitute Employer Representative (Retired/Deferred)	To be re-appointed	4 years

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**Combatting Crime in Barnet**

**AGENDA ITEM 14.1**

Council notes that:

1. The Government increased its funding to the Metropolitan Police by £138.9m last year and have committed to a further increase of £164.2m in the year to come.
2. Sadiq Khan has failed to combat crime, including violent crime, throughout his term in office as Mayor of London – both in Barnet and across London.
3. 2021 was, sadly, the worst year on record for the murder of teenagers in London.
4. The Mayor of London has not supported initiatives from Barnet Council to counter crime, such as reopening the Vivian Avenue Safer Neighbourhood Team (SNT) hub, which he shut in July 2019
  - a. A potential SNT Hub was identified in West Hendon by Cllr Richman, which the Metropolitan Police have refused to utilise.
5. Barnet's Labour Group supported the closing of the SNT Hub and opposed its reopening.
6. The Mayor of London also closed and is selling the High Barnet Police Station.
7. Barnet Council is currently conducting a full review of its CCTV.
8. Barnet Council is restructuring and expanding our Community Safety Team (CST), in order to better combat crime and make our residents safer
  - a. As a part of this decision, 15 new permanent posts will be created
  - b. This is further to recent improvements to the Team, such as the introduction of a CCTV patrol vehicle.
9. Barnet taxpayers pay more for each police officer than the residents of any other London borough
  - a. For each police officer in Barnet, the Mayor of London charges our taxpayers approximately:
    - i. 25% more than Enfield's
    - ii. 40% more than Camden's
    - iii. 50% more than Brent or Haringey's
    - iv. 69% more than Harrow's
10. The Mayor of London spends 26% more on PR and 82% on staffing than his predecessor.

This Council believes that:

1. The people of Barnet should feel safe in their borough, their neighbourhoods and their homes.
2. In order to make our residents feel safe, it is important that there is a visible police presence across the borough.

**Council: Tuesday 25<sup>th</sup> January 2022**

**Administration Motion in the name of Cllr Dan Thomas**

3. Currently Barnet is under-policed, and that emboldens criminals to attack and rob residents. As a geographically larger borough, lower numbers of officers has a direct impact on response times; currently Barnet taxpayers have 7% fewer officers than those of any other Council.
  
4. To give our residents their fair share of officers, the increases to the Metropolitan Police's budget should filter through to a significant increase in police numbers in Barnet.

This Council resolves to:

1. Urge the Mayor of London to
  - a. Improve police officer numbers in Barnet, giving our residents value for money in their policing
  - b. Get a grip on crime, in Barnet and across London.
  - c. Fund the fight against knife and all violent crime properly
  - d. Spend more money on policing and less on PR.

**Council: 25 January 2022**  
**Opposition Motion in the name of Cllr Anne Clarke**  
**Levelling-up in Barnet**

**AGENDA ITEM 14.2**

Council notes:

1. The Government's stated plan to unite and level-up every part of the UK.

Council resolves to:

1. Lobby the Secretary of State to ensure that Barnet is not levelled-down.

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**Political Discourse Within Barnet**

Council notes that:

**AGENDA ITEM 14.3**

1. The Barnet Labour Party and members of the Opposition have made misleading claims about this Administration's policies and achievements.
2. Contrary to Barnet Labour's misinformation:
  - a. Barnet has not only maintained weekly collections of refuse and recycling under this Conservative administration, unlike any neighbouring borough – which are all run by Labour – but we also have the lowest number of missed bin collections in London.
  - b. Council Tax in Barnet has been kept lower than that of any of our neighbouring boroughs for the past decade, and will remain so. In real terms, Council Tax in Barnet has been reduced by 5.2% over the past decade — despite the Labour Mayor of London taking an ever-increasing sum from Council Tax.
  - c. Barnet has zero “non-decent” Council homes, while our neighbouring boroughs have thousands. Labour Enfield alone have over 4,000.
  - d. Barnet's outsourcing has saved millions – ensuring value for money for our residents.
  - e. Barnet has successfully stood up to developers and has been successful in having storeys removed from proposed towers. The ineffectual Labour group is impotent to influence the Labour Mayor of London's desire for ever larger tower blocks in London. This is evidenced by the Mayor's support for the original B&Q proposal and those regarding tower blocks over tube stations, such as a recent High Barnet application.
  - f. This Conservative Council would not and will not build on our parks or green spaces. This has been made clear a number of times over the past year in various committees and at Full Council.
3. The above are responses to only some examples of the mistruths stated by the Labour group.
4. The Labour Party and Labour councillors made exaggerated claims during the East Barnet by-election, which the people of East Barnet clearly saw through. However, such claims risk causing polarisation, unnecessary upset and worry amongst local residents.

Council believes that:

1. Misinformation about the state of the Council, and this administration's policies and history, are little more than a sign of desperation from the Labour group.
2. Over the past term and beyond, this Conservative Council has consistently made decisions based on value for money for our residents, while ensuring that they receive the best possible services.

Council resolves to:

1. Condemn wilful misinformation by the Barnet Labour Party and its councillors.

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

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**Council: 25 January 2022**

**Opposition Motion in the name of Cllr Nagus Narenthira  
Barnet's Tamil Community**

**AGENDA ITEM 14.4**

Council notes that:

1. London's Tamil community, originating from Sri Lanka, India, Malaysia, Singapore, South Africa and elsewhere, makes a strong contribution to the life of our borough Barnet.
2. There is a sizeable number of Tamils living in Colindale and other parts of the Borough.
3. There are an estimated 15,000 Tamils working for NHS England as doctors, nurses and front-line health professionals, thousands of Tamils serving as teachers and teaching assistants at schools across the capital.
4. Over a hundred adult social care facilities are operated by Tamils in and around London, caring for some of the most vulnerable in our society.
5. Tamils have made significant contributions to the social, economic, cultural and political fabric of the UK; from serving in the Royal Air Force during the Second World War to Tamil scientists working on the Astra Zeneca vaccine.
6. This incredible work takes place against the backdrop of persecution and abuse abroad, deeply affecting the wellbeing of the family and friends of Tamils in the UK.
7. January marks Tamil Heritage Month and that Pongal – the Harvest Festival – commences on 14th January each year.

Council resolves to:

1. Mark Tamil Heritage Month and Pongal and ensure that our much-valued Tamil community is supported across the borough.
2. Thank the Tamil community for their invaluable contribution to our borough and our city. We are profoundly grateful for the work that they do.

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**Council: 25 January 2022**  
**Opposition Motion in the name of Cllr Ross Houston**  
**Development in Barnet**

**AGENDA ITEM 14.5**

Council believes that:

1. For development to work well residents' views must be central to plans with co-production at early stages.

Council resolves to:

1. Ensure there is more community engagement in neighbourhood planning in the future.

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**Council: 19 January 2022**

**Opposition Motion in the name of Cllr Gabriel Rozenberg**

**AGENDA ITEM 14.6**

**Tackling the cost of living crisis**

Council notes that:

1. Some 27,223 households in Barnet were on Universal Credit as of August 2021, up 9.5% from a year ago
2. There were 9,749 residents of Barnet who were beneficiaries of Foodbanks in November 2021, up 44% from a year ago
3. The number of children entitled to and hence requiring free school meals in Barnet has steadily risen throughout 2021

Council notes, with alarm, that Barnet residents face a “cost of living crisis” as a result of negative decisions by the Conservative government:

1. The Government’s refusal to update income tax thresholds in line with inflation will push more Barnet residents above the lowest income tax threshold, and other residents will pay higher taxes. Analysis by Liberal Democrats suggest that there will be an average hit to incomes of £500 per London household by 2026
2. The rate of employee national insurance will rise by 1.25 percentage points in April, reducing Barnet residents’ take-home pay. At the same time, local employers will face a 1.25 percentage point increase in employer NICs, meaning they will struggle to raise wages to compensate their employees
3. Barnet households will suffer from the government cap on energy bills being lifted in April. The typical energy bill is set to rise, according to one estimate, by 56%, from £1,277 to nearly £2,000. All Barnet residents will struggle badly to meet this cost pressure, but the worst hit will be poorer families who have to spend a larger proportion of their income on essentials like gas and electricity bills
4. The energy price rises come at a time when prices are going up across the economy. Goldman Sachs expects prices to be up by 6.8% in April versus a year earlier, considerably higher than the rise in average earnings, pensions or the minimum wage

Council therefore calls on the Leader of Barnet Council to write to the Chancellor of the Exchequer and the Secretary of State for Work and Pensions, calling for action on energy bills in line with the following Liberal Democrat proposals:

1. The Government should impose a “Robin Hood Tax” on firms who have made huge profits from record high gas prices, which could raise up to £7 billion
2. The proceeds should be spent on doubling and extending the Warm Homes Discount to cover all those on Universal Credit and Pension Credit; doubling the Winter Fuel Allowance; a new ten-year home insulation scheme; and supporting energy intensive businesses.

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

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

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