

Decisions of the Constitution and General Purposes Committee

6 January 2022

Members Present:-

Councillor Laithe Jajeh (Vice-Chairman)

Councillor Richard Cornelius	Councillor Geof Cooke
Councillor Helene Richman	Councillor Alison Moore
Councillor Barry Rawlings	Councillor Peter Zinkin (Substitute for Councillor Melvin Cohen)

Apologies for Absence

Councillor Melvin Cohen

1. MINUTES

The Head of Governance informed the Committee that, following discussion with the Chairman, it had been agreed that the decision made at the last meeting under item 11, to amend the Constitution to enable Members outside of their ward to call in planning applications should revert back to the status quo (i.e. that Members can only call-in planning applications that affect their ward). It was noted that the proposed amendment had been ambiguous, due to one of the relevant sections of the Constitution having not been amended. The Chairman had therefore requested that the Constitution revert back to the status quo and that it could be brought back to a future meeting if required.

RESOLVED that, subject to the amendment noted above, the minutes of the meeting held on 4 October 2021 be approved as a correct record

2. ABSENCE OF MEMBERS

Councillor Melvin Cohen was being substituted for by Councillor Zinkin.

3. DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENTS (IF ANY)

None.

6. MEMBERS ITEM (IF ANY)

None.

7. PROPOSALS FOR THE RESTRUCTURE OF THE COMMUNITY SAFETY TEAM WITHIN THE ASSURANCE GROUP

The Assistant Director Counter Fraud, Community Safety and Protection, Declan Khan, introduced the report which set out final proposed staffing structure changes for the Community Safety Team within the Assurance Group.

A Member questioned whether Community Safety staff would be lone working across the borough. The Assistant Director confirmed that officers would be working in pairs, with three teams of seven officers and a lead for each of the wards, as well as Personal Protective Equipment (PPE) being supplied. The Assistant Director also confirmed that staff had undergone on the job training and that subsequent training sessions would be taking place in due course.

A Member also queried the number of fixed term contacts and why this was the case. The Assistant Director explained that these contracts were due to be made permanent.

It was unanimously RESOLVED that:

- 1. The Committee approve the proposed changes to the Community Safety Team structure as set out in Appendix A and B.**
- 2. That the Committee authorise the deletion and creation of posts as set out in Appendix B.**

8. FINAL PROPOSALS FOR NEW POLLING DISTRICTS AND POLLING

The Chief Executive and Returning Officer, John Hooton, the Head of Electoral Services, John Bailey, and the Assistant Director Assurance, Emily Bowler, introduced the report which outlined the final proposals from the Returning Officer for new polling districts and their respective polling places to serve at local elections within the new wards.

The Head of Elections notified the Committee that following late representations received in relation to some of the proposals, officers wished to remove the published addendum paper and amend recommendation 1 of the report on behalf of the Returning Officer to the following:

- That the Committee approves the Returning Officers proposed polling arrangements from May 2022, detailed within appendices 1-26, except for the following four wards; Barnet Vale, High Barnet, Garden Suburb and Whetstone, as representations have been made against the Returning Officers proposed polling arrangements in these wards since the publication of the committee papers and the final Ward polling arrangements being made public. It is therefore proposed that officers consult with existing Ward Members and the party groups and bring back alternate proposals to either this Committee, the next Full Council meeting or an Urgency Committee.*

The Head of Elections explained that this recommendation would allow the representations on these four wards to be fully reviewed by the political groups.

A Member questioned whether a school was able to exempt itself from being a polling station by adopting a certain safeguarding policy. The Head of Elections explained that

the Committee selects the polling places and districts and when a school is chosen, this constitutes a legal designation, and the Returning Officer then has the right to use that school for an election. However, the school retains the decision on whether the school will remain open for students or closes for the day.

A Member questioned whether delaying the proposals would effect being able to meet the necessary deadlines. The Executive Director of Assurance, Clair Green, confirmed that officers were confident these proposals would be agreed within the timescales.

A Member asked for clarification on the legal governance around decision making of polling places. The Head of Elections explained that the polling district boundaries and the polling places were a Council decision, which had been delegated to the Constitution and General Purposes Committee. However, the Returning Officer had the right to decide on the polling stations within the designated polling place.

Following discussion on the item, the Committee moved to vote on the amended officers recommendation.

It was unanimously RESOLVED that the Committee approves the Returning Officers proposed polling arrangements from May 2022, detailed within appendices 1-26, except for the following four wards; Barnet Vale, High Barnet, Garden Suburb and Whetstone, as representations have been made against the RO's proposed polling arrangements in these wards since the publication of the Committee papers and the final Ward polling arrangements being made public. It is therefore proposed that officers consult with existing Ward Members and the party groups and bring back alternate proposals to either this Committee, the next Full Council meeting or an Urgency Committee.

9. REVISED BOUNDARIES AND ARRANGEMENTS - RESIDENTS FORUMS AND AREA COMMITTEES

The Head of Governance, Andrew Charlwood, presented the report, which provided an update on the impact of the ward boundary changes on the Councils area-based governance arrangements, due to the changes resulting in more wards and a mixture of two and three Member wards. The Head of Governance explained that various options had been developed in consultation with the Local Government Boundary Review Member Reference Group and that, subject to the agreement of an option, Constitution amendments would be reported to Council on 25 January 2022.

The Head of Governance asked Members to note that the Chairman, Councillor Melvin Cohen's, submission on the preferred options which had been tabled, in his absence, as follows:

- 1. 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.*
- 2. For member composition, 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.*
- 3. 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 Committee can decide the financial allocations for each committee.*
- 4. The new structure should be implemented from 6 May 2022.*

A Member advised that following the Monitoring Officers advice the wording '*Proportionality will not apply*' should be added to sentence 2 of the submission.

Councillor Jajeh moved the motion, seconded by Councillor Richman, to vote on Councillor Melvin Cohen's submission and to agree the recommendations within the officer's report.

Votes on the motion were recorded as follows:

For: 4

Against: 3

Abstain: 0

RESOLVED that:

- 1. The Committee note the report.**
- 2. That the preferred option for revised arrangements for Residents Forums and Area Committees is the following:**
 - **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.**
 - **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. (Proportionality will not apply).**
 - **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 committee can decide the financial allocations for each committee.**
 - **The new structure should be implemented from 6 May 2022.**
- 3. That the Committee approve the option for revised arrangements for Resident Forums and Area Committees and recommend to Council on 25 January 2022 that the Constitution be amended to give effect to the changes in May 2022.**
- 4. That the Committee agree that the Resident 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.**

10. MEMBER SAFETY REVIEW

The Head of Governance, Andrew Charlwood, presented the report which updated the Committee on a review undertaken on the safety of Members following the killing of Sir David Amess in October 2021. The Head of Governance explained that the review considered the safety of Councillors and the public in Council owned premises and the safety of Councillors in pursuit of their public duties in particular Member's surgeries.

A Member questioned whether Councillors could request for their private addresses to be removed from the Council's website. The Monitoring Officer explained that currently private addresses are displayed on the public website and under the Register of Interests. However, under the Localism Act these could be redacted if deemed necessary. Members should contact the Monitoring Officer, who would review the request and decide the most appropriate approach.

It was unanimously RESOLVED that:

- 1. The Committee note the actions taken in relation to Member safety to date.**
- 2. The Committee agree the action areas set out in the report.**

11. TEMPORARY RECRUITMENT TO POST OF ASSISTANT DIRECTOR, DEVELOPMENT AND ECONOMY

Chief Executive, John Hooton, presented the report which sought approval to advertise and recruit to an Assistant Director, Development and Economy post for a period of up to 12 months to backfill the secondment period of the existing post holder.

It was unanimously RESOLVED that:

- 1. The Committee authorised: the advertisement of and recruitment to a temporary contract of up to 12 months of an Assistant Director – Development and Economy post within the senior management team, as set out in the report.**
- 2. That authority to decide on the appropriate salary point in the grade Level 6 £90,866-£111,178 be delegated to the Director of Growth.**

12. POST CREATION - ASSISTANT DIRECTOR GROWTH & CORPORATE SERVICES: ASSISTANT DIRECTOR: DEVELOPMENT DELIVERY

Chief Executive, John Hooton, presented the report which sought approval for the creation of a new post of Assistant Director – Development Delivery and to recruit to this post, with the existing post of Head of Development Delivery to be deleted.

It was unanimously RESOLVED that:

- 1. The Committee approve the creation, advertisement (if necessary) of and recruitment to a new post: Assistant Director: Development Delivery.**
- 2. The Committee approve the grading of the new Assistant Director post to be Level 6;**
- 3. The Committee delegate the decision on what salary point (within the Level 6 grade) to appoint the candidate to, to the Director of Growth.**
- 4. That the Committee note the resulting change to Growth Senior management team structure as set out in this report.**

13. COMMITTEE FORWARD WORK PROGRAMME

A Member raised a concern about the number of unallocated reports on the work programme. The Head of Governance advised that due to the pandemic reports had been prioritised to focus on business-critical items, but work was being undertaken to bring outstanding reports back to committee as soon as possible.

It was noted that officers would add the Code of Conduct Allegations 2020/21 and the Health and Safety Annual Report to the agenda for the February meeting.

RESOLVED that the Committee noted the Committee forward work programme.

14. ANY ITEM(S) THAT HE CHAIRMAN DECIDES IS URGENT

None.

The meeting finished at 20.00pm