

# Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 17TH OCTOBER, 2023 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 17th October, 2023

<b>Item</b>	<b>Subject</b>	<b>Timing</b>	<b>Page Nos</b>
1.	<b>Official announcements</b>		
2.	<b>Apologies for absence</b>		
3.	<b>Elect a Member to preside if the Mayor is absent</b>		
4.	<b>Words from Young People in Barnet</b>		
5.	<b>Declarations of Interest</b>		
6.	<b>Minutes of the last meeting</b>		5 - 26
7.	<b>Any business remaining from last meeting</b>		
8.	<b>Public Questions to the Leader &amp; Porfolio holders</b>		
9.	<b>Deputations</b>		
10.	<b>Petitions from Members and the Public</b>		27 - 32
11.	<b>Announcements from the Leader &amp; Portfolio holders</b>		
12.	<b>Member Questions to the Executive &amp; Chairs of Committees</b>		
13.	<b>Member Questions about joint arrangements &amp; external organisations</b>		
14.	<b>Motions (45 minutes)</b>		
14.1	Administration motion in the name of Cllr Guilia Innocenti - Recommitment to Net Zero		33 - 34
14.2	Opposition motion in the name of Cllr Rohit Grover- The CPZ programme review should be brought before		35 - 36

	Cabinet		
14.3	Administration motion in the name of Cllr Anne Hutton - RAAC		37 - 38
14.4	Opposition motion in the name of Cllr David Longstaff - Planning enforcement is a must in Barnet		39 - 40
14.5	Administration motion in the name of Cllr Arjun Mittra - Local Government Finance		41 - 42
14.6	Opposition motion in the name of Cllr Wakeley - Combatting Modern Slavery		43 - 44
14.7	Administration motion in the name of Cllr Alison Moore - Smoking Cessation Services Funding		45 - 46
14.8	Opposition motion in the name of Cllr Wakeley - Barnet leading the way in SEND provision		47 - 48
15.	<b>Reports from Executive &amp; Council Committees</b>		
15.1	Report of the Monitoring Officer - Referral report from the Constitution Review Working Group		49 - 152
16.	<b>Reports of Officers</b>		
16.1	Report of the Director of Resources (S151) Officer-Fees & Charges 2024/25		153 - 186
16.2	Report of the Deputy Chief Executive - Assistant Director, Street Scene Operations - Pay Grade Approval		187 - 204
16.3	Report of the Monitoring Officer - Exception to the Call-In decisions taken as a matter of urgency		205 - 212
16.4	Report of the Head of Governance		213 - 222

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 11 July 2023

### AGENDA ITEM 6

#### PRESENT:-

The Worshipful the Mayor (Councillor Nagus Narenthira)  
The Deputy Mayor (Councillor Tony Vourou)

#### Councillors:

Ernest Ambe	Lachhya Gurung	Simon Radford
Richard Barnes	Marianne Haylett	Barry Rawlings
Zahra Beg	Ross Houston	Danny Rich
Rishikesh Chakraborty	Anne Hutton	Tim Roberts
Pauline Coakley Webb	Giulia Innocenti	Ella Rose
Dean Cohen	Andreas Ioannidis	Gill Sargeant
Philip Cohen	Laithe Jajeh	Alan Schneiderman
Sara Conway	Humayune Khalick	Mark Shooter
Geof Cooke	Paul Lemon	Elliot Simberg
Alison Cornelius	David Longstaff	Caroline Stock
Richard Cornelius	Kath McGuirk	Daniel Thomas
Edith David	Nick Mearing-Smith	Liron Woodcock-
Paul Edwards	Michael Mire	Velleman
Claire Farrier	Arjun Mittra	Lucy Wakeley
Shuey Gordon	Giulia Monasterio	Sarah Wardle
Eva Greenspan	Alison Moore	Emma Whysall
Jennifer Grocock	Ammar Naqvi	Nigel Young
Rohit Grover	Matthew Perlberg	Peter Zinkin
Kamal Gurung	Alex Prager	

#### Apologies for Absence

Councillor Andrea Bilbow OBE Councillor Anne Clarke Councillor Joshua Conway	Councillor Val Duschinsky Councillor Linda Lusingu Councillor Zakia Zubairi
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## 1. OFFICIAL ANNOUNCEMENTS

The Worshipful the Mayor informed that she has visited Ramat Gan with a delegation of four other councillors from 29<sup>th</sup> May to 1<sup>st</sup> June as part of our twinning programme of the city which was a very enjoyable and informative visit. She also had the opportunity to meet other delegations from Germany, Hungary and Phoenix and exchanged many useful ideas.

The Worshipful the Mayor received a letter from King Charles III and Queen Camilla thanking the Council for congratulating them on their coronation. The letter reads *'We were deeply touched by your most kind and thoughtful message following our Coronation. We are enormously grateful to everyone who took part in the celebrations, and particularly appreciate that you so generously took the time to write to us on this very special occasion'*.

On behalf of the Council, The Worshipful the Mayor sent her congratulations to Saracens who won the Premiership Rugby Final on 27<sup>th</sup> May 2023.

The Worshipful the Mayor informed that she had written to congratulate the following on their recognition in the King's Birthday honours:

- Laura Marks CBE – For services to Inter-faith relations, to Holocaust education and Women's empowerment
- Roy Martin MBE – Chair RAF Museum - Aerospace Museum Society for services to Heritage
- Jacques Weisser BEM For services to the Jewish Community and Holocaust Remembrance

The Worshipful the Mayor informed that on 24<sup>th</sup> June the London Borough of Barnet held a very successful military parade at the RAF Museum to honour our Armed Forces. There were approximately 200 personnel on parade including Reservists, Veterans and cadets and approximately 150 guests and public were also present. The Armed Forces flag was raised at the event.

The Worshipful the Mayor noted that Barnet has a large Gurkha Nepalese community in the borough with many Gurkha veterans. The Gurkha Brigade Association were presented with their new Banner by the Representative Deputy Lieutenant Martin Russell with other awards presented for notable achievements to cadets. The Worshipful the Mayor expressed her public thanks to the RAF Museum for providing their facilities to enable the parade to take place.

On Monday 19<sup>th</sup> June the Worshipful the Mayor raised The Armed Forces Flag at Hendon Town Hall which was flown for the week.

On behalf of the Council the Worshipful the Mayor sent her warmest congratulations to Alma School and to all those involved in the success of winning the English School's Football Association Under 11's Small Schools Cup.

The Worshipful the Mayor commented that June was Pride Month and a cross-section of groups held Pride events this year from an art exhibition, a skate-boarding event, school event and flower show, with everyone in the community encouraged to attend.

The Worshipful the Mayor informed the Council rounded off its Refugee Week in Barnet which took place at the end of June with a celebratory event which was held for more than 200 refugees and asylum seekers in Victoria Park, Finchley, that comprised food, music, dance and entertainment. The event which is the first time Barnet has run one for Refugee Week which was also an opportunity for council colleagues eager to get involved in supporting community events to volunteer their time.

The Worshipful the Mayor acknowledged the anniversary of the Grenfell Tower tragedy in memory of those who sadly lost their lives on 14 June 2017.

The Worshipful the Mayor advised that on the evening of 5<sup>th</sup> July, Hendon Town Hall was lit in blue to mark the 75<sup>th</sup> anniversary of the NHS and informed that she had visited Barnet Hospital on the day to express thanks and gratitude to the staff at the hospital/

The Worshipful the Mayor informed that South Asian Heritage Month begins from 18<sup>th</sup> July which is the date that the Indian Independence Act 1947 gained royal assent from King George VI and she will be raising a flag to commemorate this. South Asian Heritage Month will be showcased in the community via a cricket match on 30<sup>th</sup> July at Mill Hill Village Sports Club.

## **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Anne Clarke, Andrea Bilbow OBE, Zakia Zubairi, Val Duschinsky, Joshua Conway and Linda Lusingu.

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

The Worshipful the Mayor was present.

## **4. PRAYER/WORDS FROM YOUNG PEOPLE IN BARNET**

The Worshipful the Mayor invited Suren Ramanakumar, Ania Siad and Sina Ahani, members of the Barnet Youth Board to say a few words.

## **5. DECLARATIONS OF INTEREST**

Cllr Rose declared a non-pecuniary interest in item 14.7 (Administration Motion in the name of Cllr Woodcock-Velleman – Alma Primary) as she is a governor at Alma Primary.

Cllr Mitra declared an interest in relation to a question contained within item 12 (Member Questions to the Leader, Portfolio Holders and Committee Chairs) by virtue of working for the Greater London Authority.

Cllr Edwards declared a non-pecuniary interest in item 14.9 (Administration Motion in the name of Cllr Edwards – Totteridge Academy School of the Year) as he is a governor at the Totteridge Academy.

## **6. MINUTES OF THE LAST MEETING**

**RESOLVED** that the minutes of the meeting held on 23 May 2023 be agreed as a correct record.

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

None.

## **8. PUBLIC QUESTIONS**

None.

## 9. DEPUTATIONS

Charlotte Thompson from the Barnet Forum for Independent Living was invited to speak on the received deputation.

Members asked questions of the deputation.

Following the questioning of the deputation, debate ensued. Following debate:

Councillor Thomas (Conservative) moved the following option from section 18.8 of the Council Procedure Rules: "Ask officers to prepare a report for the next meeting (of either Council or relevant committee) on the deputation." This was duly seconded by Councillor Alison Cornelius.

Councillor Edwards (Labour) moved the following option from section 18.8 of the Council Procedure Rules: "To note the deputation and take no action." This was duly seconded by Councillor Philip Cohen.

Upon the Conservative option being put to the vote, the votes were as follows:

For: 20  
Against: 36  
Abstain: 1  
Absent: 6  
Total: 63

In accordance with Council Procedure Rule 18.5 (Recorded Vote by Division). 10 Members present at the meeting demanded a recorded vote on this decision.

Councillor			For	Against	Not Voting	Absent
1	Ernest	AMBE		x		
2	Richard	BARNES		x		
3	Zahra	BEG		x		
4	Andrea	BILBOW				x
5	Rishikesh	CHAKRABORTY		x		
6	Anne	CLARKE				x
7	Pauline	COAKLEY WEBB		x		
8	Dean	COHEN	x			
9	Philip	COHEN		x		
10	Joshua	CONWAY				x
11	Sara	CONWAY		x		
12	Geof	COOKE		x		
13	Alison	CORNELIUS	x			
14	Richard	CORNELIUS	x			
15	Edith	DAVID		x		
16	Val	DUSCHINSKY				x
17	Paul	EDWARDS		x		
18	Claire	FARRIER		x		



19	Shuey	GORDON	x			
20	Eva	GREENSPAN	x			
21	Jennifer	GROCOCK	x			
22	Rohit	GROVER	x			
23	Kamal	GURUNG		x		
24	Lachhya	GURUNG	x			
25	Marianne	HAYLETT		x		
26	Ross	HOUSTON		x		
27	Anne	HUTTON		x		
28	Giulia	INNOCENTI		x		
29	Andreas	IOANNIDIS		x		
30	Laithe	JAJEH	x			
31	Humayune	KHALICK		x		
32	Paul	LEMON		x		
33	David	LONGSTAFF	x			
34	Linda	LUSINGU				x
35	Kath	MCGUIRK		x		
36	Nick	MEARING-SMITH	x			
37	Michael	MIRE	x			
38	Arjun	MITTRA		x		
39	Giulia	MONASTERIO		x		
40	Alison	MOORE		x		
41	Ammar	NAQVI		x		
42	Matthew	PERLBERG		x		
43	Alex	PRAGER	x			
44	Simon	RADFORD		x		
45	Barry	RAWLINGS		x		
46	Danny	RICH		x		
47	Tim	ROBERTS		x		
48	Ella	ROSE		x		
49	Gill	SARGEANT		x		
50	Alan	SCHNEIDERMAN		x		
51	Mark	SHOOTER	x			
52	Elliot	SIMBERG	x			
53	Caroline	STOCK	x			
54	Daniel	THOMAS	x			
55	Liron	VELLEMAN- WOODCOCK		x		
56	Lucy	WAKELEY	x			
57	Sarah	WARDLE	x			
58	Emma	WHYSALL		x		
59	Nigel	YOUNG		x		
60	Peter	ZINKIN	x			
61	Zakia	ZUBAIRI				x
62	Deputy Mayor Tony	VOUROU		x		
63	Mayor Nagus	NARENTHIRA			x	
Total			20	36	1	6

**The Conservative Group option was therefore LOST.**

Upon the Labour Group option being put to the vote, the votes were as follows:

For: 36  
Against: 20  
Abstain: 1  
Absent: 6  
Total: 63

**The Labour Group option was therefore CARRIED and it was therefore RESOLVED to note the Deputation and take no action.**

**10. PETITIONS**

None.

**11. ANNOUNCEMENTS FROM THE LEADER, PORTFOLIO HOLDERS & COMMITTEE CHAIRS**

None.

**12. MEMBER QUESTIONS TO THE LEADER, PORTFOLIO HOLDERS AND COMMITTEE CHAIRS**

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.

**13. MEMBER QUESTIONS ABOUT JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

None.

**14. MOTIONS**

**14.1 ADMINISTRATION MOTION IN THE NAME OF CLLR NAQVI - COST OF LIVING**

Councillor Naqvi moved the motion in his name. Councillor Longstaff moved an amendment in his name. Councillor Houston moved an amendment in his name. Debate ensued.

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

For: 20  
Against: 36  
Abstain: 1  
Absent: 6  
Total: 63

The amendment to the motion in the name of Councillor Longstaff was LOST.

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

For: 36  
Against: 20  
Abstain: 1  
Absent: 6  
Total: 63

The amendment to the motion in the name of Councillor Houston was CARRIED.

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

For: 36  
Against: 20  
Abstain: 1  
Absent: 6  
Total: 63

The motion as amended by Councillor Houston was CARRIED.

**RESOLVED that:**

**This council notes:**

- 1. That approximately 9,000 Barnet families will have to pay more than £2,300 per year in mortgage payments when they remortgage this year according to independent research.**
- 2. That this is due to interest rates soaring, after the Conservatives crashed the economy with their disastrous 2022 mini-budget.**
- 3. That the increased mortgage payments - typically of almost £200 per month, amounts to a mortgage penalty caused by the Conservative Government.**
- 4. That Finchley and Golders Green is one of the ten most adversely affected areas in the country, with households facing an average increase in annual mortgage payments of more than £7,800 per year.**
- 5. That any increase in mortgage rates will inevitably impact those in the private rented sector, as landlords pass on the costs of remortgaging to their tenants, many of whom are among the most vulnerable residents of our borough. That this will hit particularly hard in Child's Hill, Hendon and Golders Green where almost half of all residents are private sector tenants.**

6. That, with Government nationally causing so much economic chaos, local government has to help residents with the cost-of-living crisis.
7. That Barnet's Labour administration has put £9million into initiatives to help those affected by the cost-of-living crisis, including the Barnet Resident Support Fund, Council Tax Relief and Housing Payments.
8. That, despite the best efforts of local government, this is a national problem, which ultimately requires a national solution.
9. That the Labour Party has proposed a comprehensive five-point plan to help residents through this Tory-caused mortgage crisis.

This council resolves:

1. To continue to administer the additional £2m Resident Support Fund, and the total £9m cost of living support package to help those Barnet residents most in need.
2. To write to the borough's three MPs to urge them to support Labour's 5-point plan to tackle the mortgage crisis and help those affected by the Conservative-caused rocketing interest rates.

#### **14.2 OPPOSITION MOTION IN THE NAME OF CLLR THOMAS - POTHOLES & PAVEMENTS**

Councillor Thomas moved the motion and amendment in his name. Councillor Schneiderman moved an amendment in his name. Debate ensued.

The votes on the amendment in name of Councillor Thomas recorded as follows:

For: 20  
 Against: 36  
 Abstain: 1  
 Absent: 6  
 Total: 63

The amendment in the name of Councillor Thomas was LOST.

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

For: 36  
 Against: 20  
 Abstain: 1  
 Absent: 6  
 Total: 63

The amendment in the name of Councillor Schneiderman was CARRIED.

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

For: 36  
Against: 0  
Abstain: 21  
Absent: 6  
Total: 63

**RESOLVED that:**

**Council notes:**

1. **The insufficient investment by the previous Conservative administration in road and pavements and the need for further investment.**

**Council therefore resolves:**

2. **To welcome the work that has been done to identify an increase in funding of an additional £8 million over two years for highways repairs which will be discussed and decided at the forthcoming 18<sup>th</sup> July Cabinet meeting.**
3. **To welcome the additional £250,000 fund reactive repairs which has helped us repair 3,350 reported potholes and to continue to work to speed up pothole repairs.**
4. **To include ward councillors when deciding which pavements to resurface and to ensure this happens before the list is published as has been the council's practice.**

#### **14.3 ADMINISTRATION MOTION IN THE NAME OF CLLR INNOCENTI - BARNET'S CITIZENS ASSEMBLY AND YOUNG PEOPLE'S ASSEMBLY ON CLIMATE CHANGE & BIODIVERSITY**

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

For: 36  
Against: 20  
Abstain: 1  
Absent: 6  
Total: 63

The motion in the name of Councillor Innocenti was CARRIED.

**RESOLVED that:**

**This council notes:**

1. **That minimising climate change - and therefore the carbon emissions which contribute to it, is one of the greatest challenges of our time.**

2. That the effects of continued pollution from carbon emissions, the general increase in temperature and extreme weather is affecting Barnet and the whole of the UK as well as:
  - The submerging of entire countries from rising sea levels
  - Increased deaths from natural disasters
  - Disruption of food supplies leading to food price inflation
  - Poor health and poverty
  - The risk that the planet, in the long term, becomes increasingly uninhabitable
3. That in view of those risks Barnet has set itself a target of becoming, in overall terms, a council that does not emit more carbon into the atmosphere than it removes, i.e. a Net Zero council, by 2030 and a Net Zero borough by 2042.
4. That pollution-creating activities are so deeply entrenched in our society and economy that any attempt to cease them may cause disruption to the lives of our residents.
5. That the potential disruption to the lives of our citizens places a moral obligation on decision-makers to involve residents in developing our plan to tackle the issue.
6. That it is therefore necessary to build a consensus with the people of Barnet on how we achieve our Net Zero goals and are candid about the challenges it poses.
7. That the recently completed Citizens' Assemblies are a critical step to laying Barnet's pathway to Net Zero
8. That more than 60 residents - aged 12 to 90 - including 20 young people gave up much of their time to these efforts.
9. That the Citizens' Assemblies has generated 20 recommendations which the Council administration will now consider.
10. That these recommendations call on both the council and citizens to take responsibility for tackling climate change.

**Council Resolves:**

1. To thank all those residents who participated in the Citizens' Assemblies and confirm that their work was necessary and vital.
2. To support Cabinet in its work of seriously examining the Citizen's Assemblies' recommendations and looking at the best way to achieve their objectives.
3. To continue to work, as a council as a whole, with the participants of both Assemblies, the wider community, businesses and environmental groups in our plan to get to Net Zero.

**14.6 OPPOSITION MOTION IN THE NAME OF CLLR GROVER - 'PUTTING SUSTAINABILITY AT THE HEART OF EVERYTHING WE DO' MEANS PROTECTING OUR TREES.**

The votes on the amendment in Councillor Mitra's name were recorded as follows:

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63

The amendment in the name of Councillor Mitra was CARRIED.

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

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63

**RESOLVED that:**

**Council notes that:**

1. Earlier this year Planning Committee A approved an application to fell an oak tree of special amenity value in Garden Suburb ward that had previously been protected by a Tree Preservation Order.
2. Government guidance advises that in considering such applications the local planning authority should:
  - assess the amenity value of the tree and the likely impact of the proposal on the amenity of the area;
  - consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;

- consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;
  - consider whether any requirements apply in regard to protected species;
  - consider other material considerations, including development plan policies where relevant; and
  - ensure that appropriate expertise informs its decision.
3. All the appropriate policies and procedures were considered and applied in this case with the effect that sadly the tree needed to be felled.
  4. Barnet's Corporate Plan 2023-2026, 'Caring for our people, our places and the planet', commits the Council to: 'put sustainability at the heart of everything we do' and 'enhance our green and open spaces so they are attractive places with excellent biodiversity and tree cover'.

**This Council resolves to:**

1. Instruct officers to ensure that all applicable laws, policies and procedures are being followed and that the Council is doing everything it can to maintain the protection of trees - and particularly trees subject to TPOs, in line with the commitments made in its Corporate Plan, and in the context of the council's commitment to plant 1,000 trees per year.
2. Ask the relevant scrutiny committee to consider examining this issue and present the outcome of this review to the appropriate Committee or Cabinet for consideration and action as necessary.

#### **14.5 ADMINISTRATION MOTION IN THE NAME OF CLLR ROSE - BARNET LGBT+ & PRIDE**

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

For: 20  
 Against: 36  
 Abstain: 1  
 Absent: 6  
 Total: 63

The amendment in the name of Councillor Thomas was LOST.

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

For: 56  
 Against: 0  
 Abstain: 1  
 Absent: 6  
 Total: 63



The motion in the name of Councillor Rose was CARRIED.

**RESOLVED that:**

**Council Notes:**

1. That LGBT+ people are part of our community, our family and our friends and that we celebrate them.
2. That there has been hard won progress on equality for LGBT+ people in the UK such as the repealing of Section 28 and same-sex partnerships under the last Labour government and equal marriage less than a decade ago during the Coalition government. However, there is still far more that needs to be done.
3. LGBT+ people still face discrimination in the UK: two thirds have experienced hate crime and/or abuse; one half feel they cannot be open about their identity to their family; one third feel they cannot be open about their identity at work. Barnet's LGBT+ residents face similar challenges.
4. That Trans people in particular face a hostile environment at this time, often at the centre of a vitriolic national debate which is about them but often does not include them.
5. That this environment risks further marginalising this group of our fellow citizens, who too often suffer from ostracisation, workplace discrimination and hate crime.
6. That for the first time this year, there was a specific Pride programme for Barnet, run in collaboration between the council and community groups such as Inkluder CiC and Masorti Judaism's LGBT+ Network, which ran throughout June.
7. The programme included a rollerskating event, a tea party at the Flower Bank, and *The Identity Project – Barnet Edition*, a collection of stories and portraits of the LGBTQ+ community of Barnet hosted by Middlesex University among other activities, and engaged 100s of Barnet residents.
8. That the inaugural LGBT+ celebration Pride in the Park will be held on 20<sup>th</sup> August 2023 in Victoria Park, Finchley

**Council Resolves:**

1. To thank Inkluder CiC and Masorti Judaism's LGBT+ Network, community volunteers and council officers for all their hard work in organising Pride events.
2. To encourage members to attend the Pride Event in Victoria Park, Finchley, on 20<sup>th</sup> August 2023
3. To call upon all political parties at a national and local level to work for the equality and protection of all LGBT+ people, and in particular trans people.
4. To restate the Council's determination to ensure Barnet is a borough where LGBT+ people are valued, celebrated and safe.

**14.6 OPPOSITION MOTION IN THE NAME OF CLLR GROVER - EV CHARGE POINTS - CONSULTATION AND TRANSPARENCY**

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

For: 20  
Against:36  
Abstain:1  
Absent: 6  
Total: 63

The motion in the name of Councillor Grover was LOST.

**14.7 ADMINISTRATION MOTION IN THE NAME OF CLLR WOODCOCK-VELLEMAN - ALMA PRIMARY SCHOOL**

Votes on the motion in the name of Councillor Woodcock-Velleman were recorded as follows:

For: 57  
Against: 0  
Abstain:0  
Absent: 6  
Total: 63

The motion in the name of Councillor Woodcock-Velleman was CARRIED.

**RESOLVED that:**

**This council notes:**

- 1. That Barnet's Alma Primary won the English School's Football Association Under 11's Small Schools Cup.**
- 2. That to reach the finals day, the school's team had to overcome rivals at borough, regional and national level.**
- 3. That on finals day itself, the team competed against five other schools for the trophy at Leicester City's King Power Stadium.**
- 4. That Alma Primary is ten years old this year, has had a permanent home for seven years and does not have its own pitch, making the achievement all the greater.**

**Council Resolves:**

- 1. To congratulate the pupils of the Alma Primary Under-11s Small Schools Cup on their fantastic win.**

2. That the players - Nadav Okrent, Gilad Sasson, Levi Kay, Charlie Gelb, Ethan Lazarus, Ari Kaye, Yoni Shamash, Josh Norman and Oli Cohen - are heroes of the borough, a credit to their school and their parents.
3. To congratulate Alma Primary's Sports leader, Yasmin Ahmed, Headteacher, Marc Shoffren, the team's coach Alex Norman, team manager Caroline Norman, the school's wider teaching body, governors and parents on this wonderful success.

#### **14.8 OPPOSITION MOTION IN THE NAME OF CLLR THOMAS - ROAD CLOSURES IN BARNET**

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

For: 56  
Against: 0  
Abstain: 1  
Absent: 6  
Total: 63

The motion in the name of Councillor Schneiderman was CARRIED.

**RESOLVED that:**

**Council notes:**

1. The road closure at Golders Green Crescent is the result of an experimental traffic order.
2. An experimental traffic order enables a consultation where the seeking and receiving of the views of residents occurs concurrently to the trial of the measure being consulted upon. The receiving of views and the trial measures together constitute the consultation.
3. That the trial is the next step in a process following the Golders Green Strategic Plan being passed in January 2020 under the previous Conservative administration by the Conservative majority on the Housing and Growth Committee.
4. That as part of the work before that strategy was published, residents were consulted on the pedestrianisation of one end of Golders Green Crescent.

**Council resolves:**

1. Not to impose road closures on communities and to ensure there has been adequate consultation (except for emergencies, repairs to roads, pavements and utility works).
2. To ensure that residents are consulted, including those of surrounding roads, regarding proposals to alter local traffic flow and access to town centres, and that consultations enabled by experimental traffic orders are a legitimate form of this

3. To refrain from issuing permanent traffic orders before consultation results have been published and fully discussed with the relevant ward councillors.
4. To study closely the results of the Golders Green Crescent trial to ensure any permanent closure has support from the local community.

#### **14.9 ADMINISTRATION MOTION IN THE NAME OF CLLR EDWARDS - TOTTERIDGE ACADEMY SCHOOL OF THE YEAR**

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

For: 56  
Against: 0  
Abstain: 1  
Absent: 6  
Total: 63

The motion in the name of Councillor Edwards was CARRIED.

**RESOLVED that:**

**This council notes:**

1. That Totteridge Academy has been declared “Secondary School of the Year” in the Times Educational Supplement annual awards
2. That this outstanding achievement is something of which the whole borough can be proud.

**Council also notes:**

1. The huge progress the school has made since 2016, when today’s school leavers would have been at the beginning of their secondary school career and Totteridge Academy had the lowest progress scores in Barnet.
2. That this national recognition reflects a school with a remarkable record of achievement and ethos which includes:
  - Being one of the top 50 schools in the country for its GCSE progress score
  - In 2022, being named one of the world’s best schools for Supporting Healthy Lives
  - An onsite farm that support’s well-being, the development of healthy life-skills and unique learning opportunities
  - The availability of individual mental health support for children
  - 100 per cent of staff reporting that they are proud to work at the school

**Council Resolves:**

1. To congratulate The Totteridge Academy on being named Secondary School of the year.
2. To pay tribute to the Principal, Chris Fairbairn, his senior staff team, all the staff, the Governors, pupils and parents for all their efforts into making the school such a success.
3. To thank the inspirational students of The Totteridge Academy, who collectively are a model to which schools across the country aspire, and to express how proud the borough is of their conduct and achievement.

#### 14.1 OPPOSITION MOTION IN THE NAME OF CLLR THOMAS - COUNCIL EVENTS 0

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

For: 37  
Against: 20  
Abstain: 0  
Absent: 6  
Total: 63

The motion in the name of Councillor Whysall was CARRIED.

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

For: 20  
Against: 37  
Abstain: 0  
Absent: 6  
Total: 63

The motion in the name of Councillor Thomas was therefore LOST.

Votes on the amended motion in the name of Councillor Whysall were recorded as follows:

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63

The amended motion in the name of Councillor Whysall was therefore CARRIED.

**RESOLVED that:**

**Council resolves:**

1. To invite all members from relevant committees and wards to community events organised by the council (as is the current practice).

2. To give all relevant members timely notice for events (as is the current practice)

## **15. REPORTS FROM EXECUTIVE & COUNCIL COMMITTEES**

### **15.1 REPORT OF THE CHAIR OF THE GOVERNANCE, AUDIT AND RISK-MANAGEMENT AND STANDARDS COMMITTEE - REFERRAL FROM GOVERNANCE, AUDIT AND RISK-MANAGEMENT & STANDARDS COMMITTEE - ANNUAL REPORT OF THE AUDIT COMMITTEE**

The Worshipful the Mayor introduced the report. Councillor Mittra moved the reception and adoption of the recommendations in the report. Debate ensued.

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

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63

**RESOLVED that Council:**

1. Note and approve the Annual Report of the Audit Committee for 2022/23 as an accurate record of the outcomes and work programme for the year.

## **16. REPORTS OF OFFICERS**

### **16.1 REPORT OF THE DEPUTY CHIEF EXECUTIVE - UNAUTHORISED SKIPS - CIVIL ENFORCEMENT POWERS**

The Head of Governance introduced the report, outlining to adopt powers available to the Council under Part 3 of the London Local Authorities and Transport for London Act 2013 ("the Act"), in order to decriminalise offences in relation to illegally operated skips on the highway.

In order to adopt the said powers, the Act requires a resolution of Full Council for an appointed day of adoption.

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

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63

**RESOLVED that Council:**

- 1. Adopt Part 3 of the London Local Authorities and Transport for London Act 2013.**
- 2. Fix a day on which Part 3 of the London Local Authorities and Transport for London Act 2013 will come into operation ('the appointed day'), namely Monday 6 November 2023.**
- 3. Authorise the Deputy Chief Executive to arrange for the necessary notices be published in accordance with the requirements of the Act.**

## **16.2 REPORT OF THE MONITORING OFFICER - EXCEPTION TO THE CALL-IN (REQUISITION) PROCEDURE & AMENDMENTS TO THE CONSTITUTION.**

The Monitoring Officer introduced the report noting that an exemption from Call-in was granted for 'Matters associated with the acquisition of properties at Colindale Gardens' report considered at Cabinet on the 26th June 2023.

The Monitoring Officer also proposed some amendments to the Constitution regarding questions from members at Cabinet.

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

Recommendation 1:

For: 37  
Against: 20  
Abstain: 0  
Absent: 6  
Total: 63

Recommendation 2:

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63

**RESOLVED that:**

- 1. That the exemption from call-in be noted**
- 2. That the amendments to the Executive Procedure Rules and Council Procedure Rules be agreed.**

## **16.3 REPORT OF THE HEAD OF GOVERNANCE - WORK PROGRAMMES FOR OVERVIEW AND SCRUTINY 2023/24**

The Head of Governance introduced the report, outlining the work programmes for the Overview and Scrutiny Committee and Sub Committees for 2023/24 which have been considered at their first meetings in June 2023.

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

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63

**RESOLVED that:**

**1. That Council receives the agreed 2023/24 Work Programmes for:**

- a) Overview and Scrutiny Committee**
- b) Adults and Health Overview and Scrutiny Sub-Committee**
- c) Children and Education Overview and Scrutiny Sub-Committee**

**2. To note that the Overview and Scrutiny Committees and Sub-Committee have commissioned Task and Finish Group Reviews to take place during 2023/24 on**

- a) Youth Homelessness**
- b) Elective Home education**
- c) Primary Care (GP) Access**
- d) The Discharge to Assess Model**
- e) Barnet Homes**
- f) Barnet Roads**
- g) Safe Parks**
- h) Culture Strategy**

**3. To note that the Overview and Scrutiny Committees and Sub-Committee will make amendments to the work programme in response to issues of concern or to request new pre decision items ahead of their consideration by Cabinet/Council.**

**16.4 REPORT OF THE HEAD OF GOVERNANCE - ADMINISTRATIVE MATTERS**

The Head of Governance introduced the report, outlining the various administrative matters for Council's agreement and noted the late amendment that Cllr Radford would no longer be standing down from the Eleanor Palmer Trust.

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

For: 57  
Against: 0  
Abstain: 0  
Absent: 6  
Total: 63



**RESOLVED that Council:**

- 1. That Council note and approve the appointments to Outside Bodies in Appendix A.**
- 2. That Council note and approve the non-councillor appointments to Committees in Appendix B.**

**17. MOTION TO EXCLUDE THE PRESS & PUBLIC**

Council moved a motion to exclude the press and public on the basis that the exempt items will involve discussion of confidential information. The public gallery was cleared.

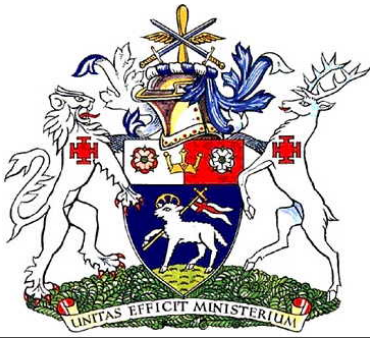
**18. REPORT OF EXECUTIVE DIRECTOR OF STRATEGY AND RESOURCES - SEVERANCE PAYMENT OVER £100,000**

**RESOLVED that Council approve the recommendations set out in the exempt report.**

The meeting finished at 9.35pm

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## Council



<b>Title</b>	Petition – Save Edgware Now
<b>Date of meeting</b>	17 October 2023
<b>Report of</b>	Head of Governance
<b>Wards</b>	Edgware
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Appendices</b>	Appendix A – Petition Supporting Statement
<b>Officer Contact Details</b>	Andrew Charlwood, Head of Governance, <a href="mailto:Andrew.Charlwood@barnet.gov.uk">Andrew.Charlwood@barnet.gov.uk</a>
<b>Summary</b>	
<p>In accordance with the Council Constitution, Part 3F, Petition Scheme petitions must have a minimum of 25 signatures and be relevant to the functions of the authority. The Scheme also provides that petitions which received over 3,001 signatories will be reported to Full Council. The 'Save Edgware now' petition has received over 3,001 signatures therefore Council are asked to consider this petition at this meeting.</p>	
<b>Recommendation</b>	
<p><b>That Council consider the 'Save Edgware Now' petition and determine the decision route (if any) which may include:</b></p> <ul style="list-style-type: none"> <li>• <b>Take no action;</b></li> <li>• <b>Provide a written respond to Lead Petitioner within 20 working days; or</b></li> <li>• <b>Instruct an officer to prepare a report for a future meeting of Cabinet or a Committee on the issue(s) raised with a recommended course of action.</b></li> </ul>	
<b>1. Reasons for the Recommendations</b>	
1.1	A paper petition was submitted to the Head of Governance on 22 <sup>nd</sup> September 2023 titled 'Save Edgware Now'. The petition has received more than 3,001 signatures from Barnet citizens. In accordance with the Petition Scheme the petition is required to be reported to Full Council for consideration.

- 1.2 Section 1.10 of the Petition Scheme states that “Petitions relating to planning or licensing applications, appeals or reviews will be treated as letters of representation and will be dealt with by the relevant service area and will be taken into consideration in dealing with the relevant application, appeal or review. For petitions falling within these categories, the reporting procedures below will not apply.” The Mayor who has authority on “...the construction or application of this Constitution or as to any proceedings of the Council...” has decided that, on balance, this petition should be accepted for reporting to Full Council rather than being treated as a letter of representation that would be dealt with by the relevant service area and will be taken into consideration in dealing with the application once submitted by the developer.
- 1.3 The petition states that “...the proposal to build over the Broadwalk Shopping Centre is being dressed up as a regeneration and redevelopment. In reality, this proposal is not redevelopment, it is GROSS OVERDEVELOPMENT leading in all likelihood not to regeneration but to degeneration.” Further information is set you out in Appendix A.

## **2. Alternative Options Considered and Not Recommended**

- 2.1 None.

## **3. Post Decision Implementation**

- 3.1 Council will decide on the appropriate action to be taken (if any) which will be referred to the relevant parties by the Governance Team.

## **4. Corporate Priorities, Performance and Other Considerations**

### **Corporate Plan**

- 4.1 None in the context of this report.

### **Corporate Performance / Outcome Measures**

- 4.2 None in the context of this report.

### **Sustainability**

- 4.3 None in the context of this report.

### **Corporate Parenting**

- 4.4 None in the context of this report.

### **Risk Management**

- 4.5 None in the context of this report.

### **Insight**

- 4.6 None in the context of this report.

### **Social Value**

- 4.7 None in the context of this report.

<b>5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)</b>	
5.1	N/A
<b>6. Legal Implications and Constitution References</b>	
6.1	<p>Council Constitution, Part 3F, Petition Scheme – petitions must have a minimum of 25 signatures and be relevant to the functions of the authority. Petitions with 3,001 or more signatures will be reported to Full Council and the following process will be followed:</p> <ul style="list-style-type: none"> <li>- Lead Petitioner is given five minutes to present the petition;</li> <li>- Council Members have an opportunity to ask questions of the Lead Petitioner then debate the item;</li> <li>- The relevant Cabinet Member or Committee Chair will respond to the issues raised in the petition and outline the decision route (if any) he/she proposes to take which may include: <ul style="list-style-type: none"> <li>o Take no action</li> <li>o Provide a written respond to Lead Petitioner within 20 working days; or</li> <li>o Instruct an officer to prepare a report for a future meeting of Cabinet or a Committee on the issue(s) raised with a recommended course of action</li> </ul> </li> </ul>
6.2	Council Constitution, Article 3A, Council Procedure Rules – Full Council has responsibility for “Receiving petitions from Members and the public in accordance with the arrangements for the making of petitions.”
<b>7. Consultation</b>	
7.1	N/A
<b>8. Equalities and Diversity</b>	
8.1	None specifically arising from the report.
<b>9. Background Papers</b>	
9.1	None.

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# SAVE EDGWARE NOW!

To: BARNET COUNCIL AND MAYOR OF LONDON: Please Listen

## THE PROBLEM:

The proposal to build over the Broadwalk Shopping Centre is being dressed up as regeneration and redevelopment. In reality this proposal is not redevelopment it is GROSS OVER-DEVELOPMENT leading in all likelihood not to regeneration but to degeneration.

## Background

Barnet Council decided a few years ago that because Edgware Town Centre benefited from good 'bus and tube links, that it was suitable for major high-density redevelopment and decided they would approve, in principle, buildings up to 30 storeys tall - which is more than double the height of Premier House (the current tallest building in Edgware) and almost double that of Premier Place (under construction). This was done at the height of Covid and the online consultation reached 160 people! Hardly comprehensive for such a dramatic change to our Town Centre.

With this new planning guidance in place, Irish-based developer Ballymore have purchased the Broadwalk Shopping Centre together with the car park to the rear, which was originally intended as free parking for residents and shoppers to access the shops and facilities of Edgware Town Centre. Ballymore have got together with the London Mayor's transport arm, TfL, who, locals will recall, wanted to build tall blocks of flats on the commuter car parks that serve Stanmore and Canons Park tube stations (among others).

Now TfL are saying they want to convert the existing 'bus fleet that works out of Edgware from diesel power to electric power because air pollution in Station Road is very bad. This programme will be very expensive, and for this reason, they need to see a hugely dense development of Edgware Town Centre to give them the revenues they want. Given that TfL have been haemorrhaging money in recent years, the more cynical might think that the over-development of Edgware Town Centre is being used as a cash-cow. Anyway, the current proposals, once accepted by Barnet Council, would have the following effects:

## Shopping

All the shops in the Broadwalk Centre, and the surface car park would be swept away. Whilst a new (replacement) Sainsburys is proposed this will have the dubious convenience of escalator-linked underground car parking, for those who presently do the weekly shop there. To be fair, the developers say they are proposing to replace the shopping facilities that will be lost with a similar amount of new shops, and restaurants, but as the new Town Square around which the proposed new shops and cafés are to be arranged, will not be open until Year 5 of the construction programme, it remains to be seen whether the proposed replacement shops will actually happen or will become a discarded aspiration, especially if the almost total loss of car parking causes many businesses in Station Road to go bust, giving the developers the argument that - with so many shuttered shops in Edgware already, what is the point of building more?

## Why is this important?

WHY THIS IS IMPORTANT TO EDGWARE RESIDENTS AND VISITORS:

### Why Edgware?

Edgware has been chosen by Barnet Council for the vast bulk of the Mayor's requirement for new residential development in Barnet Borough, allowing towns like Finchley, Golders Green, Hendon and Barnet itself with nothing like as onerous targets.

### Flats

The majority of the redevelopment of Edgware Town Centre will be concentrated in new

residential towers. A total of 19 or 20 new towers are proposed including those of up to 29 floors, with most being between 20 and 25 floors, and even the lower buildings are proposed at up to 14 floors. The proposal is for about 3,800 new units (including 460 student units) and this could be expected to house 7,000 people ( Ballymore's estimate that we think unlikely) to 12,500 people ( suggested by Barnet Councillor Lucy Wakeley and not denied by Ballymore) to maybe even 15,000 people. To put this in context, this will more than double the number of people that live within reasonable walking distance of Edgware Town Centre and hence double the demand for doctor's surgeries, school places, dentists, etc. etc. Precious little in the form of this essential Town infrastructure is being proposed to be provided, which can only have a hugely damaging effect on the availability of these essential services to existing residents.

### Parking

The land which is to be redeveloped presently provides 1035 car parking spaces, including a 275-space dedicated commuter car park for those that drive to Edgware tube to continue their journey into Town on the Northern line, and also of course the priceless facility for those who need or want to drive into Edgware Town Centre for its current shops and facilities. Again, this is to be almost entirely swept away and replaced, we are told, by a total of 764 spaces, of which 250 spaces will be servicing Sainsburys (in itself, probably insufficient for a full-size food superstore) AND the remaining replacement shops and cafés in the Town Centre (if they are ever built). The other 514 spaces would be in a substantially less convenient Multi-Storey car park.

Now we are told that it is currently a matter of negotiation with Barnet Council and other bodies as to the allocation of the remaining 514 spaces between the competing demands of the new residents, the daily commuters and existing local residents who want or need to drive to their Town Centre.

The developers argue that because it is a Town Centre development almost none of the new residents will want or need a car, or even a visitors' space, but even if that were substantially true, and a car was used by only one person per 10 flats, this will still imply 340 residents' spaces (including about 100 spaces deemed necessary for disabled blue-badge-holders), taking up almost all of the meagre replacement parking leaving just 175 spaces for the commuters (in itself a reduction of 35% of the numbers they presently have) and nothing at all for local residents driving to the Town Centre, and so, predictably, are therefore very likely to be denied access to the new Multi-Storey car park.

### Timing

Because of the huge scale of the proposed development, it is estimated that this development could take TEN YEARS to complete. Imagine that - 10 years of disruption, diversions, mess and misery swamping our Town Centre. How many residents wouldn't be able to face this and prefer to move somewhere else - that is if they could find someone willing to buy their house and put up with all this!

### Summary

If Barnet Council decide to grant planning permission for this development proposal, which is at a density far in excess of what they have already permitted in Colindale in recent years, and it does indeed go ahead, the suburban character of Central Edgware will be lost forever, and instead replaced with a mini-Manhattan, no doubt at great profit to the developers, but at huge cost to the standard of living of local residents.

### Action

What can be done about this then? Sign this petition below!

We need Barnet Council and the Mayor for London to be convinced that these proposals are in fact a gross overdevelopment, totally out of keeping with the character of Edgware and the maximum they should permit here is a development of about a quarter of this density, whilst insisting that the shopping facilities are replaced, that there is more parking, and provision of the necessary supporting infrastructure including schools, doctor's surgeries, etc. and with buildings considerably lower than those proposed.



**Council 17<sup>th</sup> October 2023**

**Administration motion in the name of Councillor Guilia Innocenti  
Recommitment to Net Zero**

**AGENDA ITEM 14.1**

**Council Notes that:**

- Barnet Council declared a Climate Emergency in May 2022, committing to becoming a Net Zero Council by 2030 and a Net Zero Borough by 2042.
- That man-made climate change represents the greatest risk to the long-term habitability of the planet.
- That more short-term physical effects include: More frequent and more extreme meteorological disasters; greater shortages of drinking water; increased risk of desertification; greater disruption to supply chains of food.
- Other effects are likely to include: Increased food inflation; greater refugee and migrant flows; Increased poverty in the developing world; And the submersion of entire countries.
- That the effects of climate change, including flooding and other extreme weather conditions are also being seen across the UK and Barnet.
- That the 2050 target for a Net Zero UK – that is, by 2050 the UK should be taking out as least as much carbon dioxide from the atmosphere as it is putting in has been part of the UK political consensus when it was adopted both by then Prime Minister Gordon Brown and then Leader of the Opposition David Cameron.
- That there are fears that the recent measures announced by the Prime Minister will make reaching that 2050 target harder.
- That Barnet will soon have installed over 2,000 electric vehicle charge points which is set to be more than 1 in 6 of all on-street charge points in London. However, as stated by the Association of Fleet Professionals and Addison Lee, investment in electronic vehicle charging points is at risk following the Prime Minister announcing that the ban on sales of new petrol cars will be postponed.
- That Barnet has started to retrofit social housing and council buildings, including the installation of heat pumps and solar panels.
- That the decision to lift the ban on installation of new gas boilers by 2035 has also put at risk investment in the heat pump industry which may have consequences for the price of more environmentally friendly heat pumps.

**Council Resolves to:**

- Continue installing EV charging points to enable even more Barnet residents to switch to an electric car.
- To reach out to other local authorities to make a joint statement on its commitment to EV charging points rollout, to assure the industry that the effect of the Prime Minister's speech on investment will be minimised.
- To write to the Prime Minister, expressing dismay at the confusion and concern caused by his speech, and to reiterate the need to re-establish the political consensus on the 2050 Net Zero target, which require a realistic sequence of steps to achieve it.

*Under Council Procedure Rule 15.5 this motion is to stand referred to the Executive as it refers to matters within the powers of the executive*

**Opposition motion in the name of Cllr Rohit Grover**

**The CPZ programme review should be brought before Cabinet.**

**Council notes:**

- That the review of the CPZ programme has now been completed.
- The next steps will be discussed by the Capital Strategy Board (if they haven't been already).
- The Strategic Projects Board does not have any councillors as members; and
- The outcome of the CPZ programme review will not be brought before Cabinet.
- The intention for CPZs to cover wide areas was a policy initiative introduced by the last administration subject to thorough resident consultation.
- One of the first such large zones was meant to be introduced in Garden Suburb. However, the outcome of the 'Engagement on Parking' exercise in Garden Suburb revealed that only 22% of residents responded, and 27% of respondents were in support of a CPZ with 68% against it.

The conclusion must be that residents respond to the here and now rather than what may or may not happen in the future. The here and now in Garden Suburb is that certain streets experience acute parking pressures, while the vast majority do not.

However, the outcome of the CPZ programme review is that there will be no extension of the existing CPZ arrangements in the ward for the foreseeable future, even though a small number of streets continue to experience acute parking pressures and have done so for many years. This is thoroughly unsatisfactory.

**Therefore, council resolves that:**

- It accepts the basic democratic principle (as far as is legally possible) that instead of implementing CPZs across large areas that for the most part do not experience parking pressures and where residents have not expressed support for them, CPZs should only be implemented, if legally possible on streets that do experience parking pressures and where residents have expressed support.
- Some flexibility should be built into the CPZ programme to accommodate localised parking pressures, rather than always using a sledgehammer to crack a nut.
- Any introduction of measures that impose further costs on residents during a cost-of-living crisis should be decided in an open and transparent way.
- The outcome of the CPZ programme should therefore be discussed at Cabinet where residents will be able to make Deputations and non-executive councillors will be able to ask questions of the relevant Cabinet member.
- If there are no legal restrictions, a road will only join a CPZ if a majority of residents are in favour.

*Under Council Procedure Rule 15.5 this motion is to stand referred to the Executive as it refers to matters within the powers of the executive*



**Council 17<sup>th</sup> October 2023**

**Administration motion in the name of Councillor Anne Hutton  
RAAC**

**AGENDA ITEM 14.3**

**Council Notes that:**

- Council Staff did an excellent job in ensuring that schools in Barnet were checked thoroughly for outdated Reinforced Autoclaved Aerated Concrete (RAAC) within days of Government informing schools on 31st August, in some cases only one full working day before the beginning on the School Term.
- Regrettably, the Government delayed informing schools of the crisis, even though officials first informed ministers of the need for action on the 21<sup>st</sup> August.
- If Schools had been informed on the 21<sup>st</sup> or 22<sup>nd</sup> August, this would have given a much greater lead in time to the start of the new term to deal with the crisis.
- The school affected in Barnet – Bishop Douglass – would have been revamped under Labour’s Building Schools for the Future Programme, as agreed by the then Conservative administration of Barnet, if it had not been cancelled by the subsequent Conservative-led Government
- That central government has communicated poorly throughout the RAAC crisis with local government, even as councils have many of the expertise needed to respond to situations such as this.

**Council Resolves to:**

- Write to the Secretary of State for Levelling up, Housing and Communities, to ask if there is a plan to deal with outdated RAAC in the wider public estate, and how the Government intends to communicate to and co-operate with councils in implementing that plan.
- Thank Council staff for their diligence and swift action in ensuring Barnet Schools were checked for outdated RAAC as quickly as possible.

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**Council meeting 17<sup>th</sup> October 2023**  
**Opposition motion in the name of Cllr David Longstaff.**  
**Planning enforcement is a must in Barnet.**

**AGENDA ITEM 14.4**

**Council notes:**

- The importance of adhering to granted planning permissions.
- Should building works exceed the planning permissions granted and it be expedient to enforce the breach, it is important the council seek rectification at the earliest opportunity. Having won decisions on enforcement, the council should have a clear schedule for enforcement.
- Unacceptable agreements should not be reached with developers that leave residents incandescent at an unjust compromise. A compromise will invariably mean residents feel let down by the council.
- That compromises rarely produce satisfactory outcomes and can result in reputational damage to the council's enforcement team.
- Residents regularly contact councillors to express their dismay and/or confusion as to why certain enforcement actions may not be taken.

**Council resolves to:**

- Call on the Labour Administration to ensure that all planning enforcement rulings from Planning Inspectorate decisions are pursued by officers with a managed, clear schedule of action to ensure the harm caused by the breach is resolved.
- Thereafter produce a report to the Strategic Planning Committee highlighting the:
  - o The requirements of the upheld notice.
  - o Date of the appeal decision.
  - o Restorative action taken.
  - o The date case is closed.
  - o If not closed, the reason for delay.
- To provide a clear explanation to concerned parties as to the reason for routes taken in deciding how to deal with a planning enforcement matter. Highlighting, as done in councils such as Buckinghamshire:
  - o Expediency.
  - o Harm.
  - o Discretionary.

*Under Council Procedure Rule 15.5 this motion is to stand referred to the Strategic Planning Committee as a matter within the remit of that committee*

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**Council 17<sup>th</sup> October 2023**

**Administration motion in the name of Councillor Arjun Mittra  
Local Government Finance**

**AGENDA ITEM 14.5**

**Council Notes that:**

- Ten councils have had Section 114 notices issued since 2018, denoting that they had, in effect, run out of money.
- That the ten councils that have issued 114 notices include Conservative Thurrock, Liberal Democrat Woking and Labour Birmingham.
- No councils issued Section 114 notices between 2001 and 2017.
- That the Special Interest Group of Municipal Authorities – Sigoma – estimate that 26 more councils could issue section 114 notices over the next two years.
- The dramatic rise in the number of section 114 notices over recent years appears to be related to central government grants to councils having been cut in real terms by 50 per cent since 2010.
- That there are media reports that the Government may seek to cut taxes such as inheritance tax. Such cuts in taxes, if not funded by borrowing, could be funded by further cuts to local government, pushing more to issue Section 114 notices.

**Council Resolves to:**

- Write to the Prime Minister, pointing out that there has been a cut to Government grants of 50 per cent over the last 14 years, and urging him not to pass on further cuts to local government.

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**Council notes:**

- 1) That in January, the Council passed a motion that recognises that Refugee & asylum seekers are much more likely to be subject to both criminal and sexual exploitation as well as modern-day slavery and that Barnet Council has a duty of care towards children and vulnerable and trafficked adults in our borough.
- 2) In the year ending in June, The Metropolitan Police received 5,435 referrals where a person was a potential victim of modern slavery.
- 3) Globally, over 50 million people are in modern slavery, with there being over 100,000 victims in the UK. The latest data provided by the London Modern Slavery Leads Group shows that in the year 2020/2021, there were 72 referrals to the National Referral Mechanism from Barnet. **17** of those referrals were **children**. In the year 2021/2022 there were 80 referrals.
- 4) Those forms of modern slavery, including labour exploitation, criminal exploitation, sexual exploitation, and domestic servitude, among others, are prevalent in Barnet.
- 5) At present, the only information present to officers and members on Modern Slavery are links to external organisations.
- 6) A member of the Adult Social Care, Housing and Learning & Development team attended the Human Trafficking Foundation's modern slavery Train the Trainer training in the summer and the Human Trafficking Foundation was invited to a Safeguarding Adults Managers meeting to raise awareness of indicators and the National Referral Mechanism process.
- 7) The Modern Slavery Act 2015 saw the UK become the first country in the world to introduce transparency in supply chain requirements.
- 8) Following that, Barnet Council and its subsidiary groups have established their own policies regarding Modern Slavery and are working hard to find and eradicate any form of slavery within Barnet. More, however, needs to be done.

However, considering the latest data, compounded by the impacts of COVID-19 and increased vulnerabilities, especially of women and children, not enough action is being taken.

**Council therefore resolves:**

- 1) Barnet London Borough Council to join the London Partnership on Modern Slavery.
- 2) To commit to appointing a multi-stakeholder and intergenerational Modern Slavery Board within the next 6 months, replacing the existing inter-departmental governance model, that co-leads and co-creates the development and implementation of a modern slavery strategy and action plan, focusing on awareness, prevention, and providing support to survivors of modern slavery and human trafficking as seen in authorities such as Kensington & Chelsea, Westminster and Haringey.

- a. The Modern Slavery Board should also act as the monitoring and evaluation body of the strategy, reporting to the relevant Committees and Cabinet on a bi-annual basis.
- 3) To co-create these processes with Councillors, Council Officers, anti-modern slavery organisations, police and NHS wider civil society and young people.
- 4) To have a web page on Barnet's website with information on the current state of a strategy and statistics of reported victims & survivors of modern slavery in Barnet and links to help.

**Council 17<sup>th</sup> October 2023**

**Administration motion in the name of Councillor Alison Moore  
Smoking Cessation Services Funding**

**AGENDA ITEM 14.7**

**This Council notes that:**

- Preventable disease continues to have a massive impact on the public's health, the NHS and the economy.
- Tobacco is the biggest preventable cause of cancer and premature death in the UK.
- With decades of comprehensive policy action, adult smoking prevalence in the UK in 2022 was at a record low at 12.9% but this masks significant inequality. In Barnet, GP records show average smoking prevalence across the Borough is 12.4% but that in some wards it's as high as 17.4%.
- Differences in smoking rates make it one of the leading drivers of health inequalities, responsible for half the difference in life expectancy between the lowest and highest income groups in England.
- According to the anti-smoking Charity ASH, smoking costs Barnet £105million per year in terms of ill-health, loss of productivity, fires and other costs.

**Council therefore:**

- Recognises that through their public health duties, local authorities including Barnet are responsible for improving the health of their population and do this through services including stop smoking services and wider tobacco control activities;
- Believes that local government must be adequately resourced to fulfil their public health duties;
- Supports Cancer Research UK's calls for a Smokefree Fund (a fixed annual charge on the tobacco industry, making the tobacco industry pay for the damage their products cause, without being able to influence how the funds are spent) to fund local tobacco control work and urges the UK Government to consider implementing a Smokefree Fund as part of its efforts to tackle health inequalities.
- Will write letters to the Chancellor of the Exchequer and the Secretary of State for Health and Social Care, to that effect.

*Under Council Procedure Rule 15.5 this motion is to stand referred to the Health & Wellbeing Board as a matter within the remit of that committee*

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**Council Meeting 17<sup>th</sup> October 2023**  
**Opposition Motion in name of Cllr Lucy Wakeley**  
**Barnet leading the way in SEND provision.**

**AGENDA ITEM 14.8**

**Council notes:**

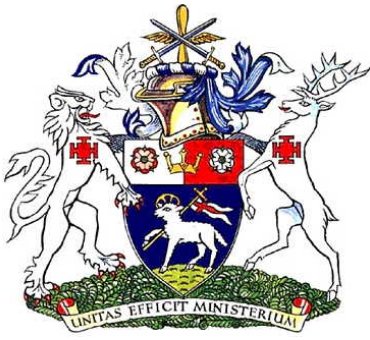
- Barnet has been selected to be the Lead LA for the London SEND and AP Change Programme Partnership (CPP).

**Council resolves:**

- To congratulate Cllrs Longstaff, Coakley Webb and other Cllrs over the years for their exceptional work within Children's and Family Services not just in SEND but overall in our borough's high education standard.

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AGENDA ITEM 15.1

**Council**

17 October 2023

<b>Title</b>	Constitution Review
<b>Date of meeting</b>	17 October 2023
<b>Report of</b>	Monitoring Officer
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Appendices</b>	Appendix A – Part 2B and 2C – Terms of Reference of Committees Appendix B – Part 4I – Members Allowances Scheme Appendix C – Part 3A – Council Procedure Rules Appendix D – Part 3B and 3B1 – Executive Procedure Rules Appendix E – Part 3C – Committee Procedure Rules
<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**

Following engagement with the Constitution Review Working Group, several amendments to the Constitution are proposed as set out in the report and appendices.

**Recommendations**

1. The Council approve the Constitution amendments as set out in Appendices A to E.
2. That Council authorise the Head of Governance to implement these revisions and publish a revised Constitution.

**1. Reasons for the Recommendations**

- 1.1 The Terms of Reference of Council state that “Only the Full Council can exercise the following functions: 1.1 adopting and changing the Constitution.”

1.2 A meeting of the Constitution Review Working Group took place on 27 September 2023 where the prospective changes in the table below were discussed with Members.

No.	Section	Reference(s)	Issue Identified	Changes Proposed
1.	<p>Part 2B and 2C – Terms of Reference of Committees</p> <p>Part 4J – Members Allowances Scheme</p>	<p>Section 12.7</p> <p>Sections 1.4, 4, 5, 6 and 9</p>	<p>Governance Officers have been working with Adults &amp; Health to create two additional Adviser posts for the Adults &amp; Health Overview &amp; Scrutiny Sub-Committee. These Members would attend all meetings of the Sub-Committee to ensure representation of both older residents and those with disabilities in decision-making.</p> <p>It is proposed that there would be one for adults and one for health who would:</p> <ul style="list-style-type: none"> <li>• Provide a perspective of residents with lived experience on health and social care matters at Adults and Health Overview and Scrutiny Sub-Committee.</li> <li>• Act as a link between the resident Involvement Board in adult social care and the Adults and Health Overview and Scrutiny Sub-Committee. This will be by attending and reporting to both Involvement Board and Sub-Committee meetings. They may also attend task and finish groups set up through the Sub-Committee dealing with health and social care matters.</li> <li>• Hold the London Borough of Barnet and the health and social care community to account through constructive contributions at meetings.</li> </ul> <p>A change is proposed to the Members Allowances Scheme to include Advisers alongside Co-Opted and Independent Members to allow them to receive an allowance of £127 per meeting or training attended.</p>	<p>Amend section 12.7 (Membership of the Adults &amp; Health Overview &amp; Scrutiny Sub-Committee) to read as follows: “12.7.1: 8 Members and 2 Advisers (one for matters relating to adult social care and one for matters relating to health). Council will appoint 2 substitute Members from each group.”</p>

			<p>Full Council will need to agree to the creation of these posts, then make appointments to them at a future meeting.</p> <p>Committee Procedure Rules, Section 33 (Scrutiny Sub-Committees), section 33.9 states that: “The sub-committees may appoint advisers to the sub-committees. Such advisers will not be members of the sub-committees and cannot vote.”</p>	
2.	<p>Part 3A – Council Procedure Rules</p> <p>Part 3B and 3B1 – Executive Procedure Rules</p> <p>Part 3C – Committee Procedure Rules</p>	<p>Sections 10 and 13</p> <p>Section 13</p> <p>Section 16</p>	<p>Following consideration of the first deputations at Council in July and Cabinet in September, it is recommended that the arrangements are varied slightly as detailed to enable them to be managed more effectively at meetings.</p>	<p>Amendments proposed as tracked changes.</p>
4.	<p>Committee Procedure Rules</p>	<p>Section 29 – Special Rules for Planning Committees</p>	<p>On 2 May 2023, Council agreed changes to the Committee Procedure Rules to introduce a procedure to be followed in circumstances where a committee is minded to overturn an officers recommendation to refuse a planning application. The rule stated:</p>	<p>Add at the end of Section the following text:</p> <p>“(For avoidance of doubt Planning Committees A and B may defer the matter to either another meeting of their committee or to another meeting of the Strategic Planning Committee. Avoiding as much as possible the matter being deferred to multiple committees).”</p>

		<p>“29.4 Where an application is recommended for refusal by the Chief Planning Officer but the Planning Committee or Strategic Planning Committee is minded to approve (‘grant’) the application, the application will be deferred to the next meeting of the Planning Committee or Strategic Planning Committee to enable re-notification to take place and give an opportunity for objectors to the application and the applicant to attend the subsequent meeting and make representations and for a rehearing of the application to take place.”</p> <p>This procedure was used for the first time at planning committees in July and September. Members have agreed some revisions to the procedure to improve how it operates in practice.</p>	
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<b>2. Alternative Options Considered and Not Recommended</b>	
2.1	Council could retain the current Constitution un-amended. This is not recommended as the Constitution needs to be kept under review to ensure that it complies with legislation and best practice.
<b>3. Post Decision Implementation</b>	
3.1	The Head of Governance will make arrangements for any changes agreed to be actioned, together with minor drafting and housekeeping changes. The revised Constitution will be published online.
3.2	The Constitution Review Working Group will continue to proactively keep the Constitution under review and may make further recommendations to Council.
<b>4. Corporate Priorities, Performance and Other Considerations</b>	
	<b>Corporate Plan</b>
4.1	Barnet Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. By keeping the Constitution under review it ensures that the framework in which the Council is governed supports the delivery of corporate priorities and performance
	<b>Sustainability</b>
4.2	N/A
	<b>Corporate Parenting</b>
4.3	N/A
	<b>Risk Management</b>
4.4	N/A
	<b>Insight</b>
4.5	N/A
	<b>Social Value</b>
4.6	N/A
<b>5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)</b>	
5.1	There are no resource implications as a result of these proposals.
<b>6. Legal Implications and Constitution References</b>	
6.1	The Terms of Reference of Council state that “Only the Full Council can exercise the following functions: 1.1 adopting and changing the Constitution.”

## **7. Consultation**

7.1 A meeting of the Constitution Review Working Group took place on 27 September 2023 where the prospective changes were discussed with Members.

## **8. Equalities and Diversity**

8.1 The decision-making processes of the Council, as enshrined within the Constitution, need to be transparent and accessible to all sectors of the community

## **9. Background Papers**

9.1 Council Constitution: [Agenda for Constitution on Tuesday 11th July, 2023 \(moderngov.co.uk\)](https://www.moderngov.co.uk/2023/07/11/agenda-for-constitution-on-tuesday-11th-july-2023)

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## Part 2B & Part 2C

# Terms of reference and delegation of duties to Committees and Joint arrangements

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## Part 2B - Terms of Reference and Delegation of Duties to Committees and Sub-Committees

### 1 Appeals Committee

- 1.1 The Appeals Committee is comprised of 3 members, including one member of the Executive, who are not also members of the Employment Sub-committee. Council will appoint 1 substitute Member from each group.
- 1.2 The Committee shall hear appeals by the Head of Paid Service, Chief Finance Officer and Monitoring Officer under the relevant disciplinary procedure against action taken against them short of dismissal.
- 1.3 The Committee may uphold the decision or reduce or remove the sanction.

#### 1.4 Quorum

- 1.5 2 Members

### 2 Governance, Audit, Risk Management and Standards Committee

#### 2.1 Statement of purpose

- 2.2 The Governance, Audit, Risk Management and Standards Committee is a key component of Barnet Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
- 2.3 The purpose of the committee is to provide independent assurance to the members of the adequacy of Barnet Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place. It also acts as the Standards Committee.
- 2.4 The Governance, Audit, Risk Management and Standards Committee has the following powers and duties:
  - 2.4.1 To review the council's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance.
  - 2.4.2 To monitor the effective development and operation of risk management in the council.
  - 2.4.3 To monitor progress in addressing risk-related issues reported to the committee
  - 2.4.4 To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
  - 2.4.5 To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.
  - 2.4.6 To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
  - 2.4.7 To review the governance and assurance arrangements for significant partnerships or collaborations.

- 2.4.8 To approve the internal audit charter and support the independence of Internal Audit.
- 2.4.9 To review proposals made in relation to the appointment of external providers of internal and external audit services and to make recommendations.
- 2.4.10 To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- 2.4.11 Anti-Fraud Activity, to monitor the effective development and operation of the Council's Corporate Anti-Fraud Team (CAFT) and approve the Counter Fraud Framework.
- 2.4.12 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.
- 2.4.13 Accounts, 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.
- 2.4.14 Annual Report, the Audit Committee shall prepare a report to Full Council on annual basis on its activity and effectiveness
- 2.4.15 To review the Treasury Management strategy and monitor progress on treasury management in accordance with CIPFA codes of practice.
- 2.4.16 To agree and have oversight of the Council's Whistleblowing Policy.
- 2.4.17 To have oversight of the Council's ombudsman complaints and internal complaints performance (excluding complaints for Adults and Children's complaints).
- 2.4.18 Promoting and maintaining high standards of conduct by Members, co-opted members and "church" and parent governor representatives.
- 2.4.19 Monitoring the operation of the Members' Code of Conduct.
- 2.4.20 To establish sub-committees and working groups to deal with complaints that a member or a co-opted member has failed to comply with the Council's Code of Conduct.
- 2.4.21 On referral from the Monitoring Officer, to decide whether to take action against a member for breach of the Code of Conduct and if so, to decide what action should be taken.
- 2.4.22 Determine Members requests for non-committee information as specified in the Members Information Management Policy
- 2.4.23 To oversee Member Development
- 2.4.24 To consider any application received from any officer of the Authority for exemption from political restriction under Sections 1 and 2 of the Local Government and Housing Act 1989 in respect of the post held by that officer and may direct the Authority that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Authority under Section 2(2) of that Act.

2.4.25 Upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Authority under Section 2(2) of the 1989 Act, and may direct the Authority to include a post in that list.

## **2.5 Membership**

- 2.5.1 An Elected Mayor, the Leader or a member of the Executive may not be Members;
- 2.5.2 Membership of this Committee will be 6 elected Members and Council will appoint 3 substitutes from each group;
- 2.5.3 There will also be 2 Independent Members (for audit matters);
- 2.5.4 The Independent Persons are not members of this Committee and shall be invited to meetings if there is a Standards item on the agenda.

## **2.6 Quorum**

- 2.6.1 4 members

## **3 Standards Sub-committee**

3.1 This is a sub-committee of GARMS set up to hear standards complaints about Members in accordance with the procedure for dealing with complaints against Members set out in this Constitution.

### **3.2 Membership**

- 3.2.1 4 Members drawn from the GARMS Committee (2 from each of the main Political Groups) and an Independent Person.
- 3.2.2 Council will appoint 1 substitute from each group.

### **3.3 Quorum**

- 3.3.1 3 members

## **4 Health and Wellbeing Board**

### **4.1 Accountability**

- 4.1.1 The Health and Wellbeing Board is set up in accordance with section 102 of the Health and Social Care Act 2012 which makes provision for the Council to establish a Health and Wellbeing Board as a Committee of the Council appointed under section 102 of the Local Government Act 1972. The Council can choose to delegate decision making powers to the Health and Wellbeing Board.
- 4.1.2 Members of the Board will be required to abide by the Code of Conduct.

### **4.2 Purpose of the Board**

- 4.2.1 The Health and Wellbeing Board has the following main functions:
  - 4.2.2.1. To work (together with Barnet Borough Partnership) with Integrated Care Partnership (ICP) and Integrated Care Board (ICB) to determine the integrated approach that will best deliver holistic and streamlined care and prevention activities, including action on wider determinants in their communities.
  - 4.2.2.2. 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 including North Central London Integrated Care Strategy.

- 4.2.2.3. 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 improvement of population outcomes and plans to tackle health inequalities. The Joint Health and Wellbeing Strategy (JHWS) should directly inform the development of joint commissioning arrangements in the local area, and the coordination of NHS and local authority commissioning, including Better Care Fund plans.
- 4.2.2.4. 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.
- 4.2.2.5. To provide collective leadership and enable shared decision making, ownership and accountability
- 4.2.2.6. To promote partnership and, as appropriate, integration, across all necessary areas, including joined-up commissioning plans and joined-up approach to securing external funding across the NHS, social care, voluntary and community sector and public health.
- 4.2.2.7. To explore partnership work across North Central London where appropriate.
- 4.2.2.8. Specific responsibilities for:
  - Overseeing public health and promoting prevention agenda across the partnership
  - Developing further health and social care integration.
  - Receiving regular reports on the North Central London Integrated Care Board and their partner NHS trusts and NHS foundation trusts, including joint capital resource use plans, ICB Annual reports, Forward Plans and Performance Assessments

### **4.3 Membership**

#### **4.3.1 14 Members:**

- Chair, Vice Chair, Members and substitutes appointed by Council.
- Vice Chair is Clinical Lead (Barnet), North Central Integrated Care Board
- 3 Members of the Council
- Director of Public Health & Prevention
- Executive Director for Children & Family Services
- Executive Director Adults & Health

- Two North Central London Integrated Care Board Members: Clinical Lead for Barnet, North Central London Integrated Care Board; Director of Integration, Barnet Directorate, North Central London Integrated Care Board - Board Members x3
- Primary Care Provider Representative x1
- Health Service Provider Representatives x2
- Barnet Healthwatch representative
- Barnet voluntary and community sector representative
- Independent Chair of the Adults Safeguarding Boards (Non-Voting Member)

4.3.2 Each member may nominate a substitute if they cannot attend. Requirement for proportionality is waived and voting rights allowed to members other than Members of the Council.

#### **4.4 Quorum**

4.4.1 The Quorum should consist of at least one Councillor, one officer from North Central London Integrated Care Board, and one Council officer.

### **5 Independent Panel**

#### **5.1 The Panel has the following duties:**

- 5.1.1 To consider reports recommending dismissal made by the Independent Investigator and the Employment Sub-Committee in accordance with the disciplinary procedure applying to the Head of Paid Service, Chief Finance Officer and Monitoring Officer;
- 5.1.2 To prepare a report to Council stating whether it agrees or disagrees with the recommendation to dismiss, including its reasons.

#### **5.2 Membership**

5.2.1 The Independent Panel shall consist of 2 independent persons appointed under s.27(7) of the Localism Act 2011.

#### **5.3 Quorum**

5.3.1 2 Independent persons

### **6 Licensing and General Purposes Committee**

6.1 Powers and the duties of the Licensing and General Purposes Committee are:

- 6.1.1 To consider all matters which under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (referred to in the Schedule 3A-1) to this document, are required not to be the responsibility of the Executive, save for those matters delegated to other Committees of the Council;
- 6.1.2 To carry out the functions under any relevant statutory provision within the meaning of Part I (Health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer;
- 6.1.3 Electoral Services including: elections and electoral registration performance; and polling places and polling district boundaries;

## London Borough of Barnet - Constitution

- 6.1.4 To determine all matters and duties on the authority imposed by legislation, regulations orders, codes, and similar provisions for:
  - 6.1.4.1 All activities under the Licensing/Gambling Acts
  - 6.1.4.2 Food safety and control.
  - 6.1.4.3 Animal health, welfare, safety and control.
  - 6.1.4.4 Gambling, betting, lotteries and related amusements
  - 6.1.4.5 Crime and disorder issues related to the above duties.
- 6.1.5 To keep under review the Officer Code of Conduct and, after consultation with unions representing staff, make recommendations to Council for amendment or addition.
- 6.1.6 Act as corporate trustee in respect of all assets held by the Council as charitable trustee. Make decisions in respect of those assets in the best interests of the relevant charity. Ensure strict compliance with the relevant Trust document.

## 6.2 Membership

- 6.2.1 12 Members.

## 6.3 Quorum

- 6.3.1 6 Members.

## 7 Licensing Sub-Committee

- 7.1 The Licensing sub-committee has the following powers and duties:
  - 7.1.1 To determine applications and to make Orders in respect of:
    - 7.1.1.1 Registration of common land, town greens and variations of rights of common where objections have been received.
  - 7.1.2 To determine applications and to make Orders in respect of:
    - 7.1.2.1 Fees issues within the terms of reference of the Panel;
    - 7.1.2.2 Applications under Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended from time to time.
    - 7.1.2.3 Specific delegations under the Licensing Act 2003 as set out in the Licensing Policy, and the Statement of Principles under the Gambling Act 2005.
  - 7.1.3 In the case of alcohol control provisions in the Licensing Act 2003 to determine:
    - 7.1.3.1 Applications for personal licences where:
      - 7.1.3.1.1 Representations have been made, but remain unresolved.
      - 7.1.3.1.2 Applicants have relevant unspent convictions.
  - 7.1.4 Matters relating to the licensing, certification and authorisation at premises where:
    - 7.1.4.1 Representations have been made to an application, but remain unresolved.
    - 7.1.4.2 An application is made for the review of a premises licence or club premises certificate.

7.1.4.3 Matters of an exceptional nature that in a licensing officer's opinion justify consideration by the Licensing Panel.

7.1.5 [Appeals against decisions of the Licensing Panel must be made to the Magistrates' Court.]

## **7.2 Membership**

7.2.1 3 Members of the Licensing & General Purposes Committee (Political Balance requirements do not apply)

## **7.3 Quorum**

7.3.1 3 Members.

## **8 Employment Sub-Committee (a Sub-Committee of Licensing and General Purposes Committee)**

8.1 The Employment Sub-Committee has the following powers and duties:

8.1.1 to make recommendations to Council on the appointment of the Head of Paid Service

8.1.2 to appoint and dismiss Chief Officers (as defined in Part 4C – HR Regulations), excluding the dismissal of the Head of Paid Service, Chief Financial Officer and Monitoring Officer.

8.1.3 to make recommendations to Council on the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer except in cases of redundancy, permanent ill health or the expiry of a fixed term contract;

8.1.4 to consider whether to impose a disciplinary sanction on a Chief Officer;

8.1.5 to consider matters and take action as required or permitted under the disciplinary procedure for the Head of Paid Service, Chief Finance Officer and Monitoring Officer including:

8.1.6 to suspend such an officer and to review such suspension

8.1.7 to appoint an independent investigator, agree terms of remuneration and working methods

8.1.8 to appoint external advisers

8.1.9 to consider the report of an independent investigator and in relation to that report:

8.1.9.1 to hold a hearing if appropriate to consider the report

8.1.10 to impose action short of dismissal on an officer

8.1.11 to decide to take no further action

8.1.12 to recommend informal resolution or other appropriate procedures

8.1.13 to refer back to the independent investigator for further investigation and report to propose dismissal of an officer to Council (in which case the matter should be referred to the Independent Panel prior to referral to Council)



- 8.1.14 to decide whether any objections made by a member of the Executive are material and well-founded and, if it decides that they are, to take appropriate action;
- 8.1.15 to consider grievances by the Head of Paid Service, and appeals by a Chief Officer against decisions made by the Head of Paid Service in relation to a grievance made by the officer;
- 8.1.16 Staff matters generally including council wide contractual changes to salaries and terms and conditions;
- 8.1.17 approving any changes to the chief officer structure;
- 8.1.18 pay and reward strategy;
- 8.1.19 HR policies which go over and above statutory requirements;
- 8.1.20 develop the annual pay policy statement for Full Council approval

8.2 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 Chair, or be questioned by the Sub-Committee before a decision is made. Each representative will have up to 3 minutes to address the committee.

### **8.3 Membership**

8.3.1 3 Members including 1 Cabinet Member and Council will appoint 1 substitute Member from each group.

### **8.4 Quorum**

8.4.1 3 Members

## **9 Overview and Scrutiny Committee and Scrutiny Sub-Committees**

### **9.1 General Role**

9.2 Within their terms of reference, the Overview and Scrutiny Committee and Sub-Committees (other than the Call-In Sub-Committee) will have the following roles:

- 9.2.1 To consider any decisions of the West London Economic Prosperity Board which have been called in.
- 9.2.2 Policy Development and Review – by supporting the Council and Executive in developing the policy framework and budget for the Council, working with partner organisations on issues that may be outside the remit of the Council and reviewing and/or scrutinising decisions made or actions taken in connection with the discharge of any of the Council's functions;
- 9.2.3 Service Reviews - by making reports and/or recommendations to the full Council, Executive, Portfolio Holders and any Joint or Area Committees on any of their functions;
- 9.2.4 Review of Issues of Concern to Local People by considering any matter affecting the area or its inhabitants and monitoring and scrutinising the activities of others;
- 9.2.5 Pre-Decision Scrutiny following consideration of the Key Decision Schedule (Forward Plan) and with the agreement of the Executive, to scrutinise key decisions prior to them being made;

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- 9.2.6 Performance Review - to receive selected monitoring reports (including KPI, financial performance and risk information) in relation to internally and externally delivered services.
- 9.2.7 Scrutiny of Partners – to review or scrutinise the performance of anybody carrying out any function on behalf of or in partnership with the Council.
- 9.2.8 The Call-In Sub-Committees may call in Executive decisions made but not yet implemented.

### 9.3 Specific Functions

#### 9.3.1 Policy development and review

#### 9.3.2 The Overview and Scrutiny Committee and Scrutiny Sub-Committee(s) may:

- 9.3.2.1 assist the Council, the Executive and Portfolio Holders in the development of the budget and policy framework by in-depth analysis of policy issues;
- 9.3.2.2 conduct research, community and other consultation in the analysis of policy issues and possible options;
- 9.3.2.3 consider mechanisms to encourage and enhance community participation in the development of policy options;
- 9.3.2.4 question Members of the Executive and/or Committees and chief officers about their views on issues and proposals affecting the area; and
- 9.3.2.5 liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

### 9.4 Scrutiny

#### 9.4.1 The Overview and Scrutiny Committee and Scrutiny Sub-Committee(s) may:

- 9.4.1.1 review and scrutinise the decisions made by, and performance of, the Executive, Portfolio Holders and/or Committees and Council officers both in relation to individual decisions and over longer periods of time;
- 9.4.1.2 review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- 9.4.1.3 require the attendance of and question Members and chief officers about their decisions and performance, or in relation to particular decisions, initiatives or projects;
- 9.4.1.4 make recommendations to the Executive and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- 9.4.1.5 where partnership working permits, review and scrutinise the performance of other public services in the area, by inviting reports from partners and requesting that they address the Overview and Scrutiny Committee and Scrutiny Sub-Committees about their activities and performance;
- 9.4.1.6 question and gather evidence from any person (with their consent); and
- 9.4.1.7 carry out the scrutiny of matters relating to Health and Social Care including those matters delegated to the Adults and Health Overview and Scrutiny Sub-Scrutiny Committee.

## **9.5 Annual Report**

- 9.5.1 The Overview and Scrutiny Committee will report annually to full Council on its workings and make recommendations for future work programmes and amend working methods, if appropriate.

## **10 Overview and Scrutiny Committee**

- 10.1 The Overview and Scrutiny Committee has the following power and duties:

- 10.1.1 To oversee an agreed work programme that can help secure service improvement through in-depth investigation of performance issues and the development of an effective strategy/policy framework for the council and partners;
- 10.1.2 To have general oversight of the council's scrutiny function;
- 10.1.3 To offer challenge and critical support to the Executive's policy development function and the long-term strategic direction of the borough;
- 10.1.4 To anticipate policy changes and determine their potential impact on residents and to recommend changes where these are appropriate;
- 10.1.5 To consider the council and partners' strategic approach to service delivery, using, where necessary, the power of overview and scrutiny committees to receive information from partner agencies and to require partner authorities to have regard to reports and recommendations from the Committee, as set out under Part Five of the Local Government and Public Involvement in Health Act 2007;
- 10.1.6 To undertake detailed investigation of service/financial performance in order to recommend policy changes to the Executive and to undertake investigations;
- 10.1.7 To report scrutiny findings and recommendations to the Executive within 8 weeks of being published or to its next meeting, whichever is the sooner, in accordance with the council's constitution;
- 10.1.8 To review or scrutinise decisions made, or other action taken, in connection with the discharge of responsible authorities of their crime and disorder functions in accordance with s.19 of the Police and Justice Act 2006.
- 10.1.9 To consider items included in the Forward Plan;
- 10.1.10 To consider Councillor Call for Action in terms of
- 10.1.10.1 Local Government Matters (9FC of the Local Government act 2000)
  - 10.1.10.2 Local Crime & Disorder Matters (Section 19, Police & Justice Act 2006)

## **10.2 Membership**

- 10.2.1 11 Members and Council will appoint 3 substitutes from each group.

## **10.3 Quorum**

- 10.3.1 5 Members.

## **11 Call-In Sub-Committee**

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11.1 The Call-In Sub-Committee has the following powers and duties:

11.1.1 to examine decisions of the Executive which are taken but not implemented, and which are 'called in' in accordance with the Committee Procedure Rules;

11.1.2 to refer matters called in to the decision taker with reasons and recommendations for changes;

11.1.3 to refer Executive decisions to full Council if they consider they are contrary to the policy framework or contrary to or not wholly in accordance with the budget.

### 11.2 Membership

11.2.1 3 Members (drawn from the Membership of the Overview and Scrutiny Committee and Sub-Committees).

11.2.2 Reserves to be drawn from the membership of Overview and Scrutiny Committee, Adults & Health Overview and Scrutiny Sub-Committee and Children & Education Overview and Scrutiny Sub-Committee.

### 11.3 Quorum

11.3.1 3 Members.

## 12 Adults and Health Overview and Scrutiny Sub-Committee

12.1 The Adults and Health Overview and Scrutiny Sub-Committee shall perform the overview and scrutiny role and function in relation to:

12.1.1 All matters as they relate to Adults Social Care;

12.1.2 Reviewing and scrutinising, matters relating to the planning, provision and operation of health services in Barnet including inviting the relevant Chief Executive(s) of NHS organisations to account for the work of their organisation (s) as set out and required by the Health and Social Care Act 2001 and related primary and secondary legislation;

12.1.3 Referring contested major service reconfigurations to the Secretary of State in accordance with the Health and Social Care Act 2001;

12.1.4 Receiving and commenting upon any external inspections and reviews;

12.2 Chair, Vice-Chair, Members and substitutes to be appointed by Council;

12.3 The Adults & Health Overview & Scrutiny Sub-Committee has the following powers and duties:

12.3.1 To be responsible in accordance with Regulation 28 of the Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 for scrutiny of the Council's health functions other than the power under Regulation 23(9) to make referrals to the Secretary of State.

12.3.2 To recommend to Council that a referral be made to the Secretary of State under Regulation 23(9) of the Local Authority (Public Health, Health and Wellbeing and Health Scrutiny) Regulations 2013.

12.3.3 To have specific responsibility for scrutiny of the following functions:

12.3.3.1 Health and social care infrastructure and service

12.3.3.2 NHS England, Integrated Care Boards and the Health and Wellbeing Board

12.3.3.3 Public Health

12.3.3.4 Other policy proposals which may have an impact on health, public health, social care and wellbeing

12.3.3.5 Collaborative working with health agencies

12.3.3.6 Commissioning and contracting health services

12.3.4 To review the planning, provision and operation of Health services in Barnet and ensure compliance with Regulation 21(1) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 by inviting and taking account of information and reports from local health providers and other interested parties including the local HealthWatch.

12.3.5 Where a referral is made through the local HealthWatch arrangements, to comply with Regulation 21(3) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 by ensuring that the referral is acknowledged within 20 days and that the referrer is informed of any action taken.

12.3.6 Where appropriate, to consider and make recommendations for response to NHS consultations on proposed substantial developments/variations in health services that would affect the people of London Borough of Barnet.

12.3.7 Where appropriate, to consider and make recommendations for response to consultations from local health trusts, Department of Health and Social Care.

12.4 Care Quality Commission and any organisation which provides health services outside the local authority's area to inhabitants within it.

12.5 To discharge the functions conferred by Section 244 (2ZE) of the National Health Service Act 2006 as amended and Regulation 21 of the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny Regulations 2013) of reviewing and scrutinising, matters relating to the planning, provision and operation of health services in Barnet.

12.6 To respond to consultations from local health trusts, Department of Health and Social Care and any organisation which provides health services outside the local authority's area to inhabitants within it.

**12.7 Membership**

12.7.1 8 Members [and 2 Advisers \(one for matters relating to adult social care and one for matters relating to health\)](#). Council will appoint 2 substitute Members from each group.

**12.8 Quorum**

12.8.1 6 members.

**13 Children & Education Overview and Scrutiny Sub-Committee**

13.1 The Children and Education Overview and Scrutiny Sub-Committee shall perform the overview and scrutiny role and function in relation to:

13.1.1 All matters as that relate to Children's Social Care

13.1.2 All matters which relate to services pertaining to the education and well-being of children and young people including youth services

13.1.3 Receive and comment upon any external inspections and reviews.

## 13.2 Membership

- 13.2.1 8 Members and 5 Co-Opted Members (as detailed at 1.3.2.2 below). Council will appoint 2 substitute Members from each group.
- 13.2.2 2 Parent Governor representatives and 3 “church” representatives (representing the Church of England, Roman Catholic and Jewish faiths).

## 13.3 Quorum

- 13.3.1 6 Members

## 14 Local Pension Board

### 14.1 Role of the Board

- 14.2 The Board is responsible for assisting with:

- 14.2.1 securing compliance with Local Government Pension Scheme (LGPS) Government regulations and any other legislation relating to the governance and administration of the LGPS or securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator
- 14.2.2 such other matters that the LGPS regulations may specify Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund. The Local Pension Board maintain separate detailed terms of reference which are approved annually

### 14.3 Membership

- 14.3.1 7 Members comprising: 3 employers side representatives (1 councillor\* and 2 employer representatives from an admitted body 3 employee side representatives (1 active member and 2 deferred member) 1 independent member/advisor \*Councillors appointed to the Board cannot also sit on the Pension Fund Committee.

### 14.4 Terms of Reference for the London Borough of Barnet Pension Board

- 14.4.1 The purpose of this document is to set out the detailed Terms of Reference for the Local Pension Board of the London Borough of Barnet Pension Fund.

### 14.5 Role of the Local Pension Board

- 14.5.1 The role of the local Pension Board, as defined by sections 5(1) and (2) of the Public Services Pension Act 2013 and regulation 106 of the Local Government Pension Scheme (LGPS) Governance Regulations 2013 is to assist with:
  - 14.5.1.1 securing compliance with LGPS Government regulations and any other legislation relating to the governance and administration of the LGPS
  - 14.5.1.2 securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator.
  - 14.5.1.3 such other matters as the LGPS regulations may specify
  - 14.5.1.4 Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund.
  - 14.5.1.5 ensure the Pension Fund’s strategy and policy documents are in place and have been maintained in accordance with the LGPS Regulations. These documents are: the communications policy statement; funding strategy statement;

governance compliance statement; statement of investment principles; and the Pension Fund annual report and accounts.

14.5.1.6 ensure the Pension Fund's internal Risk Register is in place and reviewed at least annually.

14.5.1.7 review the Pension Fund's performance in complying with the requirements of the LGPS Regulations and any other legislation relating to the governance and administration of the LGPS.

14.5.1.8 review the Pension Fund's performance in complying with the requirements of the Pension Regulator.

14.5.1.9 annually submit a proposed work plan for the forthcoming financial year to the Pension Fund Committee

14.5.1.10 carry out any other activities relating to the efficient governance and administration of the Pension Fund.

14.5.1.11 submit an annual budget to the Barnet Pension Fund Committee for approval.

14.5.2 The Local Pension Board does not replace the Administering Authority or make decisions or carry out duties which are the responsibility of the Administering Authority (refer to Compliance statement). The Pension Board is an advisory/scrutiny board and does not have decision making powers.

14.5.3 The Administering Authority retains ultimate responsibility for the administration and governance of the scheme. The role of the Board is to support the Administering Authority to fulfil that responsibility and secure compliance with any requirements imposed by the Pensions Regulator.

#### **14.6 Appointment of members of the Pension Board**

14.6.1 All Board members will be appointed by Full Council. It is a statutory requirement (section 248A of the 2004 Act) that the Administering Authority must be satisfied that every individual member of the Pension Board, is conversant with;

14.6.1.1 the legislation and associated guidance of the Local Government Pension Scheme

14.6.1.2 any document recording policy about the administration of the fund which is for the time being adopted by LBB Fund; and

14.6.1.3 has knowledge and understanding of;

- the law relating to pensions; and
- such other matters as may be prescribed.

#### **14.7 Rules governing Membership the Local Pension Board**

14.7.1 Local Pension Boards must include an equal number of employer and member representative with a minimum requirement of no fewer than four in total.

14.7.2 No officer or Councillor who would be responsible for the discharge of any functions under the Regulations (apart from any relating to LPB) may be a Member of the Local Pension Board of that authority.

14.7.3 Officer precluded would be any officer named in the scheme of delegation (e.g. Section 151 Officer and the head of investments). The guidance also states that consideration should be given as to whether officers of the Fund at a senior level, who are not named in

the formal scheme of delegation, but who are responsible for discharging functions under the Regulations, should be precluded from being a member of the LPB.

#### **14.8 Composition of the Board**

14.8.1 The Board shall consist of 7 members constituted as follows:

14.8.1.1 3 employer representatives comprising:

- 1 councillors who are not members of the Pension Fund Committee
- employer representatives from an admitted or scheduled body (e.g. Re, CSG or Middlesex University)

14.8.1.2 3 scheme member representatives (employee side) comprising:

- 1 active members
- retired/deferred members

14.8.1.3 1 independent member/advisor

- Having no current employment, contractual, financial or other material interest in the Council or any scheme employer fund and not being a member of the LGPS Fund.

14.8.2 Independent and Scheme Members shall be appointed following a public recruitment, selection and interview process.

#### **14.9 Chairman and Vice-Chairman of the Board**

14.9.1 The Chairman and Vice-Chairman of the Board will be appointed by Members of the Board as the first business at their first meeting.

14.9.2 Should the elected Chairman be an Employer representative the Vice-Chairman must be a Scheme Member representative and vice versa.

#### **14.10 Substitute Members**

14.10.1 Each member will have a substitute to act as Board member in her/his absence, which will be recommended following a recruitment process consistent with their own appointment. These nominations will be approved as part of the overall appointments made by Full Council.

**NB:** The independent member shall not have a substitute.

#### **14.11 Quorum**

14.11.1 The Pension Board will be quorate when 3 voting Pension Board Members are in attendance.

#### **14.12 Period of Office**

14.12.1 Each Board member shall be appointed for a fixed period of four years, which appointment will normally occur at the Annual Council meeting.

#### **14.13 Termination of office**

14.13.1 Each Board member will be expected to attend all meeting and training sessions during the year. The membership of any member who fails to attend two or more meetings shall be reviewed and determined by other Board members in consultation with officers.



- 14.13.2 The removal of a member from office during her/his term of appointment can only be effected by the unanimous agreement of the other members present at the meeting.
- 14.13.3 In the absence of mitigating factors a Board member can be removed from the Board in the following circumstances (but not limited to):
- 14.13.3.1 A poor attendance record;
  - 14.13.3.2 If a member does not undertake training as requested;
  - 14.13.3.3 If a member is in breach of Council's Code of Conduct, Pension Board Code of Conduct and Conflict of Interest policy;
  - 14.13.3.4 If a member has a conflict of interest that cannot be managed in accordance with the Board's conflicts policy.
- 14.13.4 Should the Council representative members, or the active scheme member(s) cease to be Council representatives or active scheme members, he/she will automatically cease to be a member of the Board and the Administering Authority will conduct a replacement process.
- 14.13.5 Any Board member choosing not to continue her/his role must provide a written notice of resignation from their post to the Governance Service. The notice period shall be two months. Once the written notice is received the Board shall be notified accordingly and arrangements shall be made for a replacement in line with the procedures for the original appointment.

**14.14 Voting Rights (this is dependent on makeup of the Board)**

- 14.14.1 All Board Members will have equal voting rights.
- 14.14.2 In the event of an equality of voted the Chairman will have the casting vote.

**14.15 Frequency of meeting**

- 14.15.1 The number of meetings a year should be in alignment with the number of the Pension Committee meetings year, or should be determined by the Board once it has agreed a workplan, with a minimum of two meetings annually.

**14.16 Notice of meeting and circulation of papers**

- 14.16.1 In accordance with the Access to Information Procedure Rules as set out in the Council's Constitution.

**14.17 Minutes**

- 14.17.1 In accordance with the Access to Information Procedure Rules as set out in the Council's Constitution.

**14.18 Accountability and reporting**

- 14.18.1 The Board is accountable solely to the Council for the effective operation of its functions.
- 14.18.2 The Board shall report to the Pensions Committee as often as the Board deems necessary and at least annually:
- 14.18.2.1 a summary of the work undertaken;
  - 14.18.2.2 the work plan for the next 12 months;
  - 14.18.2.3 details of training received and planned; and

14.18.2.4 details of any conflicts of interest and how they were dealt with.

14.18.2.5 On certain matters the board will report directly to Council;

14.18.3 The Board shall report annually to Full Council on its work.

14.18.4 It will also and as necessary from time to time report to Full Council any breach in compliance or other significant issues such as:

14.18.4.1 any areas of persistent non-compliance

14.18.4.2 any area of non-compliance within the LGPS Regulations that have been reported to the Pension Fund Committee

14.18.4.3 areas raised to the Board to be investigated and how they were dealt with;

14.18.4.4 any risks or other areas of potential concern it wishes to raise;

#### **14.19 Code of Conduct**

14.19.1 All members of the Board are expected to act in accordance with Barnet Council's Code of Conduct for Councillors, and where applicable and the Pensions Regulator's Code of Practice.

#### **14.20 Conflicts of interest**

14.20.1 All members of the Board must declare on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.

14.20.2 In accordance with s5(5) Public Service Pension Act 2013, a Board member must not have a financial or other interest that could prejudice him/her in carrying out his/her Board duties. This does not include a financial or other interest arising merely by virtue of being a member of the LGPS.

14.20.3 On appointment to the Board and following any subsequent declaration of potential conflict the conflict must be managed in line with the Council's Members Code of Conduct, the Local Government Pension Scheme (LGPS) Guidance on Conduct of Members and Conflicts of Interest, the requirements of the Public Service Pensions Act 2013 and the requirements of the Pensions Regulator's codes of practice on conflict of interest for Board members.

#### **14.21 Knowledge and understanding including training**

14.21.1 All new members must follow an induction training plan and all members of the Board will be expected to attend the training provided to ensure that they have the requisite knowledge and understanding to fulfil their role.

14.21.2 All members must be prepared to participate in such regular personal training needs analysis or other processes as are put in place to ensure that they maintain the required level of knowledge and understanding to carry out their role.

14.21.3 Failure to attend training or participate in the processes may lead to membership being reviewed.

#### **14.22 Definitions**

The following terms shall have the following meanings when used in this document:

<i>Administering Authority</i>	London Borough of Barnet
<i>Board or Pension Board</i>	The local Pension Board for the London Borough of Barnet, Administering Authority for the London Borough of Barnet Pension Fund as required under the Public Service Pensions Act 2013
<i>Board Member</i>	A member of the Board including Employer representatives, Scheme Member representatives and an independent member
<i>Code of Practice</i>	The Pensions Regulator’s [draft] Code of Practice no 14 entitled “ <i>Governance and administration of public service pension schemes.</i> ”
<i>Conflicts of Interest</i>	As defined in the Public Service Pensions Act 2013
<i>Employer Representative</i>	A person appointed to the Board for the purpose of representing employers for the Scheme
<i>Fund</i>	The London Borough of Barnet Pension Fund within the Scheme administered and maintained by the Scheme Employer
<i>Independent Member</i>	A Member of the Board who is neither an Employer Representative nor a Member Representative
<i>LGPS</i>	The Local Government Pension Scheme as constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 and The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009.
<i>Member Representative</i>	A person appointed to the Board for the purpose of representing members of the Scheme
<i>Scheme</i>	The Local Government Pension Scheme as defined under LGPS
<i>Scheme Manager</i>	London Borough of Barnet as administering authority of the London Borough of Barnet Pension Fund

## **15 Pension Fund Committee**

- 15.1 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:
  - 15.1.1 To ensure compliance with all Local Government Pension Scheme statutes, regulations and best practice.
  - 15.1.2 To consider approval and act in accordance with statutory Pension Fund documents:
    - 15.1.2.1 Investment Strategy Statement
    - 15.1.2.2 Funding Strategy Statement
    - 15.1.2.3 Governance Policy Statement
    - 15.1.2.4 Pension Administration Strategy
    - 15.1.2.5 Communication Policy Statement.
  - 15.1.3 To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so.
  - 15.1.4 If required, to appoint and monitor:
    - 15.1.4.1 Investment advisors
    - 15.1.4.2 Pension Fund investment managers
    - 15.1.4.3 Pension Fund actuaries
    - 15.1.4.4 Performance management company
    - 15.1.4.5 Custodians
    - 15.1.4.6 Pension Administrator
  - 15.1.5 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).
  - 15.1.6 To monitor the administration of the Pension Fund.
  - 15.1.7 To approve admissions agreements with any admission body.
  - 15.1.8 To consider actuarial valuations and their impact on the Pension Fund.
  - 15.1.9 To review and consider approval of the Pension Fund's Annual Report and Statement of Accounts, together with recommendations from external and internal auditors.
  - 15.1.10 To consider recommendations from the Local Pension Board.
  - 15.1.11 To determine how the various administering authority
- 15.2 Membership**
- 15.3 6 Members. Council will appoint 2 substitute Members from each group.
- 15.4 The Committee will 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.

15.4.1 Further invites to scheduled/admitted bodies to be decided by the chair of the committee.

**15.5 Quorum**

15.5.1 4 members

**16 Strategic Planning Committee**

16.1 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:

16.1.1 is within the categories which must be referred to the Mayor of London under the London Mayor Order;

16.1.2 does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure; or

16.1.3 is by or on behalf of the Council and, in the opinion of the relevant Chief Planning Officer], it is a significant development The confirmation of Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015.

16.2 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.

16.3 Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning.

16.4 Consider Neighbourhood Development Orders and Community Right to Build Orders for recommendation to Full Council for adoption.

16.5 Recommending the creation of Conservation Areas to Full Council

16.6 Consider approving Article 4 Directions for consultation.

16.7 Take action under Part 8 of the Anti-Social Behaviour Act 2003 relating to high hedges.

16.8 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.

16.9 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 Chair.

16.10 Reports on all matters reserved to the Committee shall be made direct to the Committee and not through a Planning Committee.

16.11 Any Planning Committee agenda item referred to this Committee for consideration and determination.

16.12 To consider additions, deletions or amendments to the entries in the Council's Brownfield Land Register, including any referrals from Planning Committees A and B, and conduct any other functions related to the Brownfield Land Register.

**16.13 Membership**

16.13.1 10 Members. Council will appoint 3 substitute Members from each group.

16.14 **Quorum**

16.14.1 6 members.

**17 Planning Committees A and B**

17.1 To determine the following application types, except where they are referable under the Constitution to the Strategic Planning Committee:

17.1.1 Applications for Planning Permission made under the Town and Country Planning Act 1990;

17.1.2 Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990;

17.1.3 Applications for Consent to Display an Advertisement made under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007;

17.1.4 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 Strategic Planning Committee"  
Where the recommendation is for:

17.1.4.1 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)

17.1.4.2 approval or refusal and there is a Councillor referral of an application which affects their Ward which has been 'called in' to committee identifying a planning consideration.

17.1.5 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.

17.1.6 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 Chair.

17.1.7 Applications to undertake treatment to trees included within a Tree Preservation Order Applications for a Hedgerow removal notice made under the Hedgerow Regulations 1997.

17.1.8 Applications to demolish buildings on the Council's Local List.

**17.2 Membership**

17.2.1 6 Members per Committee. Council will appoint 2 substitute Members from each group.

**17.3 Quorum**

17.3.1 4 members.

**18 Area Committees**

18.1 **Area Committee North** (East Barnet, Barnet Vale, High Barnet, Underhill, Totteridge and Woodside, Mill Hill, Edgwarebury and Whetstone);

18.2 **Area Committee West** (Burnt Oak, Edgware, Colindale North, Colindale South, West Hendon, Hendon, Cricklewood and Childs Hill); and

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18.3 **Area Committee East** (Brunswick Park, Friern Barnet, Woodhouse, West Finchley, Finchley Church End, Golders Green, East Finchley and Garden Suburb)

18.4 In relation to the area covered:

18.4.1 Provide an opportunity for any resident to raise matters affecting the area (except matters relating to licensing and planning applications).

18.4.2 Responsibility for all area specific matters relating to the local environment including parking, road safety, transport, allotments, parks and trees.

18.4.3 Consider area specific matters as agreed with the Chair.

18.4.4 Consider matters relating to Town Centre regeneration and designating conservation areas.

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

### 18.5 Membership

18.5.1 8 Members and substitutes appointed by Council.

18.5.2 Committee members must represent a ward in the Area Committee area. All members in the Area Committee area can act as substitutes in that area.

### 18.6 Quorum

18.6.1 6 Members

## Part 2C - Joint Arrangements and Boards

### 1 Joint Committee of the Boroughs of Barnet, Brent, Ealing, Harrow and Hounslow (known as “West London Economic Prosperity Board”)

#### 1.1 Functions and Procedure Rules

##### 1.1.1 Purpose of the Joint Committee

The London Boroughs of Barnet, Brent, Ealing, Hammersmith & Fulham, Harrow and Hounslow (“the Participating Boroughs”) have established the Joint Committee pursuant to powers under the Local Government Acts 1972 and 2000, and under the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

1.1.2 The Joint Committee shall be known as ‘**West London Economic Prosperity Board**’.

1.1.3 The Joint Committee’s role and purpose on behalf of the Participating Boroughs relates to ensuring appropriate, effective and formal governance is in place for the purposes of delivering the West London Vision for Growth and advancing Participating Boroughs’ aspirations for greater economic prosperity in West London, including promoting “the Economic Prosperity Agenda”, in partnership with employers, representatives from regional and central government, and education and skills providers.

1.1.4 The purpose of the Joint Committee will be collaboration and mutual co-operation and the fact that some functions will be discharged jointly by way of the Joint Committee does not prohibit any of the Participating Boroughs from promoting economic wellbeing in their own areas independently from the Joint Committee.

1.1.5 The Joint Committee is not a self-standing legal entity but is part of its constituent authorities. Any legal commitment entered into pursuant of a decision of the Joint Committee must be made by all of the Participating Boroughs.

1.1.6 These Procedure Rules govern the conduct of meetings of the Joint Committee.

#### 1.2 Definitions

1.2.1 Any reference to “Access to Information legislation” shall mean Part V and VA of the Local Government Act 1972 (as amended) and, to the extent that they are applicable, to the Openness of Local Government Bodies Regulations 2014 (as amended) and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (as amended).

1.2.2 Any reference to “executive”, “executive arrangements”, “executive function” or “committee system” has the meaning given by Part 1A of the Local Government Act 2000.

#### 1.3 Functions

1.3.1 The Joint Committee will discharge on behalf of the Participating Boroughs the functions listed below related to promoting economic prosperity in West London:

1.3.1.1 Making funding applications and/or bids to external bodies, in relation to economic prosperity for the benefit of the local government areas of the participating local authorities.

1.3.1.2 Providing direction to a nominated lead borough on the allocation of any such funding awards to appropriate projects for the benefit of the local government areas of the participating local authorities, including, where applicable,



approving the approach to the procurement to be undertaken by the lead borough.

- 1.3.1.3 Seeking to be the recipient of devolved powers and/or funding streams for the local government areas of the participating local authorities, which relate to the economic prosperity agenda.
- 1.3.1.4 Exercising any such powers and allocating any such funding.
- 1.3.1.5 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies and central government on matters relating to economic prosperity for the benefit of the local government areas of the participating authorities.
- 1.3.1.6 Representing the participating authorities in connection with the Greater London Authority, London Councils and the London Enterprise Panel, for the benefit of the local government areas of the participating authorities, in matters relating to the economic prosperity agenda.
- 1.3.1.7 Representing the participating local authorities in discussions and negotiations in relation to pan-London matters relating to economic prosperity.
- 1.3.1.8 Seeking to influence and align government investment in West London in order to boost economic growth within the local government areas of the participating authorities.
- 1.3.1.9 Agreeing and approving any additional governance structures as related to the Joint Committee, or any sub-committees formed by the Joint Committee.
- 1.3.1.10 Representing the participating local authorities in discussions and negotiations with the Secretary of State for Communities and Local Government to encourage legislative reform enabling Economic Prosperity Boards, as defined by the Local Democracy, Economic Development and Construction Act 2009 Act, to be established by groups of boroughs in London.
- 1.3.1.11 Inviting special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, higher education sector, schools, voluntary sector, and health sector to take an interest in, and/or seek to influence, the business of the committee including by attending meetings and commenting on proposals and documents.

1.3.2 In relation to the Participating Boroughs which operate executive arrangements only executive functions of each borough may be exercised.

#### **1.4 Membership and Quorum**

- 1.4.1 The membership will comprise of 6 members with each Participating Borough appointing one person to sit on the Joint Committee as a voting member.
- 1.4.2 Each Participating Borough will make a suitable appointment in accordance with its own constitutional requirements.
- 1.4.3 Where a Participating Borough operates executive arrangements, then the appointment of a voting member of the West London EPB will be by the leaders of the executive or by the executive. It is anticipated that, where practicable, the leader of each such executive will be appointed to the West London EPB.

## London Borough of Barnet - Constitution

- 1.4.4 Where a Participating Borough does not operate executive arrangements, the appointment of a voting member of the West London EPB will be in accordance with the Borough's own procedures. It is envisaged that this will usually be one of its senior councillors.
- 1.4.5 In all cases, the appointed person must be an elected member of the council of the appointing Participating Borough. Appointments will be made for a maximum period not extending beyond each member's remaining term of office as a councillor, and their membership of the Joint Committee will automatically cease if they cease to be an elected member of the appointing Participating Borough.
- 1.4.6 Members of the Joint Committee are governed by the provisions of their own Council's Codes and Protocols including the Code of Conduct for Members and the rules on Disclosable Pecuniary Interests.
- 1.4.7 Each Participating Borough will utilise existing mechanisms for substitution as laid down in their own Standing Orders. Continuity of attendance is encouraged.
- 1.4.8 Where a Participating Borough wishes to withdraw from membership of the Joint Committee this must be indicated in writing to each of the committee members. A six month notice period must be provided.
- 1.4.9 When a new borough wishes to become a Participating Borough then this may be achieved if agreed by a unanimous vote of all the existing Participating Boroughs.
- 1.4.10 The quorum for the Joint Committee is three members. If the Joint Committee is not quorate 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 until a quorum is achieved. If no quorum is achieved after 30 minutes has elapsed, the clerk will advise those present that no business can be transacted and the meeting will be cancelled.

### **1.5 Chair and Vice-Chair**

- 1.5.1 The Chair of the Joint Committee will be appointed for 12 months, and will rotate amongst the Participating Boroughs.
- 1.5.2 Unless otherwise unanimously agreed by the Joint Committee, each Participating Borough's appointed person will serve as chair for 12 months at a time. Where the incumbent Chair ceases to be a member of the Joint Committee, the individual appointed by the relevant borough as a replacement will serve as Chair for the remainder of the 12 months as chair.
- 1.5.3 The Joint Committee will also appoint a Vice-Chair from within its membership on an annual basis to preside in the absence of the Chair. This appointment will also rotate in a similar manner to the Chair.
- 1.5.4 At its first meeting, the Committee will draw up the rotas for Chair and Vice-Chair respectively.
- 1.5.5 Where neither the Chair nor Vice-Chair are in attendance, the Joint Committee will appoint a Chair to preside over the meeting.
- 1.5.6 In the event of any disagreement as the meaning or application of these Rules, the decision of the Chair shall be final.

### **1.6 Sub-Committees**

1.6.1 The Joint Committee may establish sub-committees to undertake elements of its work if required.

### **1.7 Delegation to officers**

1.7.1 The Joint Committee may delegate specific functions to officers of any of the Participating Boroughs.

1.7.2 Any such delegation may be subject to the requirement for the officer to consult with or obtain the prior agreement of an officer (or officers) of the other boroughs.

1.7.3 It may also be subject to the requirement for the officer with delegated authority to consult with the Chair of the Joint Committee and the Leaders of the one or more Participating Boroughs before exercising their delegated authority.

### **1.8 Administration**

1.8.1 Organisational and clerking support for the Joint Committee, and accommodation for meetings, will be provided by the Participating Borough whose representative is Chair unless otherwise agreed by the Joint Committee. The costs of this will be reimbursed by contributions from the other Participating Boroughs as approved by the Joint Committee.

### **1.9 Financial matters**

1.9.1 The Joint Committee will not have a pre-allocated budget.

1.9.2 When making a decision which has financial consequences, the Joint Committee will follow the relevant provisions of the Financial Procedure Rules of LB Ealing.

### **1.10 Agenda management**

1.10.1 Subject to 10.2, all prospective items of business for the Joint Committee shall be agreed by a meeting of the Chief Executives of the Participating Boroughs or their representatives.

1.10.2 It will be the responsibility of each report author to ensure that the impacts on all Participating Boroughs are fairly and accurately represented in the report. They may do this either by consulting with the monitoring officer and chief finance officer of each Participating Borough or by some other appropriate method.

1.10.3 In pursuance of their statutory duties, the monitoring officer and/or the chief financial officer of any of the Participating Boroughs may include an item for consideration on the agenda of a meeting of the Joint Committee, and may require that an extraordinary meeting be called to consider such items.

1.10.4 Each Participating Borough operating executive arrangements will be responsible for considering whether it is necessary [in order to comply with Access to Information legislation regarding the publication of agendas including Forward Plan requirements] to treat prospective decisions as 'key- decisions' and/or have them included in the Forward Plan. Each Participating Borough operating a committee system will apply its local non statutory procedures.

### **1.11 Meetings**

1.11.1 The Joint Committee will meet as required to fulfil its functions.

1.11.2 A programme of meetings at the start of each Municipal Year will be scheduled and included in the Calendar of Meetings for all Participating Boroughs.

1.11.3 Access to meetings and papers of the Joint Committee by the Press and Public is subject to the Local Government Act 1972 and to the Openness of Local Government Bodies Regulations 2014. The Joint Committee will also have regard to the Local Authorities (Executive Arrangements) (Meetings and Access to information) (England) Regulations 2012, notwithstanding the fact that its provisions do not strictly apply to the Joint Committee for so long as the committee has any members who are not members of an executive of a Participating Borough.

#### **1.12 Notice of meetings**

1.12.1 On behalf of the Joint Committee, a clerk will give notice to the public of the time and place of any meeting in accordance with the Access to Information requirements.

1.12.2 At least five clear working days in advance of a meeting a clerk to the Joint Committee will publish the agenda via the website of clerk's authority and provide the documentation and website link to the Participating Boroughs to enable the information to be published on each Participating Borough's website. "Five Clear Days" does not include weekends or national holidays and excludes both the day of the meeting and the day on which the meeting is called.

1.12.3 The clerk to the Joint Committee will arrange for the copying and distribution of papers to all Members of the Committee.

#### **1.13 Public participation**

1.13.1 Unless considering information classified as 'exempt' or 'confidential' under Access to Information Legislation, all meetings of the Joint Committee shall be held in public.

1.13.2 Public representations and questions are permitted at meetings of the Joint Committee. Notification must be given in advance of the meeting indicating by 12 noon on the last working day before the meeting the matter to be raised and the agenda item to which it relates. Representatives will be provided with a maximum of 3 minutes to address the Joint Committee.

1.13.3 The maximum number of speakers allowed per agenda item is 6.

1.13.4 Where the number of public representations exceed the time / number allowed, a written response will be provided or the representation deferred to the next meeting of the Joint Committee if appropriate.

1.13.5 The Joint Committee may also invite special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, voluntary sector, and health sector to take an interest in the business of the committee including by attending meetings and commenting on proposals and documents.

1.13.6 The Chair shall have discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting.

#### **1.14 Member participation**

1.14.1 Any elected member of the council of any of the Participating Boroughs who is not a member of the Joint Committee may ask a question or address the Committee with the consent of the Chair.

#### **1.15 Business to be transacted**

1.15.1 Standing items for each meeting of the Joint Committee will include the following:

- 1.15.1.1 Minutes of the Last Meeting
- 1.15.1.2 Apologies for absence
- 1.15.1.3 Declarations of Interest
- 1.15.1.4 Provision for public participation
- 1.15.1.5 Substantive items for consideration

- 1.15.2 The Chair may vary the order of business and take urgent items as specified in the Access to Information Requirements at his / her discretion. The Chair should inform the Members of the Joint Committee prior to allowing the consideration of urgent items.
- 1.15.3 An item of business may not be considered at a meeting unless:
- 1.15.4 A copy of the agenda included the item (or a copy of the item) is open to inspection by the public for at least five clear days before the meeting; or
- 1.15.5 By reason of special circumstances which shall be specified in the minutes the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- 1.15.6 "Special Circumstances" justifying an item being considered as a matter of urgency will relate to both why the decision could not be made at a meeting allowing the proper time for inspection by the public as well as why the item or report could not have been available for inspection for five clear days before the meeting.

#### **1.16 Extraordinary meetings**

- 1.16.1 Arrangements may be made following consultation with Chair of the Joint Committee to call an extraordinary meeting of the Joint Committee. The Chair should inform the appointed Members prior to taking a decision to convene an extraordinary meeting.
- 1.16.2 The business of an extraordinary meeting shall be only that specified on the agenda.

#### **1.17 Cancellation of meetings**

- 1.17.1 Meetings of the Joint Committee may, after consultation with the Chair, be cancelled if there is insufficient business to transact or some other appropriate reason warranting cancellation. The date of meetings may be varied after consultation with the Chair and appointed members of the Joint Committee in the event that it is necessary for the efficient transaction of business.

#### **1.18 Rules of debate**

- 1.18.1 The rules of debate in operation in the Chair's authority shall apply.

#### **1.19 Request for determination of business**

- 1.19.1 Any member of the Joint Committee may request at any time that:
  - 1.19.1.1 The Joint Committee move to vote upon the current item of consideration.
  - 1.19.1.2 The item be deferred to the next meeting.
  - 1.19.1.3 The item be referred back to a meeting of the Chief Executives of the Participating Boroughs for further consideration.
  - 1.19.1.4 The meeting be adjourned.
- 1.19.2 The Joint Committee will then vote on the request.

## **1.20 Urgency procedure**

1.20.1 Where the Chair (following consultation with the appointed Members of the Joint Committee) is of the view that an urgent decision is required in respect of any matter within the Joint Committee's functions and that decision would not reasonably require the calling of an Extraordinary Meeting of the Joint Committee to consider it and it cannot wait until the next Ordinary Meeting of the Joint Committee, then they may request in writing the Chief Executive of each Participating Borough (in line with pre-existing delegations in each Borough's Constitution) to take urgent action as is required within each of the constituent boroughs.

## **1.21 Voting**

1.21.1 The Joint Committee's decision making will operate on the basis of mutual cooperation and consent and will take into account the views of the special representatives. It is expected that decisions will be taken on a consensual basis wherever reasonably possible.

1.21.2 Where a vote is required it will be on the basis of one vote per member and unless a recorded vote is requested, the Chair will take the vote by show of hands.

1.21.3 Any matter (save for a decision under the rules above) shall be decided by a simple majority of those members voting and present. Where there is an equality of votes, the Chair of the meeting shall have a second and casting vote.

1.21.4 Any two members can request that a recorded vote be taken.

1.21.5 Where, immediately after a vote is taken at a meeting, if any Member so requests, there shall be recorded in the minutes of the proceedings of that meeting whether the person cast they vote for or against the matter or whether they abstained from voting.

## **1.22 Minutes**

1.22.1 At the next suitable meeting of the Joint Committee, the Chair will move a motion that the minutes of the previous meeting be agreed as a correct record. The meeting may only consider the accuracy of the minutes and cannot change or vary decisions taken at a previous meeting as a matter arising out of the minutes.

1.22.2 Once agreed, the Chair will sign them.

1.22.3 There will be no item for the approval of minutes of an ordinary Joint Committee meeting on the agenda of an extraordinary meeting.

## **1.23 Exclusion of Public and Press**

1.23.1 Members of the public and press may only be excluded from a meeting of the Joint Committee either in accordance with the Access to Information requirements or in the event of disturbance.

1.23.2 A motion may be moved at any time for the exclusion of the public from the whole or any part of the proceedings. The motion shall specify by reference to Section 100(A) Local Government Act 1972 the reason for the exclusion in relation to each item of business for which it is proposed that the public be excluded. The public must be excluded from meetings whenever it is likely, in view of the nature of business to be transacted, or the nature of the proceedings that confidential information would be disclosed.

1.23.3 If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think is necessary.

1.23.4 Background papers will be published as part of the Joint Committee agenda and be made available to the public via the website of each authority.

#### **1.24 Overview and Scrutiny**

1.24.1 Decisions of the Joint Committee which relate to the executive functions of a Participating Borough will be subject to scrutiny and 'call -in' arrangements (or such other arrangements equivalent to call-in that any Participating Borough operating a committee system may have) as would apply locally to a decision made by that Participating Borough acting alone.

1.24.2 No decision should be implemented until such time as the call-in period has expired across all of the Participating Boroughs.

1.24.3 Where a decision is called in, arrangements will be made at the earliest opportunity within the Participating Borough where the Call-In had taken place for it to be heard.

1.24.4 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.

#### **1.25 Access to minutes and papers after the meeting**

1.25.1 On behalf of the Joint Committee, a clerk will make available copies of the following for six years after the meeting:

1.25.1.1 the minutes of the meeting and records of decisions taken, together with reasons, for all meetings of the Joint Committee, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;

1.25.1.2 the agenda for the meeting; and

1.25.1.3 reports relating to items when the meeting was open to the public.

#### **1.26 Amendment of these Rules**

1.26.1 These Rules shall be agreed by the Joint Committee at its first meeting. Any amendments shall be made by the Joint Committee following consultation with the monitoring officers of the Participating Boroughs. Note that Rule 19.3 (Functions) may only be amended following a formal delegation from each of the Participating Boroughs.

#### **1.27 Background Papers**

1.27.1 Every report shall contain a list of those documents relating to the subject matter of the report which in the opinion of the author:

1.27.1.1 disclose any facts or matters on which the report or an important part of it is based;

1.27.1.2 which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information and in respect of reports to the Joint Committee, the advice of a political assistant.

1.27.2 Where a copy of a report for a meeting is made available for inspection by the public at the same time the clerk shall make available for inspection:

- 1.27.2.1 a copy of the list of background papers for the report
- 1.27.2.2 at least one copy of each of the documents included in that list

1.27.3 The Clerk will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

## **2 North Central London Joint Health Overview and Scrutiny Committee**

- 2.1 To engage with relevant NHS bodies on strategic area wide issues in respect of the co-ordination, commissioning and provision of NHS health services across the whole of the area of Barnet, Camden, Enfield, Haringey and Islington;
- 2.2 To respond, where appropriate, to any proposals for change to specialised NHS services that are commissioned on a cross borough basis and where there are comparatively small numbers of patients in each of the participating boroughs;
- 2.3 To respond to any formal consultations on proposals for substantial developments or variations in health services across affecting the areas of Barnet, Camden, Enfield, Haringey and Islington and to decide whether to use the power of referral to the Secretary of State for Health on behalf of Councils who have formally agreed to delegate this power to it when responding to formal consultations involving all the five boroughs participating in the JHOSC;
- 2.4 The joint committee will work independently of both the Cabinet and health overview and scrutiny committees (HOSCs) of its parent authorities, although evidence collected by individual HOSCs may be submitted as evidence to the joint committee and considered at its discretion;
- 2.5 The joint committee will seek to promote joint working where it may provide more effective use of health scrutiny and NHS resources and will endeavour to avoid duplicating the work of individual HOSCs. As part of this, the joint committee may establish sub and working groups as appropriate to consider issues of mutual concern provided that this does not duplicate work by individual HOSCs; and
- 2.6 The joint committee will aim to work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people.



## Terms of Reference of Boards

### 3 Local Strategic Partnership (Barnet Partnership Board)

3.1 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

#### 3.2 Membership

3.2.1 Leader of the Council. Council representatives to be appointed by Annual Council. Senior representatives from:

3.2.1.1 Related Argent

3.2.1.2 Barnet & Southgate College

3.2.1.3 Barnet Council

3.2.1.4 Brent Cross Shopping Centre

3.2.1.5 Barnet Together Alliance

3.2.1.6 North Central London Integrated Care Board

3.2.1.7 Department for Work and Pensions

3.2.1.8 Federation of Small Business

3.2.1.9 London Fire Service

3.2.1.10 Middlesex University

3.2.1.11 Metropolitan Police

3.2.1.12 Saracens West London Alliance

### 4 Children's Partnership Board

4.1 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.

4.2 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.

4.3 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.

4.4 General Responsibilities and Functions the Children's Partnership Board is accountable for the following:

4.4.1 Ensuring the voice of children and young people is heard in Barnet

4.4.2 Developing and delivering the Children & Young People's Plan.

- 4.4.3 Ensuring that the collective resources of the partners are being used to the best effect to meet the priorities in the Children & Young People's Plan.
  - 4.4.4 Resolving issues that block progress against the priorities.
  - 4.4.5 Reviewing Plans and Strategies relating to Children and Young People in Barnet prior to consideration by executive groups (e.g. Cabinet, Health & Wellbeing Board, etc.)
  - 4.4.6 Working with the Voluntary Sector in a particular approach to enable the best outcomes for children and young people
- 4.5 This includes shared responsibility for:
- 4.5.1 Meeting the priorities in the Children & Young People's Plan
  - 4.5.2 Jointly developing, delivering and resourcing strategies and action plans necessary to meet the priorities
  - 4.5.3 Addressing barriers to meeting the priorities and to identifying future needs, including communication, information and data sharing
  - 4.5.4 Keeping Children's workforce informed and involved, providing clear direction, development and training as necessary
  - 4.5.5 Releasing staff to develop and attend network events
  - 4.5.6 Clarifying and simplifying governance structures and decision-making
  - 4.5.7 Ensuring that children, young people and families have a voice in decision making that affects them
  - 4.5.8 Monitoring performance towards agreed outcomes and taking remedial action where necessary.
  - 4.5.9 Building upon good practice and developing an evidence-based approach to what works.
- 4.6 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.
- 4.7 Roles and Responsibilities of Board Members All members of the Board are required to agree to undertake the following:
- 4.7.1 Attendance at all Board meetings (or representation provided by as senior replacement).
  - 4.7.2 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.
  - 4.7.3 Provide leadership on strategic issues to members of the Board
  - 4.7.4 Champion the objectives of the Children and Young People's Plan and ensure relevant activities within the plan are implemented by their organisation.
  - 4.7.5 Contribute to the development of a strategic three to five-year vision Meetings will be held quarterly and dates for each year will be set in advance.

## 4.8 Membership

4.8.1 The Board will be chaired by the Executive Director for Children's Services

4.8.2 Members are able to delegate a deputy of suitable authority if they are unable to attend, by agreement with the chair. Current partners and members are:

### 4.8.3 Barnet Council

- Lead Member for Children's Services;
- Executive Director for Children's Services;
- Assistant Director Education Strategy & Partnerships;
- Commissioning Strategy & Policy Advisor;
- Assistant Director Commissioning & Strategy;
- Voice of the Child Participation Officer;
- Housing Commissioning Lead;
- Commissioning Lead Growth & Development;
- Senior Communications & Campaigns Manager;
- Public Health Consultant;

### 4.8.4 North Central London Integrated Care Board (NCL ICB)

- Director for Adults Joint Commissioning
- CYP Health Commissioning Children's Clinical Lead NHS;

### 4.8.5 Metropolitan Police – Inspector;

### 4.8.6 Schools –

- Three representative headteachers, one each from Barnet primary, secondary and special schools

### 4.8.7 Barnet Education & Learning Service – Chief Executive;

### 4.8.8 Voluntary Sector –

- Chief Executive, Inclusion Barnet;
- Chief Executive, Young Barnet Foundation;

### 4.8.9 Young Persons Representatives –

- Member of Barnet Youth Parliament 1;
- Member of Barnet Youth Parliament 2

### 4.8.10 Multi-Faith Representative - Chair, Barnet MultiFaith Forum;

### 4.8.11 Parent / Carer Group Representative – Chair of the Parent Carer Forum

## 4.9 Quorum

4.9.1 5 – must include the following:

- Chair (or deputy)
- At least one representative of the LB Barnet

- At least one representative NCL CCG
- At least one representative of Schools
- At least one member representing the voluntary sector

## 5 Safer Communities Partnership Board

- 5.1 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.
- 5.2 The SCPB operates within the constitutional requirements of Barnet Council, the Metropolitan Police and other partner agencies, who ensure that the Board's approaches to policy formulation and resource allocation are consistent with those of the agencies concerned.
- 5.3 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. 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.
- 5.4 Meetings will be quarterly and a quorum will comprise four members provided this consists of: The Chair (Barnet Councillor) and Vice Chair (Metropolitan Police) At least one other representative each of the Council and the Metropolitan Police.
- 5.5 Other current partners are:
- London Probation Trust
  - National Probation Service
  - London Fire Brigade
  - North Central London Integrated Care Board
  - MOPAC (Mayor's Office Policing/Crime)
  - Barnet Safer Neighbourhood Board
  - Middlesex University
  - North West London Magistrates' Court
  - Inclusion Barnet
  - Victim Support, North London Division
  - Department for Work and Pensions
  - Voluntary Sector Representative (as invited by the Board)

# London Borough Of Barnet

## Members' Allowances Scheme

### 2023/24

#### 1. The Scheme

- 1.1. This scheme is made by Barnet London Borough Council under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- 1.2. The scheme may be cited as the Barnet London Borough Council Members' Allowances Scheme and replaces all former Schemes.
- 1.3. It has effect for the period 23 May 2023 to 31 March 2024.
- 1.4. In this scheme:
  - 1.4.1 "Councillor" means an elected member of the Council of the London Borough of Barnet.
  - 1.4.2 This scheme will cover a period from 23 May 2023 to 31 March 2024
  - 1.4.3 "Co-Optee", "Co-Opted Member", "Independent Person", ~~and~~ "Independent Member" and "Adviser" means a person not a councillor who is appointed by the Council to a committee discharging a statutory local authority function.

#### 2. Basic Allowance

- 2.1. A basic allowance of £10,809 shall be paid to each councillor.
- 2.2. Payment of the basic allowance is subject to the conditions set out in sections below.

#### 3. Special Responsibility Allowance

- 3.1. Allowances are payable to recognise the special responsibilities attached to certain positions to which councillors may be appointed. The allowances are graded in 5 bands.
- 3.2. The bands, the positions concerned and the sums payable are set out in Schedule 1.
- 3.3. No Member may receive more than one Special Responsibility Allowance in respect of the same period of time, but the Member will receive whichever is the highest of the Special Responsibility Allowances for which they qualify.
- 3.4. Other conditions attached to the payment of Special Responsibility Allowance are set out in sections below.

#### 4. Childcare and Dependent Carers' Allowance

- 4.1. An allowance of £10 per hour for a maximum of 8 hours (subject to extension in special circumstances) shall be payable to any councillor, co-opted or independent member, adviser, or member of an appeals committee established under the Education Act 1996 who incurs expenditure for the care of dependent relatives or children whilst undertaking the approved duties listed in section 4.3 below.
- 4.2. Dependent relatives and children are defined as:
  - children aged 15 years or less
  - elderly relatives requiring full-time care

- relatives with disabilities who receive full-time care

4.3. The approved duties referred to in section 4.1 above are:

- a) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that:
  - (ii) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
  - (iii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited.
- c) The attendance at a meeting of any association of authorities of which the authority is a member;
- d) The attendance at a meeting of any of the Council's committees;
- e) The performance of any duty in pursuance of a standing order requiring a member or members to be present while tender documents are opened;
- f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools; and
- h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

4.4. The allowance or reimbursement shall be paid on the basis of that permitted under the Income Tax Regulations.

## 5. Travel and Subsistence Allowance

5.1. Members do not receive a travel allowance for the cost of travel within the borough.

5.2. The duties which qualify for the payment of travel outside the Borough are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.3. The duties which qualify for the payment of travel allowance to a co-opted member, independent member, adviser, or member of an appeals committee established under the Education Act 1996 are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.4. The duties which qualify for the payment of subsistence allowances to a councillor, independent member, co-opted member, adviser, or member of an appeals committee established under the Education Act 1996 are set out in Schedule 2 with the amounts payable set out in Schedule 3.

**6. Independent Members/Persons, ~~and Co-optees~~ and Advisers Allowance**

6.1. An allowance of £127 shall be paid to the Independent and Co-opted Members, ~~and~~ Independent Persons and Advisers of Council Committees for each meeting or training that they attend.

**7. Pensions**

7.1. The Local Government Pension Scheme Regulations 2013, laid before Parliament 19 September 2013 came into force 1 April 2014 ceased councillors' membership of the Local Government Pension Scheme (at the end of the term of office for existing councillors up to the election on 22 May 2014). From 1 April 2014 no Councillors have been admitted to the Scheme.

**8. Financial Limits**

8.1. Any payment under this scheme is subject to the budget provision for Members' Allowances during the year not being exceeded.

**9. Renunciation**

9.1. A councillor, co-opted member, independent member or adviser may decline to receive any part of his or her entitlement to an allowance under this scheme by notifying the Head of Governance in writing.

**10. Part-year Entitlements**

10.1. This section regulates councillors' entitlement to allowances if during the year:

- the scheme is amended
- the councillor is newly elected
- the councillor ceases to be a councillor
- the councillor accepts or gives up a position eligible for a special responsibility allowance.

10.2. If the scheme is amended so as to change the basic allowance or the special responsibility allowance then the annual amount to be paid to each councillor shall be re-calculated. The councillor will be paid a proportion of the old allowance and a proportion of the new allowance. The proportions will reflect the number of days in the year before and after (starting with the day on which the change takes effect) the change. Further amendments will be treated in the same way.

10.3. If during the year:

- a councillor is newly elected or ceases to be a councillor,
- a councillor accepts or gives up a position eligible for a special responsibility allowance, or
- a councillor becomes or ceases to be eligible to a special responsibility allowance because of an amendment to the scheme

then the annual amount to be paid to the councillor will be altered. The alteration will discount a proportion of the relevant allowance, to reflect the number of days in the year that the councillor was not a councillor, or was not eligible for the special responsibility

allowance, as the case may be. If the scheme is amended during the year as set out in 10.2 above, then the alteration will be calculated separately for the periods before and after each amendment, in accordance with the Regulations.

**11. Claims, Payments, Repayments, Restriction to Entitlement**

- 11.1. Payments of basic allowance and Special Responsibility Allowance will be made in twelve equal monthly instalments at the end of each month.
- 11.2. If making a payment of one twelfth of the annual entitlement of basic allowance and special responsibility allowance for any member would result in a breach of the restrictions set by Section 10 of the scheme, then actual payments must be reduced to comply with those restrictions.
- 11.3. Where an allowance has already been paid for any period during which the councillor concerned:
  - a) ceases to be a councillor; or
  - b) is otherwise not entitled to receive the allowance for that period,such part of the allowance as relates to any such period shall be repaid to the Council.
- 11.4. Where a member of the authority is also a member of another authority that member may not receive allowances from more than one authority in respect of the same duties.



## Schedule 1

## Special Responsibility Allowances 23 May 2023 to 31 March 2024

BAND	SRA (£)	POSTS COVERED
5	33,466	Leader of the Council
4	26,510	Deputy Leader of the Council
3	15,093	<p><b><u>Cabinet Members:</u></b></p> <p>Resources &amp; Effective Council            Adults &amp; Social Care            Culture, Leisure, Arts &amp; Sports            Community Wealth Building            Community Safety &amp; Participation            Family Friendly Barnet            Health &amp; Wellbeing            Environment &amp; Climate Change            Homes &amp; Regeneration            Equalities, Voluntary and Community Sector</p> <p><b><u>Leader of:</u></b></p> <p>Major Opposition Group</p>
2	8,713	<p><b><u>Chairs of:</u></b></p> <p>Overview &amp; Scrutiny Committee            Strategic Planning Committee            Planning Committee A            Planning Committee B            East Area Committee            North Area Committee            West Area Committee            Governance, Audit, Risk Management &amp; Standards Committee</p>
1	5,808	<p><b><u>Chairs of:</u></b></p> <p>Adults &amp; Health Overview &amp; Scrutiny Sub-Committee            Children &amp; Education Overview &amp; Scrutiny Sub-Committee            Pension Fund Committee            Licensing &amp; General Purposes Committee</p>

## Schedule 2

### Approved Duties

The following are approved duties for the payment of travel and subsistence allowances.

***(For Councillors the meeting must take place outside the borough of Barnet):***

1.
  - a) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
  - b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that -
    - (ii) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
    - (iii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited.
  - c) The attendance at a meeting of any association of authorities of which the authority is a member;
  - d) The attendance at a meeting of the executive or a meeting of any of its committees;
  - e) The performance of any duty in pursuance of a standing order requiring a member or members to be present while tender documents are opened;
  - f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
  - g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools; and
  - h) Attendance at training courses arranged by the Council.
  - i) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

(The following bodies or their committees or sub-committees are specifically included in the above definition:

- Welsh Harp Joint Consultative Committee
- Hampstead Heath Management Committee
- London government statutory bodies, joint committees, forums, consortiums, employers' associations, etc
- Standing Advisory Council for Religious Education (SACRE)
- Local Government Association
- London Councils
- Joint Negotiating Councils for Council employees

## London Borough of Barnet - Constitution

2. Subject to the Base Budget not being exceeded, duties undertaken by Members, provided that they are undertaken outside the borough of Barnet and that the Chief Executive is satisfied that the duties are for the purposes of, or connected with, the discharge of the functions of the Council.
3. Attendance as the council's duly authorised representative at meetings of the following bodies.
  - a) School admission, exclusion and reinstatement appeals panels
  - b) Statutory complaints boards or panels relating to the council's education or social services functions
4. Conferences and meetings convened by a person or body whose objects are neither wholly nor partly political, and otherwise than in the course of a trade or business, for the purpose of discussing matters which in the council's opinion will relate to the interests of Barnet or its inhabitants or of part of Barnet or the inhabitants of part of it are approved for the purposes of payment of travel and subsistence allowance. They are those conferences and meetings convened by outside bodies being conferences where it is considered that there is a direct connection with a function of this council.

## Schedule 3

### Travel and Subsistence Allowances

#### Travel

1. Members do not receive a travel allowance for the cost of travel within the borough.
2. Other travel allowance shall paid be at the same rates as those applying at the time to council staff for motorcar, motorcycle and bicycle use. For public transport actual expenditure shall be reimbursed.

#### Subsistence

3. For a councillor attending an approved duty that takes place inside the borough of Barnet the rate of subsistence and travel allowance shall be nil.

Other subsistence allowance for meals taken on duty shall paid be at the same rates as those applying at the time to council staff.

For overnight costs reasonable approved expenses shall be paid.

#### Other Reimbursements allowed:

1. Not more than the amount of any expenditure incurred on tolls, ferries or parking fees.
2. Where day subsistence is payable, the reasonable cost of meals taken on trains, subject to a reduction of subsistence allowance of four hours for each meal taken, and a maximum of one main meal during an absence of more than four hours, two for more than eight hours' absence and three for more than twelve hours' absence.
3. The actual cost of overnight garaging of a car or other vehicle.

#### Payment

4. Evidence of expenditure incurred shall be required when claims are made and any unreasonable claim shall be referred to the Chief Executive.

## Part 3A

### Council Procedure Rules

#### 1. Annual Meeting of the Council

##### 1.1 Date and Business for Annual Meeting of the Council

1.1.1 In a year when there is an ordinary election of Councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will take place in March, April or May.

##### 1.2 Appointment of Leader after Whole Council Elections

1.2.1 In a year when there is an ordinary election of Councillors, the Council shall appoint a Leader at its Annual Meeting, which shall be the first meeting of the Council after its whole Council elections.

1.2.2 The Leader shall:

1.2.2.1 Appoint at least two but no more than nine Members as members of the Executive and allocate cabinet member responsibilities to them.

1.2.2.2 Appoint one of the members of the Executive as Deputy Leader.

1.2.3 The Leader shall hold office as Leader until one of the following circumstances applies:

1.2.3.1 The Council holds its first meeting after the next whole Council elections following his or her election as Leader; or

1.2.3.2 They resign from office; or

1.2.3.3 They are disqualified from being a councillor; or

1.2.3.4 They are removed from office by resolution of the Council

1.2.3.5 They are no longer a councillor.

1.2.4 If the circumstances in 1.2.3.1 apply, the Council shall appoint a new Leader at the same meeting of the Council. In all other cases, at the first meeting of the Council held after the circumstances arise.

1.2.5 Members who are appointed to the Executive by the Leader shall continue in their roles on the Executive until one of the following circumstances applies:

1.2.5.1 In the case of the Deputy Leader, the end of the term of office of the Leader;

1.2.5.2 The Leader makes changes to the roles of members of the Executive;

1.2.5.3 They are removed from office by the Leader;

1.2.5.4 They resign from office;

1.2.5.5 They are disqualified from being councillors;

1.2.5.6 They are no longer councillors.

1.2.6 Following a Borough Election and until the day of the Annual Meeting; if the Leader has not been re-elected as a councillor or, if re-elected, the political party of which they are a member does not have a majority on the council, then the powers of the Leader shall be exercised by the Head of Paid Services in consultation with all Group Leaders.

##### 1.3 Other Business at the Annual Meeting of the Council

## London Borough of Barnet - Constitution

- 1.3.1 In addition to the appointment of Leader which shall take place at the Annual Meeting in a year in which there is an ordinary election of Councillors, the Annual Meeting will:
- 1.3.1.1 elect a person to preside at the Annual Meeting if the Mayor is not present;
  - 1.3.1.2 elect the Mayor for the Borough of Barnet Council;
  - 1.3.1.3 note the Mayor's appointment of the Deputy Mayor of the Borough;
  - 1.3.1.4 receive the results of the Borough Elections (in an election year);
  - 1.3.1.5 receive notification from the Leader of the Council of the name of the Member appointed as their Deputy Leader (in an election year)
  - 1.3.1.6 receive notification from the Leader of the Council of the number of Members they are appointing to the Executive, their names and their portfolios
  - 1.3.1.7 approve the minutes of the last meeting;
  - 1.3.1.8 receive any announcement from the Mayor;
  - 1.3.1.9 receive any declarations of interests from Members;
  - 1.3.1.10 receive any apologies for absence
  - 1.3.1.11 establish at least one Overview and Scrutiny Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions (as set out in Part 2 of this Constitution);
  - 1.3.1.12 receive annually the Allocation of Responsibilities (Scheme of Delegation) as set out in Part 2 of this Constitution;
  - 1.3.1.13 appointing the Chair, Vice chair, members of committee making other appointments to committees and boards and approving or report their respective Terms of Reference.
  - 1.3.1.14 appointing and nominating representatives of outside bodies unless the appointment has been delegated by Council
  - 1.3.1.15 reports from other committees and officers as required.
  - 1.3.1.16 approve a programme of ordinary meetings of the Council for the year; and
  - 1.3.1.17 consider any other business set out in the notice convening the meeting.
- 1.4 **Selection of Councillors on Committees**
- 1.4.1 At the Annual Meeting, the Council will:
- 1.4.1.1 decide which Committees to establish for the Municipal Year;
  - 1.4.1.2 decide the size and terms of reference of those Committees and sub-committees;
  - 1.4.1.3 decide the allocation of seats (and substitutes) to political groups in accordance with the wishes of the group leaders
  - 1.4.1.4 receive nominations and appoint Councillors to serve on each Committee and sub-committee;
  - 1.4.1.5 appoint a Chair and Vice Chair for each Committee as may be appropriate for the Municipal Year;

1.4.1.6 appoint independent members and co-optees to Committees as appropriate

1.4.1.7 make appointments to any joint Committees with other authorities and to outside bodies.

## 1.5 Replacement of Councillors on Committees and Sub-Committees

1.5.1 This Rule shall apply only to those committees or sub-committees or other internal bodies constituted in accordance with the political balance rules

1.5.2 Before a replacement of a Councillor appointed to a body may take effect, a minimum of five clear working days written notice shall be given to the Monitoring Officer by a Group Leader (or their nominated representative) of the replacement of one Councillor from their Group for another Councillor from their Group to serve on any committee, sub-committee, advisory panel etc.

1.5.3 A replacement shall continue in force until further notice as a permanent change unless a further written notice is received in accordance with 1.5.2 above.

1.5.4 At the beginning of the relevant meeting to which the replacement applies, the Chair shall advise of the details of any replacements. Details of replacements will be minuted. The new appointment will be reported to the next meeting of Council.

## 2. Ordinary Meetings

2.1 Ordinary meetings of the Council will take place in accordance with a programme decided by the Council and listed in the Calendar of Meetings.

## 3. Extraordinary Meetings

### 3.1 Calling Extraordinary Meetings

3.1.1 Those listed below may request the Monitoring Officer or Head of Governance to call Council meetings in addition to ordinary meetings:

3.1.1.1 the Council by resolution;

3.1.1.2 the Mayor; or

3.1.1.3 any five Members of the Council if they have signed a requisition presented to the Mayor and they have refused to call a meeting or have failed to call a meeting within 5 clear working days of the presentation of the requisition.

3.1.2 If the Chief Finance Officer makes a report under section 114 of the Local Government Finance Act 1988 or the Monitoring Officer makes a report under section 5 of the Local Government and Housing Act 1989, the Monitoring Officer shall call a meeting of the Council for the purpose of considering that report within the period specified by the relevant statute.

### 3.2 Business

3.2.1 Business at Extraordinary meetings of the Council shall be restricted to:

3.2.1.1 the election of a person to preside if the Mayor is absent;

3.2.1.2 any item of business specified by the Council, Mayor or Monitoring Officer calling the meeting or specified in the requisition presented by at least five Members of Council;

3.2.1.3 any petitions relating to items of business on the agenda which the Mayor agrees to hear.

#### **4. Order of Business at Ordinary Meetings**

##### **4.1 Arrangement of Items in the Summons**

Items to be included in the Summons shall be in any order that is considered appropriate by the Monitoring Officer for the efficient dispatch of the business of that meeting.

##### **4.2 Order of business**

4.2.1 Except as qualified by 4.1 and varied by Rule 4.4 the order of business at Ordinary Council meetings shall be to:

4.2.1.1 choose a person to preside if the Mayor is absent;

4.2.1.2 receive any apologies for absence.

4.2.1.3 prayer and other observances

4.2.1.4 receive declarations of interest from Members and any dispensations granted by the Monitoring Officer.

4.2.1.5 confirm the minutes of the last meeting;

4.2.1.6 receive petitions from Members and the public in accordance with the arrangements for the making of petitions (see Part 3F of this Constitution);

4.2.1.7 receive any announcements from the Leader and/or Cabinet members;

4.2.1.8 receive reports from the Executive and the Council's Committees;

4.2.1.9 consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committees or Scrutiny Sub-Committee, and reports of the Head of Paid Service as appropriate;

4.2.1.10 receive questions and deputations from, and provide answers to, Members of Council and citizens in accordance with the Rules below.

4.2.1.11 consider motions;

4.2.1.12 receive reports and questions about joint arrangements and external organisations;

4.2.1.13 agree the council calendar meetings include the ordinary meetings of the Council

##### **4.3 Leader and Cabinet members' Announcements**

4.3.1 Announcements by the Leader and Cabinet members submitted in accordance with Rule 4.2 will be dealt with at ordinary meetings of the Council in the following way:

4.3.1.1 A Leader and Cabinet members' Announcements item will appear on the Council's order of business paper as a separate item and the Leader and / or Cabinet members may give a short summary statement updating the Council on matters of interest and relevant issues which have come to the fore since the previous meeting of the Council;

4.3.1.2 The Leader and Cabinet members' Announcements will last not more than 10 minutes.

##### **4.4 Variation to the Order of Business**

4.4.1 With the exception of items referred to in 4.2.1.1 and 4.2.1.2 of Rule 4.2, the order of business may be varied on motion without debate so as to give



precedence to any question of special importance. If the Mayor proposes the motion it may be put to the vote without being seconded.

## **5. Arrangements for Meetings**

### **5.1 Time and Place of Meetings**

5.1.1 Meetings of the Council shall take place at the time and place stated on the summons. Following consultation with the Leaders of each of the political groups and subject to compliance with the Access to Information Rules (Part 3E of the Constitution), the Mayor shall have the power to alter the venue, day and time if they believe it to be appropriate for the conduct of the business of the Council.

### **5.2 Cancellation of Meetings**

5.2.1 In exceptional circumstances after consulting the Mayor, the Head of Governance and or the Monitoring Officer may cancel an ordinary meeting of the Council either before or after the summons for the meeting has been issued provided that reasons for the cancellation are given.

## **6. Notice of and Summons to Meetings**

6.1 The Monitoring Officer/Head of Governance will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules set out in Part 3E of the Constitution. At least five clear working days before a meeting, the summons signed by the Monitoring Officer/Head of Governance will be sent to every Member of the Council. The summons will give the date, time and place of the meeting and specify the business to be transacted. It will be accompanied by all relevant reports.

6.2 If there is a request to add an item to the Summons after the statutory deadline for publication, that item may only be considered if the Mayor (as Chair of the Council) agrees, by virtue of the special circumstances set out either in the report or on the supplemental Summons, that the item should be considered as a matter of urgency and then specified in the minutes of the meeting.

## **7. Person to Preside**

7.1 The person presiding at the meeting may exercise any power or duty of the Mayor.

## **8. Quorum**

8.1 The quorum of a meeting of the Council will be one quarter of the whole number of Members.

8.2 If, after 15 minutes from the advertised time of the start of the meeting, or such other longer period as the Mayor may decide, a quorum is not present, the meeting will not take place. The Mayor may announce the date and time that the meeting will be reconvened.

8.3 During any meeting if the Mayor counts the number present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

## **9. Duration of Meetings**

9.1 Commencement and Closure

## London Borough of Barnet - Constitution

- 9.1.1 Meetings of the Council will commence at the time set on the agenda and continue for 3 hours, except as determined under Rule 9.2 or where the Council is:
- 9.1.1.1 considering whether to confirm the dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer, or
  - 9.1.1.2 considering whether to uphold an appeal against a disciplinary sanction (including dismissal) imposed on an officer by the Chief Officers' Employment Panel.
- 9.2 **Varying the Closure Time**
- 9.2.1 A meeting of the Council shall terminate in the manner set out in Rule 9.1.1 unless:
- 9.2.1.1 the business of the meeting has been completed before 3 hours have expired; or
  - 9.2.1.2 by resolution passed before the closure time, the Council resolves to extend the meeting for a further 30 minutes.
- 9.2.2 For the avoidance of doubt, a meeting may use the provisions within 9.2.1.2 above more than once in any meeting, provided that the motion to extend the closure time is moved before the time for the closure of the meeting or before the end of the period by which the meeting has already been extended.
- 9.2.3 In considering whether 9.2.1.1 and 9.2.1.2 above are expedient, the Council will have regard to not prejudicing third party rights or interests affected by the remaining business on the summons.

## 10. **Validity of motions, amendments, deputations, and questions**

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

## 11. **Public Questions**

### 11.1 **General**

- 11.1.1 Members of the public may ask questions of Members of the Executive (Cabinet members) and Chairs of Council Committees at ordinary meetings of the Council. Questioners will not be allowed to address the Council generally on a matter, they may only ask questions.

### 11.2 **Time Limit for Questions**

- 11.2.1 There will be a time limit of 20 minutes for the asking and answering of public questions. Once this time limit has been reached no further questions can be asked but a questioner can complete a question or a supplemental question, and the Member can complete a reply.

### 11.3 **Order and Notice of Questions**

## London Borough of Barnet - Constitution

- 11.3.1 Questions will be asked in the order that notice of them was received, except that the Mayor may group together similar questions.
- 11.3.2 A question may only be asked if notice has been given in writing or by electronic mail to the Head of Governance ([governanceservice@barnet.gov.uk](mailto:governanceservice@barnet.gov.uk)) no later than 10.00am two clear working days before the day of the meeting. Each question must be emailed submitted by the questioner, identifying their name, address, and where appropriate e-mail address, and give the name of the Member to whom it is to be put.
- 11.3.3 Without prejudicing 11.3.2 above, where a report is circulated after the normal Council agenda despatch by supplemental agenda a question may be asked, if notice has been given in writing or by electronic mail to the Head of Governance ([governanceservice@barnet.gov.uk](mailto:governanceservice@barnet.gov.uk)) no later than **3pm ONE** clear working day before the day of the meeting. Each question must be emailed from the questioner's email address, give the name and address of the questioner and name of the Member to whom it is to be put.
- 11.3.4 The Member to whom any question is put may arrange for another Member to answer on their behalf.
- 11.3.5 The Council takes no responsibility for questions which are sent and fail to reach the correct e-mail address or postal address.
- 11.4 **Number of Questions**
- 11.4.1 At any one meeting no person may submit more than one question. A questioner will be allowed to ask a supplementary question directly relating to the content of the answer given to the written question. The Mayor may reject a supplemental question if it falls within any of the categories in paragraph 11.5 below.
- 11.5 **Scope of Questions**
- 11.5.1 The Mayor on the advice of the Monitoring Officer may, on giving reasons, reject a written question if it:
- 11.5.1.1 would risk defamation of an individual or is frivolous or offensive; or otherwise improper
  - 11.5.1.2 does not relate to a matter for which the Council has powers or duties; or
  - 11.5.1.3 does not relate to a matter which affects the London Borough of Barnet; or
  - 11.5.1.4 would require the disclosure of confidential or exempt information; or
  - 11.5.1.5 is substantially the same as a question which has been put at any meeting of the Council in the last six months.
- 11.5.2 No invalid questions will be circulated.
- 11.6 **Record of Public Questions**
- 11.6.1 The Head of Governance will make the public questions available for the public inspection and will immediately send a copy of the question to the Member to whom it is to be put. Rejected questions will include reasons for rejection.
- 11.6.2 Copies of all valid questions will be circulated to all Members and will be made available to the public at the meeting.
- 11.7 **Asking Questions at the Meeting**

## **London Borough of Barnet - Constitution**

- 11.7.1 The Mayor will invite the questioner to put the question to the Member named in the notice or other Member nominated to answer.
- 11.7.2 If a questioner, who has submitted a written question, is unable to be present, they may ask the Mayor to put the question on their behalf unless they have a substitute. The Mayor may either:
- 11.7.2.1 ask the question on the questioner's behalf; or
  - 11.7.2.2 indicate that a written reply will be given; or
  - 11.7.2.3 decide that, in the absence of the questioner, that the question will not be dealt with.
- 11.8 **Written Answers**
- 11.8.1 Any question, which cannot be dealt with during public question time because of lack of time, will be dealt with by written answer. A copy of any written answer shall be given to the Monitoring Officer who will send it to the questioner and all Members of the Council.
- 12. Member Questions**
- 12.1 Member Questions**
- 12.1.1 Subject to Rule 11.5, a Member (excluding members of the Executive) of the Council may ask a Member of the Executive or the Chair of any Committee a question (which depending on its nature may be dealt with in either public or private session) on any matter in relation to which the Council has powers or duties or which affects the London Borough of Barnet.
- 12.1.2 A limit of 30 minutes shall be given to the asking of written questions by Members. The equivalent of no more than one question per Member from each political group (excluding Cabinet members and Scrutiny Chairs) will be allowed. Non-aligned Members will be permitted one question per Member.
- 12.1.3 Questions will be answered giving the first 4 questions to the opposition party and then rotating the questions between groups in accordance with the order in which they are received by the Head of Governance.
- 12.2 Notice of Questions**
- 12.2.1 Member may only ask a question if they have submitted such question by 10am, 14 clear working days before the day of the meeting in writing, of the question to the Head of Governance.
- 12.3 Response**
- 12.3.1 An answer may be given by the Member to whom the question was asked or by such other member as is considered appropriate in writing in advance of the meeting.
- 12.4 Supplementary Question**
- 12.4.1 A Member asking a question under Rule 12.1 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.
- 12.5 Invalid Questions**
- 12.5.1 The Mayor may, in consultation with the Monitoring Officer rule out of order questions which in his or her opinion:

## London Borough of Barnet - Constitution

12.5.1.1 would risk defamation of an individual or are frivolous or offensive or otherwise improper; or

12.5.1.2 do not relate to a matter for which the Council has powers or duties or do not affect the London Borough of Barnet; or

12.5.1.3 would require the disclosure of confidential or exempt information; or

12.5.1.4 are substantially the same as a question which has been put at any meeting of the Council in the last six months.

12.5.2 No invalid questions will be circulated.

### 13. Deputations

13.1 Requests for deputations must be in writing and supported by the signatures of at least five and no more than 24 citizens (deputations with more than 24 signatures will be treated under the Petition Scheme) or representatives of local organisations or businesses in Barnet. The signatories must clearly state their names and post code/qualifying education/business address. The request must explain why a deputation is required.

13.2 The request must be given to the Monitoring Officer/Head of Governance at least two clear working days before the day of the meeting, although the Committee or sub-committee on the grounds of urgency can waive this requirement.

13.3 Those persons nominated to speak should also be signatories to the original written request to make a deputation. All may speak but the total length of the speeches from the deputation must not exceed three minutes.

13.4 The time allowed for questioning of the deputation by Members will be ~~10-seven-~~ minutes. [The remaining time will be used for debate and decision making.](#)

13.5 ~~The d~~Deputations shall be heard at the beginning of the meeting. The Mayor has complete discretion to move any items that are subject to a deputation on the agenda.

13.6 The total time for deputations at the meeting will be no more than 20 minutes.

13.7 [The timings above will be subject to amendment by the Mayor in the event that more than one deputation is submitted at any Council meeting.](#)

#### 13.8 Deputations are not permitted:

~~13.8.1~~13.9 [The Mayor on the advice of the Monitoring Officer may, on giving reasons, reject a written question on the following basis:](#)

~~13.8.1~~13.9.1 If they are defamatory, abusive, offensive or otherwise improper.

~~13.8.2~~13.9.2 If submitted from Council employees or trade unions on employment matters; there are avenues available for these to be addressed via the Terms of Reference of the Licencing and General Purposes Committee.

~~13.8.3~~13.9.3 If they would result in the release of confidential information, or which may prejudice enforcement.

~~13.8.4~~13.9.4 If they relate to a matter where there is a right of appeal against any decision of the Council.

~~13.8.5~~13.9.5 If they have been submitted by someone who has been deemed to be subject to the Management of Unreasonable Complainant Behaviour Policy and they relate to the particular subject matter for which the policy was imposed;

~~13.8.6~~13.9.6 If they are received from people who are not Barnet citizens;

~~13.8.6.1~~13.9.6.1 Members of the Council, co-optees and advisers (in that capacity) shall not be signatories to, lead or form part of any deputation.

~~13.8.6.2~~13.9.6.2 Members of staff may lead or join deputations only in their capacity as local electors and on issues other than those affecting their employment (either terms of reference or work area) with the Council.

### ~~13.9~~13.10 **Responses to Deputations**

~~13.9.1~~13.10.1 Council may respond to deputations in the following ways:

~~13.9.1.1~~13.10.1.1 To note the deputation and take no action.

~~13.9.1.2~~13.10.1.2 Ask officers to prepare a report for the next meeting (of either Council or relevant committee) on the deputation.

~~13.9.2~~13.10.2 Ask officers to provide a written response to the deputation.

### ~~13.10~~13.11 **6 Month Rule**

~~13.10.1~~13.11.1 No deputation or public question shall be accepted by the Council within 6 months after a deputation or public question has appeared before it on the same or a similar subject.

## **14. Recommendations from the Executive, Committees and Statutory Officers**

### **14.1 Receipt of Recommendations from the Executive**

14.1.1 The Executive shall make recommendations to the Council on any matter that is within the Council's functions falling to the Council to determine or on which the Executive is required to consult with or obtain the approval of the Council. Such recommendations shall be moved by the Leader. A seconder to such a motion is not required.

### **14.2 Receipt of Recommendations from Committees**

14.2.1 The Council shall consider recommendations made to it by Committees on matters falling within the Council's terms of reference. The recommendation shall be moved by the Chair of that Committee. A seconder to such a motion is not required.

### **14.3 Order of Recommendations**

14.3.1 Recommendations to the Council from the Executive or a Committee shall be placed on the summons by the Monitoring Officer in such order as seems most convenient for the conduct of the business of the Council. They shall be considered in the order on the summons unless the Mayor proposes to vary the order of business under Rule 4.4.

### **14.4 Receipt of Recommendations from Statutory Officers**

14.4.1 The Head of Paid Service may make reports to Council as necessary. The Head of Paid Service, Monitoring Officer, Section 151 Officer, Director of Children's Services and Director of Adult Social Services may report to Council as required by statute in the exercise of their statutory responsibilities.

### **14.5 Items affecting the employment of officers**

## **London Borough of Barnet - Constitution**

- 14.5.1 This rule applies during consideration of an appeal from an officer arising out of a decision made by the Employment Sub-Committee or a recommendation to dismiss made by the Independent Panel.
- 14.5.2 The officer who is the subject of the item and a person accompanying them under the statutory right to be accompanied has the right to speak in relation to the item.
- 14.5.3 Rule 12.1 shall apply with a modification that questions may also be asked of the officer who is the subject of the item.

## **15. Motions**

### **15.1 Notice**

- 15.1.1 Except for motions that can be moved without notice under Rule 16 written notice of every motion, must be delivered to the Head of Governance not later than 10am 8 clear working days before the date of the meeting. All motions will be entered in a document open to public inspection.

### **15.2 Motions Set Out in Summons**

- 15.2.1 Motions for which notice has been given will be listed on the summons in the order in which notice was received.
- 15.2.2 Notices of motion on the summons shall state the name of the Member proposing the motion.

### **15.3 Invalid Motions**

- 15.3.1 The Mayor may, in consultation with the Monitoring Officer rule out of order motions which in his or her opinion:
  - 15.3.1.1 would risk defamation of an individual or are frivolous or offensive or otherwise improper
  - 15.3.1.2 do not relate to a matter for which the Council (as local authority) has powers or do not affect the London Borough of Barnet; or
  - 15.3.1.3 would require the disclosure of confidential or exempt information; or
  - 15.3.1.4 are substantially the same as a motion which has been put at any meeting of the Council in the last six months.
- 15.3.2 No invalid motions will appear on the Council agenda or be otherwise circulated.

### **15.4 Motions Relating to Reports and Recommendations on the agenda**

- 15.4.1 Where the Mayor considers it appropriate, any motion for which notice has been duly given and which relates to any recommendation of the Executive or a Committee or a statutory officer to be considered at the same meeting, may be treated as an amendment to such recommendation and shall be considered at the same time as the recommendation is considered.

### **15.5 Motions Relating to a Matter Delegated to the Executive or a Committee**

- 15.5.1 If the Mayor, in consultation with the Monitoring Officer, considers that any motion made under this Rule refers to matters within the powers of the Executive or a Committee of the Council, then it shall be indicated on the Council summons, supported by reasons, that the motion shall stand referred to the next meeting of the Executive or to a Committee. Any Member may move that any such referral should not apply to a motion

but shall be dealt with as if paragraph 15.6.1 below applied, such motion having been identified to the Monitoring Officer at the time of the deadline for submissions of motions.

**15.6 Motions Stand referred to the Executive under Rule 15.5**

15.6.1 If a motion is marked on the Summons as to stand referred to the Executive under Rule 15.5, then where Council decides to disapply the referral and allow the matter to be debated, the Council can make no decision on the matter but may make a recommendation or pass comments to the Executive.

15.6.2 The Executive shall not be bound to accept any such recommendation or act on any such comments.

**15.7 Motions calling for a Report**

15.7.1 A motion which calls for a report on a given matter and which has been signed by six Members of the Council shall be referred without discussion to the next meeting of the Executive or appropriate Committee, or to a Cabinet member. A report from the Executive, Cabinet member or Committee shall be submitted to the Council within a maximum of four months unless the Council agree a longer period.

**16. Motions Without Notice**

**16.1 Motions that may be moved by any Member without notice**

16.1.1 The following motions may be moved without notice by any Member:

16.1.1.1 in the absence of the Mayor of the Council, to appoint the Deputy Mayor or another Member to preside at the meeting at which the motion is moved;

16.1.1.2 in relation to the accuracy of the minutes;

16.1.1.3 to change the order of business on the agenda;

16.1.1.4 to refer a matter to an appropriate body or individual;

16.1.1.5 to receive recommendations or reports from the Executive, a Cabinet member, Committee or an officer and any resolutions following from them;

16.1.1.6 to withdraw a motion;

16.1.1.7 that the meeting continue beyond three hours in duration;

16.1.1.8 to exclude the press and public in accordance with Part E (Rule 12) of the Access to Information Procedure Rules;

16.1.1.9 to not hear further a Member named under Rule 22.1 or to exclude them from the meeting under Rule 23.1; and

**16.2 Motions relating to Closure of Debate, Adjournment and Next Business**

16.2.1 The following motions may be moved without notice by any Member who has not spoken on the matter under debate at the close of any speech:

16.2.1.1 that the Council meeting be adjourned with immediate effect;

16.2.1.2 that the debate be adjourned to the next meeting of the Council;

16.2.1.3 that the Council proceed to the next item of business on the agenda;

16.2.1.4 that the question be now put without further debate.



**16.3 Limits to the Right to Move Motions Under 16.2**

16.3.1 The Mayor shall have the power to refuse to accept a motion under 16.2 if, in their opinion, they consider it to be premature.

**16.4 Further Provisions Relating to Motions Under 16.2**

16.4.1 When a motion to adjourn is carried, the Mayor shall determine which Member shall have the right to open the debate when resumed.

16.4.2 When a motion that the question be now put is carried the mover of the motion previously under discussion shall have the right to reply before the vote is taken on that motion or on an amendment to that motion if they have not already spoken to the amendment.

16.4.3 The Mayor may allow speeches to continue for a longer period where they consider that it is the wish of the Council that they should do so.

16.4.4 Rule 16.2 does not apply where the Council is:

16.4.4.1 considering whether to confirm the dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer.

16.4.4.2 considering whether to uphold an appeal against a disciplinary sanction (including dismissal) imposed on an officer by the Chief Officers' Employment Panel.

**16.5 Amendments to Motions**

16.5.1 An amendment to a motion must be relevant to the motion and will either be:

16.5.1.1 to leave out words;

16.5.1.2 to leave out words and insert or add others;

16.5.1.3 to insert or add words;

as long as the effect of 16.5.1.1 to 16.5.1.3 is not to negate the motion or to introduce a new proposal.

16.5.2 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion.

**16.6 Point of Order**

16.6.1 A Member may raise a point of order at any time and shall indicate their wish to do so by addressing the Mayor. The Mayor will hear it immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or of the law. The Member must start by identifying the Rule or law and the way in which they consider it to have been broken. The ruling of the Mayor on the matter will be final.

**16.7 Personal Explanation**

16.7.1 A Member who has been named by another Member may seek to make a personal explanation if the named Member believes that an earlier speech by the named Member during the meeting has been misunderstood. A Member shall indicate their wish to make a personal explanation by addressing the Mayor. The ruling of the Mayor on the admissibility of a personal explanation will be final.

**17. Previous Decisions and Motions**

**17.1 Motion to Rescind a Previous Decision**

## **London Borough of Barnet - Constitution**

17.1.1 A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved.

### **17.2 Motion Similar to one Previously Considered**

17.2.1 A motion or amendment in similar terms to one that has been considered at a meeting of Council in the past six months cannot be moved.

## **18. Voting**

### **18.1 Majority**

### **18.2 Mayor's Casting Vote**

18.2.1 If there is an equal number of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

### **18.3 Individual Recorded Vote and Explanation for Vote**

18.3.1 If immediately before the vote is taken any Member present at the meeting requests that their vote be recorded as voting for or against or not voting, it shall be so recorded in the minutes.

18.3.2 A recording of a vote or abstention in the minutes shall be made without explanation save in cases where it is necessary for the avoidance of ambiguity, when a brief note may be added at the Member's request explaining that Member's reason for voting or not voting.

### **18.4 Recorded Vote at Annual Council Tax Meeting**

18.4.1 At any meeting of the Council where a decision is taken on the setting of council tax or budget, then the vote of each member present for or against or not voting shall be so recorded in the minutes.

### **18.5 Recorded Vote by Division**

18.5.1 If immediately before an ordinary vote is taken 10 Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

## **19. Minutes**

### **19.1 Signing the Minutes**

19.1.1 The Mayor will sign the minutes of the proceedings at the next available meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes may be discussed.

### **19.2 Minutes of Decisions of the Council**

19.2.1 Minutes of the Council shall be published on the Council's intranet and website. Minutes shall be published within 5 clear working days of the date of the meeting.

## **20. Exclusion of the Press & Public**

20.1 Members of the public and press may only be excluded either in accordance with Rule 12 of the Access to Information Procedure Rules in Part 3E of this Constitution or under Rule 24 (General Disturbance).

## **21. Mayor Standing**

## London Borough of Barnet - Constitution

21.1 When the Mayor stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

### **22. Member not to be Heard Further**

22.1 If a Member persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor may move that the Member be not heard further for the remainder of the item of business being considered. If seconded, the motion will be voted on without discussion.

### **23. Member to Leave the Meeting**

23.1 If the Member continues to behave improperly after such a motion under 22.1 is carried, the Mayor may move that either the Member leave the meeting or that the meeting be adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### **24. General Disturbance**

24.1 If there is a general disturbance making business impossible, the Mayor may adjourn the meeting for as long as they think necessary.

### **25. Confidential Business**

25.1 All reports, other documents, information, discussions and proceedings of the Council which are marked "Exempt" under Schedule 12A of the Local Government Act 1972, or "Confidential", must be treated as such by all Members of the Council. Members of the public will not have access to these papers and discussions. Confidential or exempt items will be marked as such and the relevant part of Schedule 12A will be specified on the document.

25.2 Confidential and/or exempt items will be discussed in 'Part II' of the Council meeting following a resolution to exclude the press and public.

### **26. Disturbance by the Public**

#### **26.1 Removal of Member of the Public**

26.1.1 If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

#### **26.2 Clearance of part of a Meeting Room**

26.2.1 If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

#### **26.3 Adjournment**

26.3.1 Following an order by the Mayor for one or more members of the public to leave the meeting room, if they deem it necessary in the interests of public safety and for the safety of Members and officers present, the Mayor may adjourn the meeting for as long as they think necessary.

26.3.2 If it is considered expedient so to do, the Mayor with the agreement of the Members present may adjourn the meeting for such duration as is considered appropriate.

#### **26.4 Ruling of the Mayor on Interpretation of these Rules**

**London Borough of Barnet - Constitution**

26.4.1 The Mayor's ruling on the interpretation or application of any of the Council Procedure Rules is final.

## Part 3B

### Executive Procedure Rules

#### 1. Application of these Rules

- 1.1 These Rules apply to the Executive and meetings of the Executive (being either a meeting of a number of Members of the Executive or the Leader when taking a Key Decision by way of a Cabinet member Meeting). Some Rules also apply to a Member meeting alone.

#### 2. Executive Decisions

- 2.1 Executive functions may be exercised by:

- 2.1.1 the Executive as a whole;
- 2.1.2 an individual Member of the Executive;
- 2.1.3 an officer;
- 2.1.4 an arrangement with another authority for the discharge of functions.

- 2.2 A Key Decision may not be taken by an individual Member of the Executive unless either it has been delegated to an individual Member of the Executive or it is a Key Decision on an urgent matter and is taken in accordance with Rule 2.1.3 of the Appendix to the Executive Procedure Rules.

#### 2.3 Definition of Executive Meeting

An Executive meeting shall include:

- 2.3.1 a meeting open to all Members of the Executive.
- 2.3.2 An individual Member of the Executive (Cabinet member) when making Key Decisions.

#### 3. Delegation by the Executive

- 3.1 The Leader or, in the absence of the Leader, the Deputy Leader will present to the Council a written record of delegations made by them at the Annual Meeting of the Council for inclusion in the Allocation of Responsibilities (set out in Part 2 of this Constitution).

- 3.2 The document presented by the Leader or, in the absence of the Leader, the Deputy Leader must contain the following information relating to Executive functions in the ensuing Municipal Year:

- 3.2.1 the name of the Executive Member who will serve as Deputy Leader;
- 3.2.2 the names and Wards of the Councillors appointed to the Executive;
- 3.2.3 the nature of the Portfolios to be held by each Executive Member;
- 3.2.4 the extent of any authority delegated to those Executive Members individually, including details of the limitation on their authority;
- 3.2.5 the nature and extent of any deputising arrangements within the Executive;
- 3.2.6 any changes to the terms of reference and constitution of the Executive.
- 3.2.7 any changes to the nature and extent of any delegation of Executive functions to any other authority or any arrangements with another authority for the discharge of functions and the names of those Executive Members appointed to any joint committee for the coming year;

3.2.8 any changes to the nature and extent of any delegation of Executive functions to officers as set out in the Constitution with details of any limitation on that delegation, and the title of the officer to whom the delegation is made;

3.3 In an election year the documents referred to in 3.2 above may be presented by the Leader or, in the absence of the Leader, the Deputy Leader to the first appropriate Council meeting. This may be a special meeting convened for the purpose.

#### **4. The Council's Allocation of Responsibilities and Executive Functions**

4.1 The Council will approve a Scheme of Delegations or Allocation of Responsibilities section of the Constitution, and may amend it at any time by resolution, but will normally undertake any revision at its annual meeting.

4.2 However, in years where whole Borough elections are held, notification of the Scheme of Delegation or Allocation of Responsibilities may be presented at the next Council meeting after the Annual Meeting.

#### **5. Conflicts of Interest**

5.1 If an individual Member of the Executive has a conflict of interest or if every Member has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in this Constitution (Part 4).

5.2 If the exercise of an Executive function has been delegated to an individual Cabinet member and a conflict of interest arises, then the function may be exercised, by the Leader or Deputy Leader. In the case where an officer is unable to take a delegated decision due to a conflict of interest, and no scheme exists within the department which allows referral of that decision to another appropriate officer, that decision will be referred to the relevant Cabinet member, or the Leader or Deputy Leader.

5.3 If a conflict of interest arises for the Leader or Deputy Leader where the decision would have been referred to them, then that decision may be referred to Cabinet.

#### **6. Urgent Business**

6.1 Urgent business may only be considered where:

6.1.1 the Access to Information Procedure Rules in this Constitution have been complied with; or

6.1.2 a Member of the Executive or any Statutory Officer has requested that an item is placed on the agenda for the meeting at any time before the start of the meeting and the Executive agrees to the item being included on the grounds of urgency. The grounds of urgency and the circumstances giving rise to the request must be recorded in the minutes of the meeting.

#### **7. Executive Meetings**

7.1 **Time, place and changes to meetings**

7.1.1 The Executive will meet at time and place published on the agenda.

7.1.2 The Leader or, in the absence of the Leader, the Deputy Leader may convene additional meetings of the Executive, provided that the requirements of the Access to Information Procedure Rules in this Constitution are complied with.

7.1.3 The date and time of a meeting of the Executive may be changed by the Leader or, in the absence of the Leader, the Deputy Leader upon giving five clear

working days' notice. In urgent situations, the meeting may be cancelled by the Leader or the Head of Governance, with a shorter notice period.

## **8. Special Meetings**

- 8.1 Those listed below may request the Head of Governance to call Executive meetings in addition to ordinary scheduled meetings:
- 8.1.1 the Executive by resolution;
  - 8.1.2 the Leader of the Council;
  - 8.1.3 the Monitoring Officer (where the proper officer is not also the Monitoring Officer); or Chief Financial Officer;
  - 8.1.4 at least one-third of the Members of the Executive, if they have signed a requisition presented to the Leader of the Council and he/she has refused to call a meeting or has failed to call a meeting within five clear working days of the presentation of the requisition.
- 8.2 The date, time and place of special meetings will be set by the Head of Governance.
- 8.3 The Head of Governance must give public notice of the time and place of a public meeting by displaying it at the offices of the relevant local authority and publishing it on that authority's website, if it has one at least 5 clear days before the meeting or where the meeting is convened at shorter notice, at the time the meeting is convened.
- 8.4 Where a meeting is convened at short notice, no item of business shall be considered unless a copy of the agenda including the item of business has been available for inspection by the public from the time that the agenda for the meeting was sent to members.

## **9. Business**

- 9.1 Business at special meetings of the Executive shall be restricted to any item of business specified by the Executive, Leader, Monitoring Officer or Chief Financial Officer when calling the meeting or specified in the requisition presented by at least one-third of the Members of the Executive.
- 9.2 Business at the same special meeting may be added to the agenda subject to the agreement of the Monitoring Officer following consultation with the Leader of the Council and the leader(s) of the Opposition Group(s), stating reasons for urgency.

## **10. Meetings of the Executive to be held in Public**

- 10.1 All meetings of the Executive will be held in public. These meetings will be governed by the Access to Information Procedure Rules in this Constitution. Where the Executive is considering reports on matters which contain confidential or exempt information it may pass a resolution to exclude the press and public in accordance with the Access to Information Procedure Rules, having given 28 clear calendar days' notice of the intention to hold a private meeting (or part private).

## **11. Quorum**

- 11.1 Subject to Rule 11.2, the quorum for a meeting of the Executive shall be a minimum of three.

- 11.2 In order for an Executive meeting to be quorate, the Leader or Deputy Leader must be present unless they are precluded from participating in the item of business by reason of a conflict of interest.

**12. Procedure for Decision Making by the Executive**

- 12.1 Executive decisions taken by the Executive as a whole will be taken at a meeting convened in accordance with the Access to Information Procedure Rules in this Constitution.
- 12.2 Where Executive Key Decisions are delegated to individual Executive Members, those decisions shall be taken in accordance with the Access to Information Procedure Rules in this Constitution.

**13. Conduct of Executive Meetings**

**13.1 Chair of the Executive**

At a meeting of the whole Executive the Leader shall preside if they are present. In the absence of the Leader, the Deputy Leader shall preside. If neither the Leader nor Deputy Leader are present, the meeting shall not proceed unless they are precluded from participating in the item of business by reason of a conflict of interest.

**13.2 Petitions**

The Council has a petition scheme and this will be followed.

**13.3 Public Questions**

**General**

- 13.3.1 Questions should be submitted in writing to the relevant Governance Officer by 10am on the third working day prior to the meeting.
- 13.3.2 Any questions submitted after this time will not be considered. Questions must specify the item of business on the agenda which they relate to.
- 13.3.3 Questions will be answered by the Leader in the meeting in order of receipt, alternating between residents. Residents will be able to ask one supplementary question per question answered.
- 13.3.4 Questions will be published prior to the meeting. Any additional questions received will be not be accepted.
- 13.3.5 Residents submitting questions are able to send a substitute to ask their question if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.
- 13.3.6 Any questions that are not answered at the meeting will be given a written response at the discretion of the Leader.
- 13.3.7 Written comments must specify the item of business on the agenda which they relate to. Cabinet agendas are published on the Council's website five clear working days prior to the meeting. Residents should state their road and postcode when submitting comments.
- 13.3.8 Each written comment is limited to 100 words. Written comments should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any written comments received after this time will not be



considered. A resident may submit one written comment per agenda item. Written comments will be reported to the Cabinet and published alongside the agenda papers for the meeting.

**13.4 Time limit for questions and comments**

13.4.1 At cabinet meetings a time period of up to 30 minutes is available for public questions and comments in total. Questions and comments will be dealt with in order of receipt.

**13.5 Scope of questions**

13.5.1 The Monitoring Officer may reject a question if it:

13.5.1.1 is not about a matter for which the Authority has a responsibility or which does not affect the Borough;

13.5.1.2 would risk defamation of an individual or is frivolous or offensive; or otherwise improper;

13.5.1.3 is substantially the same as a question which has been put at any meeting of the Executive in the last six months; or

13.5.1.4 requires the disclosure of confidential or exempt information.

**13.6 Questions by Members**

13.6.1 Questions:

13.6.1.1 A Councillor may ask a Cabinet member (Member of the Executive) a question (which depending on its nature may be dealt with in either public or private session) on any matter which is on the cabinet meeting agenda. For the avoidance of doubt, a Member is not limited to asking a single substantive question at any one Executive meeting. No prior notice is required for these questions.

13.6.1.2 The first 4 questions will be given to the opposition group, then they will be rotated between the groups in accordance with the order in which they are requests are made to the Chair. Questions may be asked of one Cabinet member at a time and one Cabinet member may respond only. If the question crosses more than one portfolio then the Leader may respond, but each question may only have a response from one member of the executive.

13.6.1.3 A limit of 15 minutes shall be given to the asking and answering of questions by Councillors under this Rule.

**13.7 Response**

13.7.1 In response to a Non-executive Member speaking at Cabinet, an answer may be given by the Leader or Cabinet member.

13.7.2 A response may take the form of:

13.7.2.1 a direct oral answer;

13.7.2.2 where the desired information is a publication of the Council or other published work, a reference to that publication; or

13.7.2.3 where the reply cannot conveniently be given orally, a written answer supplied later to the questioner.

### 13.8 Invalid Questions

13.8.1 The Chair may, in consultation with the Monitoring Officer, rule out of order questions which in their opinion:

13.8.1.1 would risk defamation of an individual or is frivolous or offensive; or otherwise improper; or

13.8.1.2 do not relate to a matter for which the Executive has powers or duties or which does not affect the London Borough of Barnet; or

13.8.1.3 would require the disclosure of confidential or exempt information; or is substantially the same as a question which has been put at any meeting of the Executive in the last six months.

### 13.8.2 6 Month Rule

13.8.2.1 No deputation, public question or comment shall be accepted within 6 months after a deputation, public question or comment has appeared before on the same or a similar subject.

### 13.9 The Business of Meetings

13.9.1 At each meeting of the Executive, the following business will be conducted where appropriate.

### 13.10 Apologies

13.10.1 Approving the minutes of the last meeting;

13.10.2 Declarations of interest and any dispensations granted by the Monitoring Officer

13.10.3 Petitions and questions, comments and deputations (if any);

13.10.4 Matters referred to the Executive (whether by the Overview and Scrutiny Call-in sub-committee or by the Council) for reconsideration by the Executive in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in this Constitution.

13.10.5 Consideration of reports from the Overview and Scrutiny Committee or Scrutiny sub-committees;

13.10.6 Consideration of proposals for the budget and policy framework, prior to making decisions on them;

13.10.7 Consideration of the Key Decision Schedule (KDS);

13.10.8 Other matters set out in the agenda for the meeting, and which shall indicate which are Key Decisions in accordance with the Access to Information Procedure Rules set out in Part 3 of this Constitution.

13.10.9 Reports of statutory officers

13.10.10 Matters referred to the Cabinet.

### 13.11 Decisions to be taken only on a report

13.11.1 The Executive, or an individual Executive decision-taker, may only take a decision upon consideration of a written report from the relevant officer of the Council.

13.11.2 Reports from officers will follow a standard format including the following statutory requirements:

13.11.2.1 Resource implications (observations of the Chief Financial Officer)

13.11.2.2 Legal and Constitutional References (observations of the Monitoring Officer)

13.11.2.3 Details of background papers

13.11.2.4 Reasons for Recommendation

13.11.2.5 Options Considered and Rejected

13.11.2.6 List of Background Papers which will be published on the website and made available to the public

### 13.12 **Consultation**

13.12.1 All reports to the Executive on draft proposals relating to the budget or policy framework must contain details of consultation to be undertaken with stakeholders and relevant Overview and Scrutiny Committee or Scrutiny sub-committees. Final proposals must include details of the outcome of that consultation.

13.12.2 Reports on other matters must set out the details and outcome of consultation as appropriate to the matter under consideration.

### 13.13 **Executive Agenda**

13.13.1 The Leader or any Member of the Executive may request that the Monitoring Officer places an item on the agenda of the next available Executive meeting.

13.13.2 The Monitoring Officer will place the item on the agenda of the next available meeting of the Executive in accordance with the Access to Information Procedure Rules if the Call-In sub-committee or if the full Council has resolved that an item must be reconsidered by the Executive.

13.13.3 The Monitoring Officer and Chief Financial Officer may include an item for consideration on the agenda of an Executive meeting and/or may call or be required to call a meeting in pursuance of their statutory duties. In other circumstances, where both the Chief Financial Officer and the Monitoring Officer are of the opinion that an Executive meeting needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of an Executive meeting. If there is no meeting of the Executive within an appropriate timescale to deal with the issue in question, then they may also require that a meeting be convened at which the matter will be considered.

### 13.14 **Voting Procedure**

13.14.1 The Executive will decide all matters before it on a collective basis except where dissent is recorded by Members, by simple majority. The Chair will have a casting vote.

### 13.15 **Individual recorded vote and explanation for vote**

13.15.1 If immediately before the vote is taken, any voting Member present at the meeting requests that his or her vote be recorded as voting for or against or not voting, it shall be so recorded in the minutes.

13.15.2 A recording of a vote or abstention in the minutes of the meeting shall be made without explanation save that in cases where it is necessary for the avoidance of ambiguity a brief note may be added at the Member's request explaining that Member's reason for voting or not voting.

### 13.16 **Guillotine**

13.16.1 Meetings of the Executive will not last longer than 3 hours.

### 13.17 **Key Decisions taken by individual members of the Executive**

13.17.1 A Key Decision may not be taken by an individual Member of the Executive unless it is a key decision on an urgent matter and is taken in accordance with 2.1.3 of the Appendix to the Executive Procedure Rules.

13.17.2 All Key Decisions to be taken by individual members of the Executive will follow the Access to Information Procedure Rules in Part 3 this Constitution.

13.17.3 At each meeting, the following business will be conducted:

13.17.3.1 declarations of any dispensations granted by the Monitoring Officer;

13.17.3.2 petitions and public questions, if any;

13.17.3.3 matters referred to the Executive Member (whether by the Call-in Sub-Committee or by the Council) for reconsideration in accordance with the provisions contained in the Overview and Scrutiny Procedure Rule on the Call-In Procedure (Part 3C of this Constitution);

13.17.3.4 consideration of reports from the Overview and Scrutiny Committee or Scrutiny sub-committees;

13.17.3.5 consideration of items for decision as set out in the agenda for the meeting.

### 13.18 **Who may speak**

13.18.1 Any Member of the Council may attend a meeting of a Cabinet member but may only speak if invited to do so by the Cabinet member.

### 13.19 **Implementation of Executive Decisions**

13.19.1 In order to allow for Call-In, no Executive Key Decision can be implemented until the expiry of five clear working days after the decision has been published, unless the decision-taker resolves as part of the decision that its implementation is urgent when the provisions contained in the Overview and Scrutiny Procedure Rule on the Call-In Procedure apply (Part 3C of this Constitution).

### 13.20 **Confidential Business**

13.20.1 All reports, other documents, information, discussions and proceedings of the Executive, or Cabinet member which are marked Exempt under Schedule 12A of the Local Government Act 1972, or Confidential must be treated as such by all Members. Members of the public will not have access to these papers and discussions. Confidential or exempt items will be marked as such and the relevant part of Schedule 12A will be specified on the document. Confidential and/or

exempt items will be discussed in 'Part II' of the meeting following a resolution to exclude the press and public.

13.20.2 Executive Meetings and Key Decisions taken by the Leader (Cabinet member Decision Meeting) shall be subject to regulation 5 (Part 2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The Access to Information Procedure Rules (Part 3) set out the requirements for advance notice of any private meeting.

**13.21 Minutes of the Executive**

13.21.1 Minutes of the Executive shall be published on the Council's website.

**13.22 Production of Decision Notices and Minutes for Cabinet Meetings**

13.22.1 A Decision Notice will normally be published on the Council's website on the day immediately following the Cabinet Meeting thereby setting/invoking the Call-in period. Minutes of the Cabinet and other Executive Meetings will normally be published within five clear working days of the meeting.

**13.23 Exclusion of the Public**

13.23.1 Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Part 3 of this Constitution or under Rule 13.28 (Disturbance by the Public) below.

**13.24 Members' Conduct**

**13.25 Precedence of Chair**

13.25.1 When the Chair speaks during a debate, any Member speaking at the time must stop speaking. The meeting must be silent.

**13.26 Member not to be heard further**

13.26.1 If any Member present persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further during the consideration of that item of business. If seconded, the motion will be voted on without discussion and the Member may be asked to leave the meeting.

**13.27 General disturbance**

13.27.1 If there is a general disturbance, making business impossible, the Chair may adjourn the meeting for as long as they think it is necessary.

**13.28 Disturbance by Public**

**13.28.1 Removal of Member of the Public**

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

**13.29 Deputations**

13.29.1 Cabinet may receive a deputation on any matter appearing on the relevant agenda.

13.29.2 Requests to receive a deputation must be in writing and signed by at least five and no more than 24 citizens or representatives of local organisations or

businesses in Barnet (documents with more than 24 signatures will be treated under the Petition Scheme). The signatories must clearly state their names and postcode qualifying education/business address. The request must explain why a deputation is required.

- 13.29.3 The request must be given to the Monitoring Officer/Head of Governance at least two clear working days before the day of the meeting.
- 13.29.4 The people nominated to speak should also be signatories to the original written request to make a deputation. All may speak but the total length of the speeches from the deputations must not exceed three minutes.
- 13.29.5 The total time allowed for deputations will be 30 minutes.
- 13.29.6 The deputation shall be heard at the beginning of the meeting. The Chair has complete discretion to move any items that are subject to a deputation on the agenda.
- 13.29.7 Members of the Council, co-optees and advisers shall not be signatories to, lead or form part of any deputation.
- 13.29.8 Members of staff may lead or join deputations only in their capacity as local electors and on issues other than those affecting their employment (either terms and conditions or the work that they are undertaking) with the Council.
- 13.29.9 Deputations are not permitted:
  - 13.29.9.1 If they do not relate to a substantive item on the agenda. They must relate to the substantive subject matter of the report.
  - 13.29.9.2 If they are defamatory, abusive, offensive or otherwise improper.
  - 13.29.9.3 If submitted from Council employees or trade unions on employment matters; there are other avenues available for these to be addressed.
  - 13.29.9.4 If they would result in the release of confidential information, or which may prejudice enforcement.
  - 13.29.9.5 If they relate to a matter where there is a right of appeal against any decision of the Council.
  - 13.29.9.6 If they have been submitted by someone who has been deemed to be subject to the Management of Unreasonable Complainant Behaviour Policy and they relate to the particular subject matter for which the policy was imposed;
  - 13.29.9.7 If they are received from people who are not Barnet citizens.
- 13.29.10 If the Monitoring Officer has any doubts about a deputation for the agenda for reasons of propriety the Monitoring Officer will return it to the citizen who submitted it. The Monitoring Officer will explain to citizen why it will not be included on the agenda circulated for the meeting.

### 13.30 Responses to Deputations

- 13.30.1 The Cabinet may respond to deputations in the following ways:
  - 13.30.1.1 To note the deputation and take no action.
  - 13.30.1.2 Note the deputation in consideration of the report.

13.30.1.3 Ask officers to prepare a report for the next meeting (of either this committee or another relevant committee) on the deputation.

13.30.1.4 Ask officers to provide a written response to the deputation.

## Part 3B1

### Appendix to Executive Procedure Rules Delegated Powers of Cabinet members

#### 1. Key Decisions

- 1.1 A Key Decision may not be taken by an individual Member of the Executive unless either it has been delegated to an individual Member of the Executive or it is a Key Decision on an urgent matter and is taken in accordance with 2.1.3 of this Appendix.

#### 2. Decision taking by individual Cabinet members

- 2.1 Where a non-key decision is to be made, individual Cabinet members may take those decisions in the following circumstances:

##### 2.1.1 **Matters the subject of an agreed framework, set by the Executive and on a report from an officer.**

2.1.1.1 Where the Executive has already set a clear framework for a set of decisions, the Cabinet member may take that framework forward into implementation.

2.1.1.2 This power is subject to:

2.1.1.2.1 The same conditions as stated above; and

2.1.1.2.2 Where the matter is controversial, or potentially controversial, the Cabinet member should refer the matter to the full Executive for decision.

NB - The fact that a Cabinet member, having considered these rules and guidance, decides to take a decision does not render that decision invalid or improperly taken if the matter is later shown to be the subject of disagreement amongst the Members of the Executive.

##### 2.1.2 **Urgent matters (non-key decisions)**

2.1.2.1 Cabinet members may take non-key urgent decisions within their terms of reference, provided the conditions above are satisfied.

2.1.2.2 It should be noted that where a decision is deemed to be urgent, and where Procedure Rule 17 of the Access to Information Rules has been followed, that decision will not be subject to the call-in procedure Rules provided the Chair of Overview and Scrutiny Committee agrees.

##### 2.1.3 **Urgent Matters where the Cabinet member is not empowered to act (Key Decisions or matters that are outside the Cabinet member's terms of reference.)**

2.1.3.1 When an urgent decision needs to be taken in circumstances where to wait until the next scheduled meeting of the Executive would be prejudicial to the best interests of the Council, and where a Cabinet member is not empowered to act under paragraph 2.1 and 2.2 above then:

2.1.3.2 The Leader, (or in his/her absence, the Deputy Leader) may, after consultation with the relevant Cabinet member, take the decision.

2.1.3.3 Before taking a Key Decision, the Leader (or Deputy Leader) must first consider whether the importance of the matter warrants the calling of a special meeting of the Executive.



- 2.1.3.4 The decision must be taken in a way that fully complies with the Procedural Rules of the Council and in particular, if relevant, with the rules relating to “Key Decisions”.
- 2.1.3.5 A copy of the minutes of the decision must be published within two clear working days of the decision and published on the Council’s website with electronic notification given and no hard copies circulated.
- 2.1.3.6 It should be noted that where a decision is deemed to be urgent, and where Procedure Rule 17 of the Access to Information Procedure Rules has been followed, that decision will not be subject to the call-in procedure provided the Chair of Overview and Scrutiny Committee agrees.

### **3. Temporary Arrangements**

- 3.1 In the absence of the Leader, the Deputy Leader may undertake the responsibilities and exercise the delegated powers of the Leader, to the extent permitted by the Constitution.
  - 3.2 In the absence of a Cabinet member the Leader may undertake the responsibilities and exercise the delegated powers of that Cabinet member.
  - 3.3 If a Cabinet member is absent for a continuing period, the Leader may, on a temporary basis, allocate the responsibilities and delegated powers of that Cabinet member to one or more other Cabinet members. If the Leader makes such an allocation they must at the time notify all Members of Council of the temporary transfer of responsibilities and power and of the likely period of such arrangements.
- 4. None of the delegated powers above authorise the taking of a decision, which either by law or by the operation of the Procedural Rules of the Council is required to be taken at a full meeting of Council.**

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## Part 3C

### Committee Procedure Rules

#### 1. Application of these Rules

##### 1.1 These Rules are applicable to:

- 1.1.1 Governance, Audit, Risk Management and Standards Committee
- 1.1.2 Standards Sub-Committee
- 1.1.3 Licensing and General Purposes Committee
- 1.1.4 Licensing Sub-Committees
- 1.1.5 Employment Sub-Committee
- 1.1.6 Independent Panel and Appeals Committee
- 1.1.7 Strategic Planning Committee
- 1.1.8 Planning Committees A and B
- 1.1.9 Overview and Scrutiny Committee
- 1.1.10 Children's & Education Sub-Committee
- 1.1.11 Adults and Health Sub-Committee
- 1.1.12 Call-In Sub-Committee
- 1.1.13 Pension Fund Committee
- 1.1.14 Health and Wellbeing Board
- 1.1.15 Area Committees (East, North and West)

##### 1.2 These Rules do not apply to the procedure of Council or the Executive, which have their own Procedure Rules.

#### 2. Establishment of Committees

##### 2.1 The Council at its Annual Meeting will:

- 2.1.1 decide which Committees and Sub-Committees to establish for the Municipal Year;
- 2.1.2 decide the size and terms of reference of these Committees and Sub-Committees;
- 2.1.3 decide the allocation of seats on these Committees and Sub-Committees to the political groups in accordance with the rules on political proportionality apply to those committees;

##### 2.2 The number of Members, Independent Members Independent Persons and co-optees appointed to each Committee and the details of any sub-committees established by Committees can be found in Part 2 of the Constitution (Allocation of Responsibilities).

#### 3. Appointment of Substitutes to Committees and Sub-Committees

##### 3.1 Allocation

The Council will allocate seats on Committees, sub-committees and boards for members and substitutes.

### 3.2 **Number**

For each Committee and sub-committee, the Council will normally appoint substitutes in accordance with the wishes of the respective group leaders.

## 4. **Powers and Duties**

Substitute Members will have all the powers and duties of any ordinary Member of the committee but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.

### 4.1 **Substitution**

- 4.1.1 Where the committee have a substitute member sitting a meeting adjourned to another day shall be treated as a new meeting.
- 4.1.2 If a Substitute Member is in attendance at a meeting the ordinary member for whom they are substituting shall not be entitled to attend that meeting and take part as an ordinary member of that body.

## 5. **Attendance of Members at Committees and Sub-Committees**

### 5.1 **Right to Speak (Planning Committees)**

- 5.1.1 Members Requests to Speak at Planning Committees
- 5.1.2 Members may address a planning committee on any application, unless they have a pecuniary interest in which case they are precluded. Members should give notice to the Chair of the meeting of their intention to speak before the start of the meeting. Any Member wishing to address the Committee shall have up to 3 minutes. Members' rights to address planning committees are in addition to the rights of public speakers.
- 5.1.3 MPs and GLA Members from the borough and MPs, GLA Members and Members from neighbouring boroughs may request to address a planning committee on a matter which affects their constituency or ward. Notice should be given to the Chair of the meeting before the start of the meeting. Any such Member would be allowed up to 3 minutes.

### 5.2 **Members' rights to attend and speak at committees or sub-committees when they are not a Member of the Committee.**

- 5.2.1 Councillors may attend any Council Committee or Sub-Committee, even when they are not appointed to them, but they cannot vote and should sit with members of the public.
- 5.2.2 Apart from planning committees (see above) and Licensing Sub Committees, councillors may speak at a meeting subject to giving notice to the Chair of the meeting before the start of the meeting and the Chair giving his or her consent. (for Licensing Sub Committee the rights to speak are outlined in the Licensing Code) Any Councillor wishing to address the Committee or Sub-Committee shall have up to 3 minutes.
- 5.2.3 The Lead Member for Children and Adults Services has a right to address a Committee, Sub-Committee or Partnership Board for up to three minutes when it is considering matters which relate children and young people, subject to giving notice to the Chair of the meeting before the start of the meeting and the Chair giving his or her consent.

- 5.2.4 A Member (including Members appointed as substitutes by Council) will be permitted to have one matter only (with no sub-items) on the agenda for a meeting of a committee or Sub-Committee on which s/he serves. The matter must be relevant to the terms of reference of the Committee. If the Head of Governance has any doubts about any Members Item for reasons of propriety, he or she may refer it to the Monitoring Officer. If the Monitoring Officer considers the Members Item to be vexatious, irrelevant, or otherwise improper, the Head of Governance will return it to the Member who submitted it as soon as possible. The Head of Governance will explain to the Member in writing why it will not be included on the agenda circulated for the meeting. This rule does not apply to planning committees and licensing sub-committees. The Head of Governance must receive written notice of a Member's Item, at least seven clear working days before the meeting. The Lead Member for Children's Services is permitted to have one matter only (with no-sub items) on the agenda for a meeting of a Committee, Sub-Committee or Partnership Board on which s/he does not serve when that body is considering an item which relates to children and young people.
- 5.2.5 A Ward Member will be permitted to have one matter only (with no sub-items) on the agenda for an Area Committee where the Member is submitting a request for CIL funding to an Area Committee Budget relating to their Ward. Members' Items for CIL funding Budget must be submitted 10 clear working days before the meeting. Items received after that time will only be dealt with at the meeting if the Chair agrees they are urgent.
- 5.2.6 Members may remain for the private part of any committee meeting.

## **6. Nominated Members**

- 6.1 Minority groups shall nominate from amongst their Members on Committees and sub-committees, a Member to be consulted by Chief Officers in the exercise of delegated powers relating to the urgency procedure. (The Urgent Non-Executive Decisions and Minor Matters is set out in Part 2F of the Constitution).
- 6.2 Nominated members must be full Members of the Committee concerned.

## **7. Charing Committees and Sub-Committees**

### **7.1 Election of a Chair and Vice Chair of a Committee or Sub Committee**

- 7.1.1 The Chairs and Vice Chairs of Committees and Sub Committees of the Council will be appointed by the Council under the Council Procedure Rules. If the Council fails to appoint a Chair for any Committee, then that Committee shall appoint a Chair as the first item of business at its first meeting following the Annual Council.

### **7.2 Absence of Chair at Meetings of Committees and Sub-Committees**

- 7.2.1 In the absence of the Chair, the Vice-Chair shall preside.
- 7.2.2 If after 15 minutes since the identified start time of the Committee or Sub-Committee neither the Chair nor Vice-Chair are present then the meeting shall elect a Chair for that meeting as its first order of business.

- 7.2.3 Where the Chair and Vice-Chair have both submitted apologies in advance of the meeting to the Monitoring Officer then, without the delay mentioned above, the first order of business shall be to elect a Chair for the meeting.

## **8. Business not on the Agenda**

### **8.1 Business not on the agenda may only be considered where:**

- 8.1.1 the Access to Information Procedure Rules in Part 3E of this Constitution have been complied with; or
- 8.1.2 a member of the Committee or any Statutory Officer has requested that an item be placed on the agenda for the meeting at any time before the start of the meeting and the Chair agrees to the item being included on the grounds of urgency and the Committee agreeing to consider that item of business. The grounds of urgency and the circumstances giving rise to the request must be recorded in the minutes of the meeting.

## **9. Late and Urgent Reports marked “to follow on the Agenda”**

- 9.1 If there is a request to publish a report on an agenda after the statutory deadline for publication, that item may only be considered if the Chair (after consulting the Nominated Member) agrees by virtue of the special circumstances set out either in the report or on the supplementary agenda, that the item should be considered as a matter of urgency and specified in the minutes of the meeting.

## **10. Time and Place of Meetings**

- 10.1 Meetings of Committees and sub-committees shall take place at the place and time stated on the agenda. Following consultation with the nominated Members and subject to compliance with the Access to Information Rules, the Chair shall have the power to alter the venue, day and time if they believe it to be appropriate for the conduct of the business of the Committee, sub-committee.
- 10.2 For those sub-committees not having scheduled meetings, the date, time and place of meetings will be set by the Head of Governance/Monitoring Officer after consultation with the Chair and nominated Members of the sub-committee.

## **11. Cancellation or Postponement of Meetings**

- 11.1 In exceptional circumstances, the Chair, or if they are not available the Vice-Chair, 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.

## **12. Calling of Special Meetings**

### **12.1 Calling Special Meetings**

- 12.1.1 Those listed below may request the Monitoring Officer or Head of Governance to call Committee or sub-committee meetings in addition to ordinary scheduled meetings:
- 12.1.1.1 the Committee or sub-committee by resolution;
- 12.1.1.2 the Chair of the Committee or sub-committee. In relation to the Overview and Scrutiny Committee or relevant Overview and Scrutiny sub-committee, the Chair must, before requesting the Monitoring Officer or Head of Governance to call a special meeting, consult with the nominated

members of each of the political groups represented on the Overview and Scrutiny Committee or Overview and Scrutiny sub-committee;

12.1.1.3 at least one-third of the members of the Committee or sub-committee, if they have signed a requisition presented to the Chair of the Committee or sub-committee and they have refused to call a meeting or has failed to call a meeting within five clear working days of the presentation of the requisition.

## 12.2 Business

12.2.1 Business at special meetings of Committees and sub-committees shall be restricted to the items notified in the published agenda.

## 13. Notice of and Summons to Meetings

13.1 The Head of Governance will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules set out in this Constitution. At least five clear working days before a meeting, the Head of Governance will publish an agenda. The agenda will give the date, time and place of the meeting and specify the business to be transacted and will be accompanied by all relevant reports (except those marked to follow in accordance with Rule 8).

## 14. Quorum

14.1 Unless otherwise indicated in the Committee Terms of Reference in the Allocation of Responsibilities section of this Constitution, the quorum of a meeting will be at least one quarter or three Members, whichever is the greater, of the whole number of members of the Committee or sub-committee, with the exception of the Overview and Scrutiny Committee.

14.2 The quorum for the Overview and Scrutiny Committee, and sub committees will be one quarter or three members, whichever is the greater of the whole number of Members (including co-opted voting members) AND where there are appointed co-opted voting members, the quorum shall be calculated on the total number inclusive of such co-optees.

14.3 If, after 15 minutes from the advertised time of the start of the meeting, or such other longer period as the Chair may decide, a quorum is not present, the meeting will not take place. The Chair may announce the time and date that the meeting will be convened.

14.4 During any meeting, if the Chair counts the number present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If they do not fix a date, the remaining business will be considered at the next ordinary meeting of the Committee or sub-Committee.

## 15. Closure of Meetings

### 15.1 Time of Closure

15.1.1 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 Chair shall immediately put to the vote any motion or amendment, which has been formally moved and seconded.

15.1.2 At any meeting of the Strategic Planning Committee and Planning Committees, the Chair 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 minutes.

## **16. Deputations**

- 16.1 This Rule does not apply to Planning Committees, when considering planning applications, nor to Licensing applications, nor to the Overview and Scrutiny Committee and Sub-Committees, nor Standards Sub-Committee.
- 16.2 Any committee or sub-committee of the Council other than those excluded from the application of this Rule may receive a deputation on any matter appearing on the relevant agenda.
- 16.3 Requests for deputations must be in writing and supported by the signatures of at least five and no more than 24 citizens (deputations with more than 24 signatures will be treated under the Petition Scheme) or representatives of local organisations or businesses in Barnet. The signatories must clearly state their names and post code/qualifying education/business address. The request must explain why a deputation is required.
- 16.4 The request must be given to Head of Governance by 10am on the third working day prior to the meeting, although the Committee or sub-committee on the grounds of urgency can waive this requirement.
- 16.5 Those persons nominated to speak should also be signatories to the original written request to make a deputation. All may speak but the total length of the speeches from the deputation must not exceed three minutes.
- 16.6 The deputation shall be heard at the beginning of the meeting. The Chair has complete discretion to move any items that are subject to a deputation on the agenda.
- 16.7 The total time for deputations at the meeting will be no more than 20 minutes.

## **16.8 Responses to Deputations**

- 16.8.1 The Committee may respond to deputations in the following ways:
- 16.8.1.1 To note the deputation and take no action.
  - 16.8.1.2 To vote on the substantive report taking into account the deputation.
  - 16.8.1.3 Ask officers to prepare a report for the next meeting (of either this committee or another relevant committee) on the deputation.
  - 16.8.1.4 Ask officers to provide a written response to the deputation.

## **17. Public Questions and Comments**

### **17.1 Comments**

- 17.1.1 Written comments must specify the item of business on the agenda which they relate to. Committee agendas are published on the Council's website five clear working days prior to the meeting. Citizens should state their road and postcode when submitting comments. Each written comment is limited to 100 words. Written comments should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any written comments received after this time will not be considered. A citizen may submit one written comment per agenda item. Written comments will be reported to the committee and published alongside the agenda papers for the meeting.

### **17.2 Public Questions**



- 17.2.1 Questions must specify the item of business on the agenda which they relate to. Committee agendas are usually published on the Council's website five clear working days prior to the meeting. Citizens should state their road and postcode when submitting questions. Each question is limited to 100 words.
- 17.2.2 Questions should be submitted in writing to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any questions submitted after this time will not be considered.
- 17.2.3 Questions will be answered by the Chair in the meeting in order of receipt, alternating between citizens. Citizens will be able to ask one supplementary question per question answered.
- 17.2.4 Questions will be published prior to the meeting. Any additional questions received will not be accepted. Citizens submitting questions are able to send a substitute to ask their question if they are unable to attend the committee meeting.
- 17.2.5 The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.
- 17.2.6 Any questions that are not answered at the meeting will be given a written response at the discretion of the Chair.

**18. Procedure for Public Questions and Comments at Committees**

- 18.1 At committee meetings a time period of up to 20 minutes is available for public questions and comments in total.
- 18.2 Questions will be asked in order of receipt.

**19. Restrictions for Deputations, Public Questions and Comments**

- 19.1 Public questions, comments or deputations are not permitted:
  - 19.1.1 If they don't relate to a substantive item on the agenda. [- They must relate to the substantive subject matter of the report.](#)
  - 19.1.2 If they are defamatory, abusive or offensive.
  - 19.1.3 If submitted from Council employees or trade unions on employment matters; Members of staff may lead or join deputations only in their capacity as local electors and on issues other than those affecting their employment with the Council.
  - 19.1.4 If they would result in the release of confidential information, or which may prejudice enforcement.
  - 19.1.5 If they relate to a matter where there is a right of appeal against any decision of the Council.
  - 19.1.6 If they have been submitted by someone who has been deemed to be subject to the Management of Unreasonable Complainant Behaviour Policy and they relate to the particular subject matter for which the policy was imposed;
  - 19.1.7 If they are received from people who are not Barnet citizens;

19.1.8 At the Strategic Planning Committee and Planning Committees on Town and Country Planning applications (a separate procedure is detailed in section 29). Public questions are permitted at the Strategic Planning Committee on planning policy matters;

[19.1.9](#) If they relate to the making / confirmation of Tree Preservation Orders, as the procedure for making objections or representations is prescribed by the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012. The Chair of the relevant Committee or Sub-Committee, in consultation with the Head of Governance, shall decide whether any particular question, comment or issue will be permitted.

20. [If the Monitoring Officer has any doubts about a deputation, comment or question for a particular agenda for reasons of propriety the Monitoring Officer will return it to the citizen who submitted it. The Monitoring Officer will explain to citizen why it will not be included on the agenda circulated for the meeting.](#)

## 21. Confidential Business

21.1 All reports, other documents, information, discussions and proceedings of a Committee or sub-committee which are marked Exempt under Schedule 12A of the Local Government Act 1972, or Confidential must be treated as such by all Members of the Committee or sub-committee. Members of the public will not have access to these papers and discussions. Confidential or exempt items will be marked as such and the relevant part of Schedule 12A will be specified on the document. Confidential and/or exempt items will be discussed in 'Part II' of the Committee or sub-committee meeting following a resolution to exclude the press and public.

## 22. Voting

### 22.1 Majority

22.1.1 Unless Statute or this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and seated in the room at the time the question was put. Voting shall be by a show of hands or electronic voting.

### 22.2 Chair's Casting Vote

22.2.1 If there is an equal number of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

### 22.3 Individual Recorded Vote and Explanation for Vote

22.3.1 If, immediately before the vote is taken, any Member present at the meeting requests that his or her vote be recorded as voting for or against or not voting, it shall be so recorded in the minutes.

22.3.2 A recording of a vote or abstention in the minutes of the meeting shall be made without explanation save that in cases where it is necessary for the avoidance of ambiguity a brief note may be added at the Member's request explaining that Member's reason for voting or not voting.

### 22.4 Recorded Vote by Individual Recorded Vote

22.4.1 If immediately before an ordinary vote is taken three Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

## **23. Minutes**

### **23.1 Signing the Minutes of Committees or Sub-Committees**

23.1.1 The Chair will sign the minutes of the proceedings at the next meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only aspect of the minutes that may be discussed is their accuracy.

### **23.2 Minutes of Decisions of Committees or Sub-Committees**

23.2.1 Minutes of Committees or sub-committees shall be published on the Council's intranet and website.

### **23.3 Production of Minutes**

23.3.1 Minutes of the meetings of Committees or sub-committees will normally be published within five clear working days of the date of the meeting.

## **24. Record of Attendance**

24.1 All Members present during the whole or part of a meeting will be recorded in the minutes. If a member leaves during a meeting or joins a meeting part way through this will be recorded in the minutes.

## **25. Exclusion of the Public**

25.1 Members of the public and press may only be excluded either in accordance with Rule 12 of the Access to Information Procedure Rules in Part 3E of this Constitution or under Rule 26 (Disturbance by the Public).

## **26. Members' Conduct**

### **26.1 Precedence of Chair**

26.1.1 When the Chair speaks during a debate, any Member speaking at the time must stop speaking. The meeting must be silent.

### **26.2 Member not to be heard further**

26.2.1 If a Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further during the consideration of that item of business. If seconded, the motion will be voted on without discussion.

### **26.3 Member to leave the Meeting**

26.3.1 If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leave the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### **26.4 General Disturbance**

26.4.1 If there is a general disturbance, making business impossible, the Chair may adjourn the meeting for as long as they think necessary.

## **27. Disturbance by the Public**

**27.1 Removal of Member of the Public**

27.1.1 If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

**27.2 Clearance of Part of a Meeting Room**

27.2.1 If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

**28. Adjournment**

28.1.1 Following an order by the Chair for one or more members of the public to leave the meeting room, if they deem it necessary in the interests of public safety and for the safety of Members and officers present, the Chair may adjourn the meeting for as long as they think necessary.

28.1.2 If it is considered expedient so to do, the Chair with the agreement of the Members present may adjourn the meeting for such duration as is considered appropriate.

**29. Ruling of the Chair on Interpretation of these Rules**

29.1 The Chair's ruling on the interpretation or application of any of the Committee Procedure Rules is final.

**30. Special Rules for Planning Committees, Licensing & General Purposes Committee and Licensing Sub-Committees**

**Training Requirements**

30.1 The requirements set out in this Procedural Rule shall apply to Members and substitute or replacement Members serving on the Planning and/or Licensing & General Purposes Committees.

30.2 In nominating Members to serve on the Planning and/or Licensing & General Purposes Committee the political Groups will have regard to those Members of Council who have received the relevant training in the statutory roles of the Committee. A register of those Members who have completed training shall be kept by the Head of Governance and updated periodically by them as future Members are trained.

30.3 Members who are not trained may not serve on the Planning and/or Licensing & General Purposes Committee.

**Planning Committees Voting Against Officer Recommendation to Refuse**

30.4 Where an application is recommended for refusal by the Chief Planning Officer but the Planning Committee or Strategic Planning Committee is minded to approve ('grant') the application, the application will be deferred to the next meeting of the Planning Committee or Strategic Planning Committee to enable re-notification to take place and give an opportunity for objectors to the application and the applicant to attend the subsequent meeting and make representations and for a rehearing of the application to take place. *(For avoidance of doubt Planning Committees A and B may defer the matter to either another meeting of their committee or to another meeting of the Strategic Planning Committee. Avoiding as much as possible the matter being deferred to multiple committees).*

- 30.5 Citizens who have made a written representation on a planning application during the consultation period can indicate when making the representation that they wish to speak in the event that the item is reported to a planning committee for decision. The Planning Case Officer will notify citizens of the Committee date. Requests to speak on an application on the planning committee agenda should be submitted to the relevant Planning Case Officer by 10am on the third working day prior to the meeting.
- 30.6 In addition to any Councillor and the Applicant (or their representative) two citizens may speak. Such speakers shall be one for and one against the application unless there is no citizen wishing to speak for the application in which case two citizens may speak against the application, or no citizen in objection in which case two citizens may speak in support of the application.
- 30.7 At the meeting, each speaker will have a time period of up to 3 minutes to address the Committee. Committee members will then have the opportunity to question the speaker.
- 30.8 Citizens who have requested to speak are able to send a substitute to make their representation if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

#### **Planning Committee Referrals**

- 30.9 The Chair or three Members of Planning Committees A or B may refer an item to the Strategic Planning Committee for determination by indicating before any decision is made on the item that they wish to refer the item and providing reasons for the referral.
- 30.10 Where an application being considered by a Planning Committee is referred to the Strategic Planning Committee for determination, the speaking rights of members of the public who have registered to speak on the application or item will automatically transfer to the Strategic Planning Committee.
- 30.11 Speaking rights will also automatically transfer where an application has been deferred or adjourned to a future meeting of Planning Committees, but only if the speakers have not already addressed the committee on the deferred or adjourned item. In cases where the membership of the committee which considers the deferred or adjourned application is different from the committee which originally heard the application, then the application should be fully re-heard including speakers.

#### **Limitations on Speaking at Planning Committees**

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

#### **Representations at Licensing Sub-Committees**

- 30.13 Representations on licensing and gambling matters must be made in accordance with the requirements set out in section 3.4 of the Members Licensing Code.
- 30.14 Citizens who have made a written representation on a licensing or gambling application during the consultation period can indicate when making the representation that they wish to speak in the event that the item is reported to a Licensing Sub-Committee for determination. The Licensing Officer will notify citizens of the Sub-Committee date. Requests to speak on an application should be submitted to the relevant Licensing Officer by 10am on the third working day prior to the meeting.

- 30.15 The Applicant or their representative may address the Licensing Sub-Committee.
- 30.16 All speakers will have up to 3 minutes each to address the Sub-Committee. Sub-Committee Members will then have an opportunity to question the speaker.
- 30.17 Citizens who have requested to speak are able to send a substitute to make their representation if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

**31. Special Rules for Area Committees**

- 31.1 Area Committees provide an opportunity for citizens to raise matters affecting their area, except matters relating to licencing and planning applications.
- 31.2 Matters must be received by the Governance Service by 10am on the tenth working day prior to the meeting for the item to be discussed at the Area Committee.
- 31.3 Written responses to local matters will be provided on the fifth clear working day before the Area Committee takes place as part of the committee agenda. Citizens should state their address when submitting a matter.
- 31.4 The Area Committee Chair has the discretion to accept issues with less than 10 working days' notice if they deem the matter to be urgent. Responses to urgent matters will be responded to verbally by officers at the Area Committee meeting.
- 31.5 The Six Month Rule shall apply whereby matters dealt with cannot be raised again within this period. The Six Month Rule means that an Area Committee will not reconsider any matter discussed or any decision taken by a committee in the last six months preceding the date of the Committee.
- 31.6 An exception is that where the Chair has agreed that a matter raised at a previous Area Committee meeting should be reported back with a detailed response in which case the citizen who raised the original issue (or their nominated deputy) will be invited to address the Committee for up to 3 minutes.
- 31.7 The Area Committee may also be a forum for certain consultations from the Council as decided by the Chair.
- 31.8 Area Committee matters will be considered in order of receipt. Where a citizen has submitted more than one matter, their second item or question will be considered after all other citizens have presented their first item. Issues will continue to be determined in this way until all issues have been considered.
- 31.9 The Area Committee will determine issues in the following way:
- 31.9.1 Citizens will have the opportunity to address the Committee for up to 3 minutes on the matter they have previously raised
  - 31.9.2 Chairs, Chief Officers or other relevant officers may respond to the matters raised
  - 31.9.3 Having considered the matter the Committee can take the following actions:
    - note the matter and take no action
    - instruct that an appropriate named officer contact the citizen within
    - 20 working days to provide an additional response and that this response be published in the meeting documents available on the website.

- instruct that Ward Members are notified of the matter.
- decide that a Road Safety and Parking issue be referred to the Director of Highways.

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

### **32. Additional Rules for Overview and Scrutiny**

32.1 The rules below are specific to the Overview and Scrutiny Committee and Sub-Committees.

### **33. Membership of the Overview and Scrutiny Committee**

33.1 All Councillors except members of the Executive may be Members of the Overview and Scrutiny Committee and any Overview and Scrutiny sub-committees.

33.2 No member may be involved in scrutinising a decision in which they have been directly involved.

33.3 The Overview and Scrutiny Committee will comprise such members as the Council shall determine.

33.4 Members of the Overview and Scrutiny Committee will be appointed by Council in accordance with the rules on political proportionality.

### **34. Scrutiny Sub-Committees**

34.1 The Overview and Scrutiny Committee has appointed Sub-Committees as set out below:

- Children & Education Overview & Scrutiny Sub-Committee
- Adults & Health Overview & Scrutiny Sub-Committee

34.2 Subject to Council approval, the Overview and Scrutiny Committee may discontinue any of these sub-committees and/or appoint alternative sub-committees. The Overview and Scrutiny Committee may also amend the terms of reference of the sub-committees as appropriate.

34.3 The terms of reference of the sub-committees are set out in the Allocation of Responsibilities in Part 2 of the Constitution.

34.4 Where the Overview and Scrutiny Committee seeks to discontinue or appoint sub-committees, it should consult interested parties as appropriate.

34.5 The Sub-Committees will comprise such Councillors as appointed by Council.

34.6 Membership of the sub-committees will be subject to the political proportionality rules.

34.7 The appointment of “church” representatives to the Children & Education Overview & Scrutiny Sub-Committee will be carried out in accordance with the requirements of Local Government Act 2000. There will be two voting parent governor representatives and two voting “church” representatives who shall be voting members of the Sub-Committee on education matters. They are entitled to speak but not vote on any other matter.

34.8 The appointment of parent governor representatives to the Children and Education Overview and Scrutiny Sub-Committee will be carried out in accordance with the requirements of the Parent Governor Representatives (England) Regulations 2001.

34.9 The sub-committees may appoint advisers to the sub-committees. Such advisers will not be members of the sub-committees and cannot vote.

**35. The Call-In Sub-Committees**

35.1 The Council will appoint a Call-In Sub-Committee to consider and comment on decisions of the Executive and to process matters “called-in”.

35.2 The Call-In Sub-Committee will comprise three Members of the Overview and Scrutiny Committee.

35.3 The Rules for call-in are detailed in below and Appendix 1.

**36. Meetings of the Overview and Scrutiny Committee and its Sub-Committees**

36.1 The Call-In Sub-Committee shall be convened as and when required.

36.2 In exceptional circumstances, the Chair, or if they are not available the Vice-Chair, 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.

**37. Work Programme**

37.1 The Overview and Scrutiny Committee will consider its outline work programme, and that of the Overview and Scrutiny sub-committees, at its first meeting following the Annual Meeting of Council, except in years where there are whole borough elections, where the work programme will be considered at the first suitable meeting.

37.2 In setting the outline work programme, account will be taken of the need to scrutinise forthcoming policy, for example, the budget and other major policies or strategies in development, whilst leaving flexibility to allow additional items to be added to the agendas for committees and sub-committees and to commission task and finish group reviews during the year in response to new requests for scrutiny.

37.3 The Overview and Scrutiny Committee will report the agreed outline work programme to the first available ordinary meeting of the Council.

**38. Setting the agenda for meetings**

38.1 The Chair of the Overview and Scrutiny Committee or the relevant Overview and Scrutiny sub-committees will be responsible for approving the agenda for each meeting.

38.2 The Chair of the meeting will decide on all matters of order, relevance and interpretation of these procedures.

38.3 The Chair will have the power to vary the order of business to give precedence to any item of business.

38.4 Any voting member of the Overview and Scrutiny Committee or the Overview and Scrutiny sub-committees is entitled by giving at least seven clear working days notice before the meeting to the Monitoring Officer or Head of Governance, that they wish an item relevant to the functions of the Committee or sub-committees to be included on the agenda. The Monitoring Officer or Head of Governance will ensure that the matter is included on the agenda.

38.5 The Overview and Scrutiny Committee shall consider whether it is appropriate to respond to requests from the Council and the Executive, to review particular areas of Council activity.



**39. Overview and Scrutiny Committee and Sub-Committees Responsibilities**

- 39.1 The role of the Overview and Scrutiny Committee and Overview and Scrutiny sub-committees in relation to the development of the Council’s budget and policy framework is set out in the Budget and Policy Framework Procedure Rules in this Constitution.
- 39.2 Overview and Scrutiny Committee and Sub-Committees have the following powers and responsibilities:
- 39.2.1 Review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive.
  - 39.2.2 Make reports or recommendations to Full Council or the Cabinet with respect to the discharge of any functions which are the responsibility of the executive.
  - 39.2.3 Review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive.
  - 39.2.4 Make reports or recommendations to Full Council or the Cabinet with respect to the discharge of any functions which are not the responsibility of the executive.
  - 39.2.5 Make reports or recommendations to Full Council or the Cabinet on matters which affect the borough or its inhabitants.
  - 39.2.6 Review or scrutinise the performance of anybody carrying out any function on behalf of or in partnership with the Council.
  - 39.2.7 Commission in depth evidence-based reviews via informal Task and Finish Groups.
  - 39.2.8 Produce and publish an annual report for consideration by Full Council.
  - 39.2.9 To review the policy framework, and budget of the council as set out in the Budget and Policy Framework.
- 39.3 In relation to the development of the Council’s policy on matters which do not form part of the budget and policy framework, the Overview and Scrutiny Committee and/or Scrutiny sub-committees may make proposals to the Executive or the Council for developments in so far as they relate to matters within their terms of reference.

**40. Reports from Overview and Scrutiny Committee**

- 40.1 Once it has formed proposals for policy development, the Overview and Scrutiny Committee or sub-committee will prepare a formal report and submit it:
- 40.1.1 to the Executive, if the proposals are consistent with the existing budgetary and policy framework, or
  - 40.1.2 to the Executive and to the Council, if the recommendations would require a departure from or change to the agreed budget and policy framework.
- 40.2 If the Overview and Scrutiny Committee or sub-committee cannot agree on one single final report, then any two Members of the relevant committee may prepare a minority report to be submitted for consideration by the Executive or Council together with the majority report.

**41. Consideration of Overview and Scrutiny reports by the Executive and/or the Council**

41.1 The Council or Executive (as appropriate) shall consider a report of the Overview and Scrutiny Committee or sub-committees within 8 weeks of it being published, or at its next meeting, whichever is the sooner.

41.2 Where reports are sent to the Executive or Cabinet member from the Overview and Scrutiny Committee or sub-committees the Executive or Cabinet member will have 8 weeks from the date of the reference for them to respond to the Overview and Scrutiny Committee or Scrutiny sub-committees.

41.3 When the Council meets to consider a matter referred from the Overview and Scrutiny Committee or Scrutiny sub-committees, it shall also consider any response of the Executive to the proposals of the Overview and Scrutiny Committee or Scrutiny sub-committees.

## **42. Rights of Overview and Scrutiny Committee Members to Documents**

42.1 The rights of access to documents of Members of Overview and Scrutiny Committees and Sub-Committees are set out in Rule 23 of the Access to Information Rules (Part 3E of this Constitution).

## **43. Holding Members and Chief Officers to Account**

43.1 In fulfilling the scrutiny role, the Overview and Scrutiny Committee and Scrutiny sub-committees may require the Leader of the Council and any other member of the Executive or Chief Officer to attend before the Committee to explain:

43.1.1 any particular decisions or series of decisions;

43.1.2 the extent to which the actions taken implement Council policy; and/or

43.1.3 their performance.

43.2 Where required to attend, it is the duty of that Member or Chief Officer to do so subject to them having been given reasonable notice.

43.3 Where the account to be given to the Committee or sub-committee will require the production of a report, the Member or Chief Officer concerned will be given sufficient notice to allow for the preparation of that documentation.

43.4 Where, in exceptional circumstances, the Member or Chief Officer is unable to attend on the required date, the Monitoring Officer or Head of Governance, in consultation with the Chair and the Member or Chief Officer concerned, shall arrange an alternative date for attendance.

## **44. Attendance at the Overview and Scrutiny Committee and Scrutiny Sub-Committees**

44.1 The Overview and Scrutiny Committee and Scrutiny sub-committees may invite any other person to address the Committee or sub-committees. It may, for example, wish to discuss issues of local concern with citizens, partners, Members and officers from other public sector or private sector organisations.

44.2 The Overview and Scrutiny Committee or Scrutiny sub-committees may invite any person to attend, but attendance (except for Chief Executives of Health Authorities) is entirely optional.

## **45. Call-in**

45.1 Call-in is the process whereby a key decision of the Executive, Officer, Cabinet member or any Joint Committee (where it has taken a decision delegated to it by the Executive) taken but not implemented, may be examined by the Overview and Scrutiny Committee prior to

implementation. They may recommend that the Executive reconsider the decision. For the avoidance of doubt a decision may only be subject to the call-in procedure once.

**45.2 The process for call-in**

45.3 Five Members of the Council can call in a decision of the Executive, which has been taken but not implemented.

45.4 Decisions of the Executive shall not be implemented for 5 clear working days following the publication of the decision and a decision can only be called in during this period. This Rule does not apply to urgent decisions. The notice of the decision will state the date on which the decisions may be implemented if not called in.

45.5 Call-in must be by notification to the Monitoring Officer or Head of Governance in writing signed by all five Members.

**46. Requirement to Give Reasons**

46.1 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:

- 46.1.1 inadequate consultation with stakeholders prior to the decision;
- 46.1.2 the absence of adequate evidence on which to base a decision;
- 46.1.3 the decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;
- 46.1.4 the action is not proportionate to the desired outcome;
- 46.1.5 a potential human rights challenge, failure to consider the public sector equality duty or not in accordance with or which undermines the Council's corporate parenting responsibilities;
- 46.1.6 insufficient consideration of legal and financial advice.
- 46.1.7 The decision was a key decision and not labelled as such.

**47. Referral to the Call-In Sub-Committees**

47.1 Once a notice invoking the call-in procedure has been received the decision may not be implemented until the designated members (as defined in Appendix 1) have considered the guidance outlined in Appendix 1 and if required, the Call-In Sub-Committee has considered the decision. The Monitoring Officer or Head of Governance shall in consultation with the Chair arrange a meeting of the Call-In Sub-Committee to be held within seven clear working days of the receipt of the request for call-in.

- 47.1.1 Where the Call-In Sub-Committee fails to meet within seven clear working days of the call-in request being received by the Monitoring Officer, the decision may be implemented on the day following twelve clear working days from the date the decision was published.
- 47.1.2 Where the Call-In Sub-Committee meets within seven clear working days of the receipt of notification of a call-in request, but fails to refer the matter back to the Executive or Joint Committee, the decision may be implemented on the day following the Call-In Sub-Committee meeting.
- 47.1.3 No Member who has signed a call-in notice may sit as a member of the Call-In Sub-Committee which considers that call-in notice.

**48. Process for Consideration of Called-in Items at the Call-In Sub-Committee**

- 48.1 The Call-In Sub-Committee will consider the decision and the reasons for call-in. The Sub-Committee may invite the relevant Cabinet Member and a representative of those calling in the decision to provide information at the meeting.
- 48.2 The Sub-Committee may come to one of the following conclusions:
- 48.2.1 that the challenge to the decision should be taken no further and the decision may be implemented;
  - 48.2.2 that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget framework, and should therefore be referred to the Council. In such a case the Call-In Sub-Committee must set out the nature of its concerns for Council; or
  - 48.2.3 that the matter should be referred back to the decision taker (i.e. the Executive or Joint Committee) for reconsideration. In such a case the Call-In Sub-Committee must set out the nature of its concerns for the decision taker/Executive.

**49. Referral - Back under Rule**

- 49.1 In the event of a referral-back, the Executive or Cabinet member must reconsider the decision within ten clear working days of that referral or at the next meeting of Cabinet. The original decision may then be confirmed or amended in the light of the comments of the Call-In Sub-Committee.

**50. Referral to Council**

- 50.1 In the event that the Call-In Sub-Committee refers the matter to Council, the decision shall be discussed at the next ordinary meeting of Council.
- 50.2 The Council when considering the matter may conclude:
- 50.2.1 that the challenge to the decision should be taken no further and the decision may be implemented;
  - 50.2.2 that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget and cannot therefore be implemented; or
  - 50.2.3 that the matter should be referred back to the Executive, Cabinet member, officer or Joint Committee for reconsideration. In such a case the Council must set out its reasons for the referral; or
  - 50.2.4 acknowledge that the decision is contrary to the policy framework, or contrary to or not wholly in accordance with the budget framework, but approve an amendment to the particular policy or budget to allow the decision to be implemented.

**51. In the event of a referral back to the Executive**

- 51.1 The Executive must reconsider the decision at its next meeting (consideration should be given to the holding of a special meeting if the issue is considered to now be sufficiently urgent). The Executive can either:
- 51.1.1 confirm the original decision and report back to the next meeting of the Overview and Scrutiny Committee;

51.1.2 amend or alter the decision in the light of the comments of the Call-In Sub-Committee and report back to the next meeting of the Overview and Scrutiny Committee or sub-committee.

51.2 The decision may be implemented as soon as the original Executive decision is confirmed or amended by the decision taker.

## **52. Call-in and Urgency**

52.1 The call-in procedure set out above shall not apply where the decision being taken by the Executive is an urgent decision. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

52.2 The record of the decision, and notice by which it is made public, shall state that the matter is considered one of urgency, and will thus not be subject to call-in.

52.3 The Chair of the Overview and Scrutiny Committee must agree that the decision proposed is reasonable in the circumstances and should be treated as a matter of urgency.

52.4 In the absence of the Chair of the Overview and Scrutiny Committee, the consent of the Vice-Chair of the Overview and Scrutiny Committee is required.

52.5 Decisions taken, as a matter of urgency must be reported by the Monitoring Officer to the next available meeting of the Council, together with the reasons for urgency.

## **53. Task and Finish Group Reviews**

53.1 Overview and Scrutiny Committee may conduct reviews via informal Task and Finish Groups but the findings must be reported back to the relevant Committee or Sub-Committee.

53.2 In conducting Task and Finish Groups they may also ask people to attend to give evidence at their meetings.

53.3 Task and Finish Groups will be carried out in accordance with the principles set out in the Protocol for Member/Officer Relations in Part 5 of the Constitution.

53.4 Following any Task and Finish Group review, a report will be submitted to the relevant Committee or sub-committees for onward submission to the Executive.

## Appendix 1

### Part 3C1

#### Overview and Scrutiny Sub-Committees Call-In Procedure: Guidance

This Guidance is written for all members to consider when calling in a decision made by the Executive. The Guidance has been prepared to prevent abuse of the call-in process, and to promote the efficient use of the Council's resources.

The Overview and Scrutiny Committee shall delegate authority to the designated Members (see below) to consider requests for Call-In received in accordance with the Council's constitution, except where either or both of the designated Members have signed the call-in notice (see below).

In the event that the designated Members fail to reach agreement on whether a request should be called in, the request for a Call-In shall automatically pass to the Call-In Sub-Committee for consideration.

#### (1) Call in by Members of Council

The Guidance will be relied upon by the Chair and Vice Chair of the Overview and Scrutiny Committee. These Members will be the designated Members for the purpose of this Guidance<sup>1</sup> when considering a request for call in by Members of the Council. If either of the designated Members has signed a call-in notice they will not take part in the consideration of the request for call-in and it will be considered by the other Member alone. If both designated Members have signed a call-in notice the request for a Call-in shall automatically pass to the Call-In Sub-Committee for consideration.

#### Reasons for refusal

The designated Member(s) must ensure that the requirement to give reasons under the Committee Procedure Rules ("the Rules") as contained in the Council's Constitution is met. In the event that the requirements are met, the following guidance shall be used when considering a request for call-in to the Call-In Sub-Committee:

1. **Time limit** - A decision may only be called-in during the period of 5 clear working days from the date of publication of the executive decision.
2. **Financial and Political implications** - Only Key decisions may be called in.
3. **Duplication** - The Call-In Sub Committee should not be used when another forum or route is available to deal with concerns about an Executive decision, such as the Standards Committee or Appeals Committee
4. **Relevance** - The Call-in request must be of direct relevance to the Decision being called-in.
5. **Process** - Have the requisite 5 Members requested the call-in (for matters impacting a particular ward, a ward Councillors must be included in the 5 signatures). This guidance about ward councillors does not apply where: all ward councillors are members of the Executive, or where there are vacancies in that ward which mean that the only ward members are members of the executive at the time of the call in.

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<sup>1</sup> When the Chair and Vice-Chair of the Overview and Scrutiny Committee belong to the same political group, the designated members for the purposes of this Guidance only shall be the lead or nominated member from the next largest political group.

6. **Vexatious Requests** - Can the request be reasonably construed as vexatious having regard to tone, content, language, persistence etc.
7. A decision that can no longer be implemented should not be called in.

The list above is not exhaustive and occasionally additional and different reasons may be relied upon to reject a request for a call in. If this is the case, a review of this Guidance will be carried out to ensure that it remains up to date and of assistance to members.

The designated Member(s) should consider each of the above factors fully when considering a request for call-in, and in the event of refusal, reasons shall be provided which refer to the above categories.

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## Council 17 October 2023

<b>Title</b>	Fees and Charges 2024/25
<b>Date of meeting</b>	17 <sup>th</sup> October 2023
<b>Report of</b>	Executive Director of Resources (S151) Officer
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Appendices</b>	Appendix A – Fees and Charges 2024/25
<b>Officer Contact Details</b>	<p>Anisa Darr – Executive Director of Resources (S151 Officer)  <a href="mailto:Anisa.Darr@barnet.gov.uk">Anisa.Darr@barnet.gov.uk</a></p> <p>Robert Champion – Assistant Finance Manager- Commercial &amp; Resources  <a href="mailto:Robert.Champion@barnet.gov.uk">Robert.Champion@barnet.gov.uk</a></p>

### Summary

A Business Planning Report was received by Cabinet on 18 July 2023 outlining the council's updated Medium-Term Financial Strategy (MTFS) to 2029/30 and the future financial risks and challenges facing the council.

The Chief Finance Officer report was received by Cabinet on 5 September 2023, outlining the review of fees and charges. The council will review fees and charges on an annual basis, and subject to consultation and consideration of equality impact assessments, all revised fees and charges should be at full cost recovery, where consideration is given for those driven by inflation, or statute.

This report asks Council to approve the proposed for non-executive fees and charges as set out in Appendix A, for implementation from 1 January 2024. Executive fees and charges will be submitted to Cabinet on 14<sup>th</sup> November 2023.

### Recommendations

1. That Council approve the proposed non-executive fees and charges for 2024/25 set out in Appendix A considering any consultation responses and equality impact assessments.

## **1. Reasons for the Recommendations**

- 1.1 Local Government continues to face significant reductions in funding and increased demand for services, as set out in the council's Medium-Term Financial Strategy (MTFS) to 2029/30 presented to Cabinet 18 July 2023. These challenges require longer term, robust financial and strategic planning and the recommendations in this report support this.
- 1.2 By law, the council is required to set a balanced budget. These proposals are the best way of doing that by meeting financial requirement and delivering outcomes and ambitions for Barnet.

## **2. Alternative Options Considered and Not Recommended**

- 2.1 The alternative options are not to propose changes to fees and charges, or to increase the fees and charges by a lower percentage. This, however, is not considered to be good practice and may expose the council to the risk of not achieving a balanced budget, and under recovery on costs of providing services. There is a statutory requirement to set a balanced budget, so increases to fees and charges are in the council's best interests.

## **3. Post Decision Implementation**

- 3.1 Following approval of these recommendations the proposed fees and charges set out in Appendix A will be implemented from 1 January 2024.

## **4. Corporate Priorities, Performance and Other Considerations**

### **Corporate Plan**

- 4.1 Our Plan for Barnet (the corporate plan 2023 -2026) was adopted in March 2023.
- 4.2 This decision is aligned with the Council's objectives set out in the Corporate Plan 2023-2026, supporting the delivery of those objectives by ensuring the Council achieves a balanced budget.

### **Corporate Performance / Outcome Measures**

- 4.3 None in the context of this decision.

### **Sustainability**

- 4.4 None in the context of this decision.

### **Corporate Parenting**

- 4.5 In line with the Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in all relevant decision-making. Promoting independence is priority of the council.
- 4.6 The Council has considered the Corporate Parenting Principles in the setting of fees and charges. The Council proposals have sought to protect front-line social work and services to children in care and care leavers and in some cases, has invested in them.

### **Risk Management**

4.7 The Council has taken steps to improve its risk management processes by integrating the management of financial and other risks facing the organisation. The allocation of an amount to contingency is a step to mitigate the pressures that had yet to be quantified during the budget setting process.

4.8 The allocation of budgets from contingency seeks to mitigate financial risks which have materialised.

**Insight**

4.9 None in the context of this decision.

**Social Value**

4.10 None are applicable to this report; however, the council must consider the requirements of the Public Services (Social Value) Act 2012 to try to maximise the social and local economic value it derives from its procurement spend. The Barnet living wage is an example of where the council has considered its social value powers.

**5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)**

5.1 In line with the Administration’s priorities, the council is to focus on maximising income from Fees and Charges.

5.2 Council officers have revised fees and charges through the application of a full cost recovery model, the indexation of fees and charges to the level of inflation at around 6.8%, statutory prescription, or other means by which officers have benchmarked with other authorities to ensure the council is maximising cost recovery.

5.3 Revised fees and charges will be effective from January 2024.

**6. Legal Implications and Constitution References**

6.1 Section 151 of the Local Government Act 1972 states that: “without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. Section 111 of the Local Government Act 1972 relates to the subsidiary powers of local authorities.

6.2 A link to the council’s Financial Regulations can be found [here](#) (see section 2.5); in which the following is stated:

6.3 - *Changes to fees and charges should be included in the budget proposals. Executive side fees and charges and changes to fees and charges that impact on residents will be subject to public consultation and equality impact assessments and form part of the budget. Subject to public consultation outcomes and equality impact assessments, the Full Council will approve fees and charges to take effect from January every year. The relevant committee (for example, Licensing and General Purposes Committee) or Cabinet can approve in-year changes to fees and charges subject to them being reported to Council and any requirements relating to public consultation and equality impact assessments being undertaken.*

6.4 Each fee or charge has its own legislative framework which determines whether it is based on cost recovery or gives guidance to how the fee or charges may be set.

**7. Consultation**

- 7.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:
- where there is a statutory requirement in the relevant legislative framework
  - where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy
  - exceptionally, where the matter is so important that there is a legitimate expectation of consultation
  - Where consultation is required to complete an equalities impact assessment.
- 7.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:
- comments are genuinely invited at the formative stage
  - the consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
  - there is adequate time given to the consultees to consider the proposals
  - there is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision
  - the degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
  - where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.
- 7.3 The council performed a consultation on the proposed Fees and Charges from 6<sup>th</sup> September to 3<sup>rd</sup> October 2023.
- 7.4 The consultation was published on Engage Barnet.
- 7.5 The consultation asked for views on all the proposed fees and charges set out in Appendix A.
- 7.6 Respondent's views were gathered via an online questionnaire. Paper copies and other alternative formats of the consultation were made available on request.
- 7.7 The consultation was promoted via the council's residents e-newsletter, Communities Together Network Newsletter and on Twitter.
- 7.8 Due to the timing of the consultation the responses and key findings to the consultation will be reported back at Full Council on 17<sup>th</sup> October.

## **8. Equalities and Diversity**

- 8.1 Equality and diversity issues are a mandatory consideration in the decision making of the council.
- 8.2 Decision makers should have due regard to the public sector equality duty in making their decisions. The Equality Act 2010 and the Public-Sector Equality Duty require elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place. The equalities duties are continuing duties; they are not duties to secure a particular outcome. The public sector equality duty can be found at section 149 of the Equality Act 2010 as follows:

- A public authority must, in the exercise of its functions, have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this 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.

8.3 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:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- 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;
- 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.

8.4 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.

8.5 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:

- Tackle prejudice, and
- Promote understanding.

8.6 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

8.7 This is set out in the council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.

8.8 Where there are changes to service delivery or changes to staff, the council will conduct an equalities impact assessment (EqIA) where appropriate, to ensure that where persons are impacted, proper measures are considered to mitigate the effect as far as possible. The fees and charges proposed are not anticipated to have an impact on service delivery or customer

satisfaction. Where necessary, proposals will not be implemented or agreed until members have fully considered the equality impacts and responses to any consultation.

- 8.9 The proposed fees and charges have been reviewed against the protected characteristics and it is considered that there will not be any specific adverse impact on any of the groups.

## **9. Background Papers**

9.1 Cabinet 5<sup>th</sup> September 2023 - [Chief Finance Officer Report – 2023/24 Quarter 1 Financial Forecast and 2023/24 Budget Management](#)

9.2 Cabinet 18<sup>th</sup> July 2023 – [Business Planning 2024-2030, Transformation Programme, and In-Year Budget Management 2023/24](#)

Fees and Charges 2024/25

Department: **Environmental Safety**  
 Area: **Fixed Penalty Notices - Community Safety**

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Environmental Safety	Fixed Penalty Notices	Community Safety	Littering	Per Fixed Penalty	£100	£100	£0	£0	Statute	Environmental Protection Act 1990, Section 87/88
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£70	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Domestic Waste	Per Fixed Penalty	£60	£60	£0	£0	Statute	Environmental Protection Act 1990, Section 46 Specific statutory procedure on how to issue FPN – must be notice of intent and final notice issued and right of appeal to 1st tier tribunal. Any issue of FPN must be compliant with s.46A-D EPA 1990
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£42	£42	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Business and Commercial Waste Presentation Notices	Per Fixed Penalty	£100	£100	£0	£0	Statute	Environmental Protection Act 1990, Section 47
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£70	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Distributing Free Literature without Consent	Per Fixed Penalty	£50	£50	£0	£0	Statute	Environmental Protection Act 1990, Schedule 3A, paragraph 7
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£35	£35	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Failing to Produce Authority	Per Fixed Penalty	£300	£300	£0	£0	Statute	Control of Pollution (Amendment) Act 1989, Section 5B
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£210	£210	n/a	n/a	Statute	The Environmental Offence (Fixed Penalties) (England) Regulations 2017 S.11
Environmental Safety	Fixed Penalty Notices	Community Safety	Failing to Produce Waste Transfer Notes	Per Fixed Penalty	£300	£300	£0	£0	Statute	Environmental Protection Act 1990, Section 34
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£210	£210	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Household Duty of Care Breach - Unauthorised Deposit of Waste - <b>First Offence</b>	Per Fixed Penalty <b>First Offence</b>	£200	£250	£50	£0	Statute	Environmental Protection Act 1990, Section 34 (2A)
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£140	£175	£35	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Household Duty of Care Breach - Unauthorised Deposit of Waste - <b>Second Offence</b>	Per Fixed Penalty <b>Second Offence</b>	£400	£400	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£280	£280	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Household Duty of Care Breach - Unauthorised Deposit of Waste - <b>Third Offence</b>	Per Fixed Penalty <b>Third Offence</b>			n/a	n/a	Statute	Automatic court based prosecution referral
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)				n/a	n/a	Statute	Automatic court based prosecution referral
Environmental Safety	Fixed Penalty Notices	Community Safety	Community Protection Notices	Per Fixed Penalty	£100	£100	£0	£0	Statute	Anti-Social Behaviour, Crime and Policing Act 2014, Section 48
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£70	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Public Spaces Protection Orders	Per Fixed Penalty	£100	£100	£0	£0	Statute	Anti-Social Behaviour, Crime and Policing Act 2014, Section 63 and 67
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£70	n/a	n/a	Statute	

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Environmental Safety	Fixed Penalty Notices	Community Safety	Abandoned Vehicles	Per Fixed Penalty	£200	£200	£0	£0	Statute	Refuse Disposal (Amenity) Act 1978, Section 2A – Abandoned Vehicles
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£140	£140	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Graffiti and Fly Posting	Per Fixed Penalty	£100	£250	£150	£2	Statute	Anti-Social Behaviour Act 2003, Section 43
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£175	£105	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Nuisance Vehicles	Per Fixed Penalty					Statute	Cleaner Neighbourhoods and Environment Act 2005, Section 3 & 4
Environmental Safety	Fixed Penalty Notices	Community Safety	(S.3) Exposing vehicles for sale upon a road;		£100	£100	£0	£0	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	(S.4) Repairing vehicles upon the road.		£100	£100	£0	£0	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£70	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Unauthorised deposit waste (Fly tipping) - <b>First Offence</b>	Per Fixed Penalty <b>First Offence</b>	£200	£300	£100	£1	Statute	Environmental Protection Act 1990, Section 33(1)(a) <a href="https://www.gov.uk/government/news/bigger-fines-possible-for-littering-and-fly-tipping">https://www.gov.uk/government/news/bigger-fines-possible-for-littering-and-fly-tipping</a>
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£140	£210	£70	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Unauthorised deposit waste (Fly tipping) - <b>Second Offence</b>	Per Fixed Penalty <b>Second Offence</b>	£400	£400	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£280	£280	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Unauthorised deposit waste (Fly tipping) - <b>Third Offence</b>	Per Fixed Penalty <b>Third Offence</b>			n/a	n/a	Statute	Automatic court based prosecution referral
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)				n/a	n/a	Statute	Automatic court based prosecution referral
Environmental Safety	Fixed Penalty Notices	Community Safety	Wilful obstruction of the highway	Per Fixed Penalty	£100	£100	£0	£0	Statute	Highways Act 1980 Section 137 (1)
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£70	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Interruption of user	Per Fixed Penalty	£100	£100	£0	£0	Statute	Highways Act 1980 Section 148(c)
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£70	£70	n/a	n/a	Statute	
Environmental Safety	Fixed Penalty Notices	Community Safety	Smoking in Smoke free premises or Business vehicle	Per Fixed Penalty	£50	£50	£0	£0	Statute	Health Act 2006 Section 7
Environmental Safety	Fixed Penalty Notices	Community Safety	Early payment 14 days minimum sum)		£50	£50	n/a	n/a	Statute	

#### Terminology key

Statutory prescribed – legislation provides that the local authority charge for providing a service and either (a) the charge is prescribed (i.e. set e.g. £100) or (b) the range is prescribed.

Statutory discretionary (or statutory costs recovery) - legislation provides that you may charge for providing a service but the amount of the charge is discretionary, within the remit of the legislation – the charge may be limited to cost recovery, reasonable cost or based on consideration of prescribed matters e.g. consideration of rental value of land for allotments.

Discretionary – here the authority is not obliged to provide the service but if it does so then the charges must be based on costs recovery, based on the statutory power to charge in Local Government Act 2003/Localism Act 2011



Department: Assurance  
 Trading Standards and Licensing

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Trading Standards and Licensing	TSL 166 Trading Standards and Licensing	Trading Standards and Licensing	Verification or calibration of weights and measures equipment	Per officer hour	£109	£116.41	£7.41	6.80%	Weights and Measures Act - s.11 Weights and Measures Act 1985	Statutory Discretionary
Trading Standards and Licensing	TSL 36 Trading Standards and Licensing	Trading Standards and Licensing	Licence to store explosives, by virtue of regulation 27 of, and Schedule 5 to, the 2021 Regulations. Split by lower bracket and upper bracket (determined by net explosive quantity).	Per application (1-5 years)	1 Year: £111 / £189 2 Years: £144 / £248 3 Years: £177 / £311 4 Years: £211 / £382 5 Years: £243 / £432	1 Year: £111 / £189 2 Years: £144 / £248 3 Years: £177 / £311 4 Years: £211 / £382 5 Years: £243 / £432	N/A	N/A	The Health and Safety and Nuclear (Fees) Regulations 2021 - Sch.7, Part 2	Statutory prescribed
Trading Standards and Licensing	TSL 37 Trading Standards and Licensing	Trading Standards and Licensing	Renewal of licence to store explosives	Per application (1-5 years)	1 Year: £55 / £88 2 Years: £88 / £150 3 Years: £123 / £211 4 Years: £155 / £272 5 Years: £189 / £333	1 Year: £55 / £88 2 Years: £88 / £150 3 Years: £123 / £211 4 Years: £155 / £272 5 Years: £189 / £333	N/A	N/A	The Health and Safety and Nuclear (Fees) Regulations 2021 - Sch.7, Part 2	Statutory prescribed
Trading Standards and Licensing	TSL 38 Trading Standards and Licensing	Trading Standards and Licensing	Varying the name of licensee or address of site	Per application	£37	£37	N/A	N/A	The Health and Safety and Nuclear (Fees) Regulations 2021 - Sch.7, Part 2	Statutory prescribed
Trading Standards and Licensing	TSL 39 Trading Standards and Licensing	Trading Standards and Licensing	Transfer of licence	Per application	£37	£37	N/A	N/A	The Health and Safety and Nuclear (Fees) Regulations 2021 - Sch.7, Part 2	Statutory prescribed
Trading Standards and Licensing	TSL 40 Trading Standards and Licensing	Trading Standards and Licensing	Replacement of licence if lost	Per application	£37	£37	N/A	N/A	The Health and Safety and Nuclear (Fees) Regulations 2021 - Sch.7, Part 2	Statutory prescribed
Trading Standards and Licensing	TSL 41 Trading Standards and Licensing	Trading Standards and Licensing	Any other kind of variation	Per application	The reasonable cost of the licensing authority of having the work carried out	The reasonable cost of the licensing authority of having the work carried out	N/A	N/A	The Health and Safety and Nuclear (Fees) Regulations 2021 - Sch.7, Part 2	Statutory Discretionary
Trading Standards and Licensing	TSL 42 Trading Standards and Licensing	Trading Standards and Licensing	All year round sale of fireworks	Per application	£500	£500	N/A	N/A	The Fireworks Regulations 2004	Statutory Prescribed
Trading Standards and Licensing	TSL 44 Trading Standards and Licensing	Trading Standards and Licensing	Sex Establishments - new	Per application	£2609.37 Fee 1. £1256.24 Fee 2. £1353.13	£2786.81 Fee 1. £1341.66 Fee 2. £1445.14	£177.44	6.80%	Local Government (Miscellaneous Provisions) Act 1982 - Sch. 3 Para. 19 of the 1982 Act	Statutory Discretionary
Trading Standards and Licensing	TSL 45 Trading Standards and Licensing	Trading Standards and Licensing	Sex Establishments - renewal	Per application	£2609.37 Fee 1. £1256.24 Fee 2. £1353.13	£2786.81 Fee 1. £1341.66 Fee 2. £1445.14	£177.44	6.80%	Local Government (Miscellaneous Provisions) Act 1982 - Sch. 3 Para. 19 of the 1982 Act	Statutory Discretionary
Trading Standards and Licensing	TSL 46 Trading Standards and Licensing	Trading Standards and Licensing	Hypnotism	Per Event	£24	£25.87	£1.65	6.80%	s2A Hypnotism Act 1952	Statutory Discretionary
Trading Standards and Licensing	TSL 47 Trading Standards and Licensing	Trading Standards and Licensing	Street Trading – Permanent licences	Per application	£629.77 Fee 1. £134.32 Fee 2. £495.45	£659 Fee 1. £218 Fee 2. £441	£29.23	4.00%	s.32 London Local Authorities Act 1990.	Statutory Discretionary
Trading Standards and Licensing	TSL 48 Trading Standards and Licensing	Trading Standards and Licensing	Street Trading – Temporary Licences (6 Months)	Per application	£458.02 per 6 months Fee1. £110.10 Fee2. £347.92	£532 (per 6 months) Fee1. £160 Fee2. £372	73.98	14%	s.32 London Local Authorities Act 1990.	Statutory Discretionary
Trading Standards and Licensing	TSL 49 Trading Standards and Licensing	Trading Standards and Licensing	Street Trading – Temporary Licences (2 Months)	Per application	£205.89 up to 2 months Fee 1. £110.10 Fee 2. £95.79	£260 (per 2 months) Fee 1. £112 Fee 2. £148	£54.11	21%	s.32 London Local Authorities Act 1990.	Statutory Discretionary
Trading Standards and Licensing	TSL 51 Trading Standards and Licensing	Trading Standards and Licensing	Permanent Street Market Traders Licence	Per month	£16.52	£17.64	£1.12	6.80%	s.32 London Local Authorities Act 1990.	Statutory Cost Recovery
Trading Standards and Licensing	TSL 52 Trading Standards and Licensing	Trading Standards and Licensing	Occasional Street Market Traders Licence - Band 1: Less than 30 traders. Per event up to 7 days	Per trader, per event	£19.82	£21.17	£1.35	6.80%	s.32 London Local Authorities Act 1990.	Statutory Cost Recovery
Trading Standards and Licensing	TSL 53 Trading Standards and Licensing	Trading Standards and Licensing	Occasional Street Market Traders Licence - Band 1: Less than 30 traders. One day event	Per trader	£16.52	£17.64	£1.12	6.80%	s.32 London Local Authorities Act 1990.	Statutory Cost Recovery
Trading Standards and Licensing	TSL 54 Trading Standards and Licensing	Trading Standards and Licensing	Occasional Street Market Traders Licence - Band 2: More than 30 traders. Per event up to 7 days	Per trader. Per event	£13.21	£14.11	£0.90	6.80%	s.32 London Local Authorities Act 1990.	Statutory Cost Recovery
Trading Standards and Licensing	TSL 55 Trading Standards and Licensing	Trading Standards and Licensing	Occasional Street Market Traders Licence - Band 2: More than 30 traders. One Day event	Per trader	£11.01	£11.76	£0.75	6.80%	s.32 London Local Authorities Act 1990.	Statutory Cost Recovery
Trading Standards and Licensing	TSL 56 Trading Standards and Licensing	Trading Standards and Licensing	Licence to place an Advertising or 'A' Board on the public highway	Per application / Per A Board	£159.64 Fee 1 £114.50 Fee 2 £45.14	£219 Fee 1. £63 Fee 2. £156	£59.36	27.00%	s.115F(1) Highways Act 1980	Statutory Discretionary
Trading Standards and Licensing	TSL 58 Trading Standards and Licensing	Trading Standards and Licensing	Site Licence New	Per application	£687.03 Fee 1 £142.03 Fee 2 £545	£733.75 Fee 1 £151.69 Fee 2 £582.06	£46.72	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Trading Standards and Licensing	TSL 59 Trading Standards and Licensing	Trading Standards and Licensing	Site Licence variation	Per application	£271.95 Fee 1 £126.62 Fee 2 £145.33	£290.44 Fee 1 £135.23 Fee 2 £155.21	£18.49	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 60 Trading Standards and Licensing	Trading Standards and Licensing	Site Licence Renewal	Per application	£537.29 Fee 1 £135.42 Fee 2 £401.87	£573.83 Fee 1 £144.63 Fee 2 £429.20	£36.54	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 61 Trading Standards and Licensing	Trading Standards and Licensing	Site Licence Duplicate licence	Per application	23.67	£25.28	£1.61	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 62 Trading Standards and Licensing	Trading Standards and Licensing	Site Licence - Change of details	Per application	35.78	£38.21	£2.43	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 63 Trading Standards and Licensing	Trading Standards and Licensing	Collectors Licence New	Per application	£318.19 Fee 1 £127.72 Fee 2 £190.47	£343.33 Fee 1 £136.40 Fee 2 £203.43	£21.64	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 64 Trading Standards and Licensing	Trading Standards and Licensing	Collectors Licence Variation	Per application	£154.14 Fee 1 £121.11 Fee 2 £33.03	£164.62 Fee 1 £129.34 Fee 2 £35.28	£10.48	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 65 Trading Standards and Licensing	Trading Standards and Licensing	Collectors Licence renewal	Per application	£240.02 Fee 1 £124.41 Fee2 £115.61	£256.34 Fee 1 £132.87 Fee2 £123.47	£16.32	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 66 Trading Standards and Licensing	Trading Standards and Licensing	Collectors Licence duplicate	Per application	£23.67	£25.28	£1.61	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 67 Trading Standards and Licensing	Trading Standards and Licensing	Collectors Licence - Change of details	Per application	£35.78	£38.22	£2.43	6.80%	Scrap Metal Dealers Act 2013 - Sch. 1 Para. 6 of the Scrap Metal Dealers Act 2013	Statutory Cost Recovery
Trading Standards and Licensing	TSL 68 Trading Standards and Licensing	Trading Standards and Licensing	Fee for issue/amendment of a safety certificate for a designated stand under Safety at Sports Ground Act 1975.	Per application	£3,802.85	£4,061.45	£258.59	6.80%	Safety at Sports Ground Act 1975 and The Safety of Sports Grounds Regulations 1987	Statutory Cost Recovery
Trading Standards and Licensing	TSL 69 Trading Standards and Licensing	Trading Standards and Licensing	Fees for issue/amendment of a regulated stand under Fire Safety and Places of Sport Act 1987: Total capacity of sport ground 500-999	Per application	£1,025.03	£1,094.73	£69.70	6.80%	Safety at Sports Ground Act 1975 and The Safety of Sports Grounds Regulations 1988	Statutory Cost Recovery
Trading Standards and Licensing	TSL 70 Trading Standards and Licensing	Trading Standards and Licensing	Fees for issue/amendment of a regulated stand under Fire Safety and Places of Sport Act 1987: Total capacity of sport ground 1000-4999	Per application	£1,854.08	£1,980.16	£126.08	6.80%	Safety at Sports Ground Act 1975 and The Safety of Sports Grounds Regulations 1989	Statutory Cost Recovery
Trading Standards and Licensing	TSL 71 Trading Standards and Licensing	Trading Standards and Licensing	Fees for issue/amendment of a regulated stand under Fire Safety and Places of Sport Act 1987: Total capacity of sport ground 5000-9999	Per application	£3,797.35	£4,055.57	£258.22	6.80%	Safety at Sports Ground Act 1975 and The Safety of Sports Grounds Regulations 1990	Statutory Cost Recovery
Trading Standards and Licensing	TSL 72 Trading Standards and Licensing	Trading Standards and Licensing	Fees for transfer of either a regulated stand or safety certificate	Per application	£1,274.96	£1,361.66	£86.70	6.80%	Safety at Sports Ground Act 1975 and The Safety of Sports Grounds Regulations 1991	Statutory Cost Recovery
Trading Standards and Licensing	TSL 73 Trading Standards and Licensing	Trading Standards and Licensing	Fee for replacement or cancellation of either a regulated stand or safety certificate	Per application	£61.66	£65.85	£4.19	6.80%	Safety at Sports Ground Act 1975 and The Safety of Sports Grounds Regulations 1992	Statutory Cost Recovery
Trading Standards and Licensing	TSL 74 Trading Standards and Licensing	Trading Standards and Licensing	Fee for classification of a film	per film	£115.61	£123.47	£7.86	6.80%	Local Government Act 2003 Localism Act 2011	Discretionary
Trading Standards and Licensing	TSL 75 Trading Standards and Licensing	Trading Standards and Licensing	New Bingo Premises	Per application	£1,259.54	£3,080.00	£1,820.46	59.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 76 Trading Standards and Licensing	Trading Standards and Licensing	New Adult Gaming Centre	Per application	£1,000.00	£2,000.00	£1,000.00	50.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 77 Trading Standards and Licensing	Trading Standards and Licensing	New Betting Premises Track	Per application	£1,250.00	£2,500.00	£1,250.00	50.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 78 Trading Standards and Licensing	Trading Standards and Licensing	New Family Entertainment Centre	Per application	£1,000.00	£2,000.00	£1,000.00	50.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 79 Trading Standards and Licensing	Trading Standards and Licensing	New Betting Premises (Other)	Per application	£1,259.54	£3,000.00	£1,740.46	58.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 80 Trading Standards and Licensing	Trading Standards and Licensing	Bingo Premises annual fee	Annual fee	£663.90	£1,000.00	£336.10	34.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 81 Trading Standards and Licensing	Trading Standards and Licensing	Adult Gaming Centre annual fee	Annual fee	£663.90	£1,000.00	£336.10	34.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 82 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises Track annual fee	Annual fee	£663.90	£1,000.00	£336.10	34.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 83 Trading Standards and Licensing	Trading Standards and Licensing	Family Entertainment Centre annual fee	Annual fee	£663.90	£750.00	£86.10	11.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Trading Standards and Licensing	TSL 84 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises (Other) annual fee	Annual fee	£663.90	£600.00	£0.00	N/A	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 85 Trading Standards and Licensing	Trading Standards and Licensing	Bingo Premises Provisional Statement	Per application	£1,224.31	£3,080.00	£1,855.69	60.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 86 Trading Standards and Licensing	Trading Standards and Licensing	Adult Gaming Centre Provisional Statement	Per application	£1,224.31	£2,000.00	£775.69	39.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 87 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises Track Provisional Statement	Per application	£1,045.95	£2,500.00	£1,454.05	58.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 88 Trading Standards and Licensing	Trading Standards and Licensing	Family Entertainment Centre Provisional Statement	Per application	£1,045.95	£2,000.00	£954.05	39.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 89 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises (Other) Provisional Statement	Per application	£1,224.31	£3,000.00	£1,775.69	59.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 90 Trading Standards and Licensing	Trading Standards and Licensing	Bingo Premises Application Fee – Provisional Statement Holders	Per application	£1,145.04	£1,200.00	£54.96	5.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 91 Trading Standards and Licensing	Trading Standards and Licensing	Adult Gaming Centre Application Fee – Provisional Statement Holders	Per application	£1,145.04	£1,200.00	£54.96	5.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 92 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises Track Application Fee – Provisional Statement Holders	Per application	£950.00	£950.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 93 Trading Standards and Licensing	Trading Standards and Licensing	Family Entertainment Centre Application Fee – Provisional Statement Holders	Per application	£950.00	£950.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 94 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises (Other) Application Fee – Provisional Statement Holders	Per application	£1,145.04	£1,200.00	£54.96	5.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 95 Trading Standards and Licensing	Trading Standards and Licensing	Bingo Premises transfer	Per application	£1,200.00	£1,200.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 96 Trading Standards and Licensing	Trading Standards and Licensing	Adult Gaming Centre transfer	Per application	£1,200.00	£1,200.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 97 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises Track transfer	Per application	£950.00	£950.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 98 Trading Standards and Licensing	Trading Standards and Licensing	Family Entertainment Centre transfer	Per application	£950.00	£950.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 99 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises (Other) transfer	Per application	£1,200.00	£1,200.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 100 Trading Standards and Licensing	Trading Standards and Licensing	Bingo Premises Variation	Per application	£1,167.06	£1,750.00	£582.94	33.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 101 Trading Standards and Licensing	Trading Standards and Licensing	Adult Gaming Centre Variation	Per application	£1,000.00	£1,000.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 102 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises Track Variation	Per application	£1,167.06	£1,250.00	£82.94	7.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 103 Trading Standards and Licensing	Trading Standards and Licensing	Family Entertainment Centre Variation	Per application	£1,000.00	£1,000.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 104 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises (Other) Variation	Per application	£1,167.06	£1,500.00	£332.94	22.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 105 Trading Standards and Licensing	Trading Standards and Licensing	Bingo Premises Reinstatement	Per application	£660.60	£1,200.00	£539.40	45.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 106 Trading Standards and Licensing	Trading Standards and Licensing	Adult Gaming Centre Reinstatement	Per application	£660.60	£1,200.00	£539.40	45.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 107 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises Track Reinstatement	Per application	£660.60	£950.00	£289.40	30.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 108 Trading Standards and Licensing	Trading Standards and Licensing	Family Entertainment Centre Reinstatement	Per application	£660.60	£950.00	£289.40	30.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 109 Trading Standards and Licensing	Trading Standards and Licensing	Betting Premises (Other) Reinstatement	Per application	£1,200.00	£1,200.00	£0.00	0.00%	Gambling (Premises Licence Fees) (England and Wales) Regulations 2007/479 - Sch1	Statutory Prescribed
Trading Standards and Licensing	TSL 110 Trading Standards and Licensing	Trading Standards and Licensing	Notification of change of circumstances fee – All Premises	Per application	£50.00	£50.00	N/A	N/A	reg. 10 Gambling (Premises Licence Fees) (England and Wales) Regulations 2007	Statutory Discretionary
Trading Standards and Licensing	TSL 111 Trading Standards and Licensing	Trading Standards and Licensing	Copy of Licence Fee – All Premises	Per application	£25.00	£25.00	N/A	N/A	Reg. 13 Gambling (Premises Licence Fees) (England and Wales) Regulations 2007	Statutory Discretionary
Trading Standards and Licensing	TSL 112 Trading Standards and Licensing	Trading Standards and Licensing	Licensed premises Gaming Machine Permit - New	Per application	£150.00	£150.00	N/A	N/A	Gambling Act 2005 - Regulation 3(a) Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 113 Trading Standards and Licensing	Trading Standards and Licensing	Licensed premises Gaming Machine Permit - Annual Fee	each	£50.00	£50.00	N/A	N/A	Gambling Act 2005 - Regulation 5 Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 114 Trading Standards and Licensing	Trading Standards and Licensing	Licensed premises Gaming Machine Permit - Variation	Per application	£100.00	£100.00	N/A	N/A	Reg. 3(b) Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007	Statutory Prescribed

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Trading Standards and Licensing	TSL 115 Trading Standards and Licensing	Trading Standards and Licensing	Licensed premises Gaming Machine Permit - Transfer	Per application	£25.00	£25.00	N/A	N/A	Gambling Act 2005 - Regulation 3(c) Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 116 Trading Standards and Licensing	Trading Standards and Licensing	Notification of two of less gaming machines	per notification	£50.00	£50.00	N/A	N/A	Reg 3 Gaming Machines in Alcohol Licensed Premises (Notification Fee) (England and Wales) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 120 Trading Standards and Licensing	Trading Standards and Licensing	Club Gaming Permit - New	Per application	£200.00	£200.00	N/A	N/A	Gambling Act 2005 - Regulation 8 Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 121 Trading Standards and Licensing	Trading Standards and Licensing	Club Gaming Permit - Annual fee	each	£50.00	£50.00	N/A	N/A	Gambling Act 2005 - Regulation 12 Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 122 Trading Standards and Licensing	Trading Standards and Licensing	Club Gaming Permit - Variation	Per application	£100.00	£100.00	N/A	N/A	Regulation 15 Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 123 Trading Standards and Licensing	Trading Standards and Licensing	Prize Gaming Permit - New	Per application	£300.00	£300.00	N/A	N/A	Gambling Act 2005 - Regulation 3 Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 124 Trading Standards and Licensing	Trading Standards and Licensing	Prize Gaming Permit - renewal	Per application	£300.00	£300.00	N/A	N/A	Gambling Act 2005 - Regulation 3 Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 125 Trading Standards and Licensing	Trading Standards and Licensing	Prize Gaming Permit - Change of name	Per application	£25.00	£25.00	N/A	N/A	Gambling Act 2005 - Regulation 5 Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 126 Trading Standards and Licensing	Trading Standards and Licensing	Unlicensed Family Entertainment Centres - New	Per application	£300.00	£300.00	N/A	N/A	Gambling Act 2005 - Regulations 3 Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 127 Trading Standards and Licensing	Trading Standards and Licensing	Unlicensed Family Entertainment Centres - Renewal	Per application	£300.00	£300.00	N/A	N/A	Gambling Act 2005 - Regulations 3 Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 128 Trading Standards and Licensing	Trading Standards and Licensing	Unlicensed Family Entertainment Centres - Change of Name	Per application	£25.00	£25.00	N/A	N/A	Gambling Act 2005 - Regulation 5 Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 129 Trading Standards and Licensing	Trading Standards and Licensing	Copy of All Permits	Per application	£15.00	£15.00	N/A	N/A	Gambling Act 2005 - Regulation 6 Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 130 Trading Standards and Licensing	Trading Standards and Licensing	Small Society Lottery - New registration	Per registration	£40.00	£40.00	N/A	N/A	Gambling Act 2005 - Regulation 3 Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 131 Trading Standards and Licensing	Trading Standards and Licensing	Small society Lottery - Renewal	each	£20.00	£20.00	N/A	N/A	Gambling Act 2005 - Regulation 5 Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007	Statutory Prescribed
Trading Standards and Licensing	TSL 132 Trading Standards and Licensing	Trading Standards and Licensing	New Premises Licence / Club Premises Certificate	Per application	Band A - £100 Band B - £190 Band C - £315 Band D - £450 Band E - £635	Band A - £100 Band B - £190 Band C - £315 Band D - £450 Band E - £635	N/A	N/A	Licensing Act 2003 - Reg 4. and Sch. 2 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 133 Trading Standards and Licensing	Trading Standards and Licensing	Premises Licence / Club Premises Certificate - Provisional Statement	Per application	£ 315.00	£ 315.00	N/A	N/A	Schedule 6 The Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 134 Trading Standards and Licensing	Trading Standards and Licensing	Premises licence/Club premises Certificate variation	Per application	Band A - £100 Band B - £190 Band C - £315 Band D - £450 Band E - £635	Band A - £100 Band B - £190 Band C - £315 Band D - £450 Band E - £635	N/A	N/A	Licensing Act 2003 - Reg 4. and Sch. 2 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 135 Trading Standards and Licensing	Trading Standards and Licensing	Premises licence/Club premises Certificate - additional fees (new & variation)	Per application	5001 - 9999 people: £500 10,000-14999 people: £1,000 15000 - 19999 people: £2,000 20000 - 29999 people: £4,000 30000 - 39999 people: £8,000 40000 - 49999 people: £12,000 50000 - 59999 people: £16,000 60000 - 69999 people: £20,000 70000 - 79999 people: £24,000 80000 - 89999 people: £28,000 90000 and over people: £32,000	5001 - 9999 people: £500 10,000-14999 people: £1,000 15000 - 19999 people: £2,000 20000 - 29999 people: £4,000 30000 - 39999 people: £8,000 40000 - 49999 people: £12,000 50000 - 59999 people: £16,000 60000 - 69999 people: £20,000 70000 - 79999 people: £24,000 80000 - 89999 people: £28,000 90000 and over people: £32,000	N/A	N/A	Licensing Act 2003 - Reg 4. and Sch. 3 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 136 Trading Standards and Licensing	Trading Standards and Licensing	Premises licence/Club Premises Certificate - Annual Fee	each	Band A - £70 Band B - £180 Band C - £295 Band D - £320 Band E - £350	Band A - £70 Band B - £180 Band C - £295 Band D - £320 Band E - £350	N/A	N/A	Licensing Act 2003 - Reg 5. and Sch. 5 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Trading Standards and Licensing	TSL 137 Trading Standards and Licensing	Trading Standards and Licensing	Premises licence/Club premises Certificate - Annual fee additional fees	Per application	5001 - 9999 people: £500 10,000-14999 people: £1,000 15000 - 19999 people: £2,000 20000 - 29999 people: £4,000 30000 - 39999 people: £8,000 40000 - 49999 people: £12,000 50000 - 59999 people: £16,000 60000 - 69999 people: £20,000 70000 - 79999 people: £24,000 80000 - 89999 people: £28,000 90000 and over people -£32,000	5001 - 9999 people: £500 10,000-14999 people: £1,000 15000 - 19999 people: £2,000 20000 - 29999 people: £4,000 30000 - 39999 people: £8,000 40000 - 49999 people: £12,000 50000 - 59999 people: £16,000 60000 - 69999 people: £20,000 70000 - 79999 people: £24,000 80000 - 89999 people: £28,000 90000 and over people -£32,000	N/A	N/A	Licensing Act 2003 - Sch. 3 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 138 Trading Standards and Licensing	Trading Standards and Licensing	Premises Licence - Transfer	Per application	£23.00	£23.00	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 139 Trading Standards and Licensing	Trading Standards and Licensing	Premises Licence - DPS variation	Per application	£23.00	£23.00	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 140 Trading Standards and Licensing	Trading Standards and Licensing	Temporary Event Notice/Late Temporary Event Notice	Per Notice	£21.00	£21.00	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 141 Trading Standards and Licensing	Trading Standards and Licensing	Personal Licence Application - New	Per application	£37.00	£37.00	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 142 Trading Standards and Licensing	Trading Standards and Licensing	Duplicate copy of premises licence/ Club premises Certificate & personal licence	Per application	£10.50	£10.50	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 143 Trading Standards and Licensing	Trading Standards and Licensing	Change of details of premises licence/ Club premises Certificate & personal licence	Per application	£10.50	£10.50	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 144 Trading Standards and Licensing	Trading Standards and Licensing	Notification of Interest	per notification	£21.00	£21.00	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 145 Trading Standards and Licensing	Trading Standards and Licensing	Interim Authority Notice	per notification	£23.00	£23.00	N/A	N/A	Licensing Act 2003 - Reg 8. and Sch. 6 Licensing Act 2003 (Fees) Regulations 2005	Statutory Prescribed
Trading Standards and Licensing	TSL 146 Trading Standards and Licensing	Trading Standards and Licensing	Minor Variation Application	Per application	£89.00	£89.00	N/A	N/A	Reg 4A The Licensing Act 2003 (Fees) Regulations 2004	Statutory Prescribed
Trading Standards and Licensing	TSL 159 Trading Standards and Licensing	Trading Standards and Licensing	Penalty Charges Under the Energy Performance of Buildings (England and Wales) Regulations 2012	Per offence	As set by legislation - Currently The penalty charge specified in the notice shall be— (a)in relation to a breach of a duty under regulation 6(2), 6(5), 7(2), 7(3), 7(4), or 7(5), or of the EPC construction duty— (i)where the building is a dwelling, £200; (ii)where the building is not a dwelling, calculated in accordance with the formula in paragraph (2); (b)in relation to a breach of a duty under regulation 14(3)(a), £1000; (c)in relation to a breach of a duty under regulation 14(3)(b), £500; (d)in relation to a breach of a duty under regulation 18(1), 20(1), 20(2) or 21, £300; and (e)in relation to a breach of a duty under regulation 35(5), £200.	As set by legislation - Currently The penalty charge specified in the notice shall be— (a)in relation to a breach of a duty under regulation 6(2), 6(5), 7(2), 7(3), 7(4), or 7(5), or of the EPC construction duty— (i)where the building is a dwelling, £200; (ii)where the building is not a dwelling, calculated in accordance with the formula in paragraph (2); (b)in relation to a breach of a duty under regulation 14(3)(a), £1000; (c)in relation to a breach of a duty under regulation 14(3)(b), £500; (d)in relation to a breach of a duty under regulation 18(1), 20(1), 20(2) or 21, £300; and (e)in relation to a breach of a duty under regulation 35(5), £200.	N/A	N/A	s.38 Energy Performance of Buildings (England and Wales) Regulations 2012/3118	Statutory Prescribed
Trading Standards and Licensing	TSL 160 Trading Standards and Licensing	Trading Standards and Licensing	Fixed penalty notice under Section 52 Anti-social Behaviour, Crime and Policing Act 2014	Per offence	£100.00	£100.00	N/A	N/A	s.52 Anti-Social Behaviour, Crime and Policing Act 2014	Statutory Prescribed
Trading Standards and Licensing	TSL 161 Trading Standards and Licensing	Trading Standards and Licensing	Fixed penalty notices under the London Local Authorities Act 2003 in relation to abatement notices served under Section 80 of the Environmental Protection Act 1990	per offence					s.80ZA Environmental Protection Act 1990	
Trading Standards and Licensing	TSL 162 Trading Standards and Licensing	Trading Standards and Licensing	monetary penalty for offences under Redress Schemes for Lettings Agency Work and Property Management Work Requirement to Belong to a Scheme etc (England) Order 2014	per offence	Up to £5000	Up to £5000	N/A	N/A	Article 8 Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014	Statutory Discretionary
Trading Standards and Licensing	TSL 163 Trading Standards and Licensing	Trading Standards and Licensing	monetary penalty for offences under Part 3 Chapter 3 of the Consumer Rights Act 2015 (Letting Agent)	per offence	Up to £5000	Up to £5000	N/A	N/A	s.87 Consumer Rights Act 2015	Statutory Discretionary
Trading Standards and Licensing	TSL 164 Trading Standards and Licensing	Trading Standards and Licensing	Financial Penalties under the Tenants Fees Act 2019 (Charging unlawful fees)	per offence	First Offence - up to £5,000 fine Further breach within 5 years Financial Penalties of up to £30,000	First Offence - up to £5,000 fine Further breach within 5 years Financial Penalties of up to £30,000	N/A	N/A	s.8 Tenant Fees Act 2019	Statutory Discretionary
Trading Standards and Licensing	TSL 165 Trading Standards and Licensing	Trading Standards and Licensing	Financial Penalties under the Tenants Fees Act 2019 (Unlawfully retaining the holding deposit)	per offence	up to £5,000 fine	up to £5,000 fine	N/A	N/A	s.8 Tenant Fees Act 2019	Statutory Discretionary

[Terminology key](#)

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
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Statutory prescribed – legislation provides that the local authority charge for providing a service and either (a) the charge is prescribed (i.e. set e.g. £100) or (b) the range is prescribed.

Statutory discretionary (or statutory costs recovery) - legislation provides that you may charge for providing a service but the amount of the charge is discretionary, within the remit of the legislation – the charge may be limited to cost recovery, reasonable cost or based on consideration of prescribed matters e.g. consideration of rental value of land for allotments.

Discretionary – here the authority is not obliged to provide the service but if it does so then the charges must be based on costs recovery, based on the statutory power to charge in Local Government Act 2003/Localism Act 2011

Department:

Assurance

Environmental Health

Environmental health

70.49

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Environmental Health	EH 81 Dangerous wild animals (Dangerous Wild Animals Act 1976)	Environmental Health Licensing Fees	New	Each	£115.60 application fee + Inspection Fee £451.41 licence fee	<b>£123.46 application fee + inspection fee £482.11 licence fee</b>	£7.86 application fee £30.70 licence fee	6.80%	s.1(2)(e) Dangerous Wild Animals Act 1976	Statutory Discretionary
Environmental Health	EH 82 Dangerous wild animals (Dangerous Wild Animals Act 1976)	Environmental Health Licensing Fees	Renewal	Each	£114.50 application fee + Inspection Fee £440.40 licence fee	<b>£122.29 application fee + inspection Fee £470.35 licence fee</b>	£7.79 application fee £29.95 licence fee	6.80%	s.1(2)(e) Dangerous Wild Animals Act 1976	Statutory Discretionary
Environmental Health	EH 98 Animal Welfare	Environmental Health Licensing Fees	Licence application fee	per application	£143.13 application fee + Inspection Fee £171.75 licence fee	<b>£152.86 application fee + inspection fee £183.43 licence fee</b>	£9.73 application fee £11.68 licence fee	6.80%	s.13 Animal Welfare (Licensing of Activities involving animals) England Regulations 2018	Statutory Discretionary
Environmental Health	EH 109 Animal Welfare	Environmental Health Licensing Fees	Animal Welfare (Licensing of Activities) - Variation of Licence	Each Application	£143.13	<b>£152.86 plus inspection fee (if required)</b>	£9.73	6.80%	s.13 Animal Welfare (Licensing of Activities involving animals) England Regulations 2018	Statutory Discretionary
Environmental Health	EH 110 Animal Welfare	Environmental Health Licensing Fees	Animal Welfare (Licensing of Activities) - Transfer	Each Application	£143.13	<b>£152.86</b>	£9.73	6.80%	s.13 Animal Welfare (Licensing of Activities involving animals) England Regulations 2018	Statutory Discretionary
Environmental Health	EH 111 Animal Welfare	Environmental Health Licensing Fees	Animal Welfare (Licensing of Activities) - Change of details	Each Application	£23.12	<b>£24.69</b>	£1.57	6.80%	s.13 Animal Welfare (Licensing of Activities involving animals) England Regulations 2018	Statutory Discretionary
Environmental Health	EH 112 Animal Welfare	Environmental Health Licensing Fees	Animal Welfare (Licensing of Activities) - Duplicate Licence	Each Application	£23.12	<b>£24.69</b>	£1.57	6.80%	s.13 Animal Welfare (Licensing of Activities involving animals) England Regulations 2018	Statutory Discretionary
Environmental Health	EH 113 Animal Welfare	Environmental Health Licensing Fees	Animal Welfare (Licensing of Activities) - Request revisit	Each Application	£45.69	<b>£48.80 plus inspection fee</b>	£3.11	6.80%	s.13 Animal Welfare (Licensing of Activities involving animals) England Regulations 2018	Statutory Discretionary
Environmental Health	EH 114 Animal Welfare	Environmental Health Licensing Fees	Animal Welfare (Licensing of Activities) - Annual Fee	On Grant of application and annually on grant date	£171.76	<b>£183.44</b>	£11.68	6.80%	s.13 Animal Welfare (Licensing of Activities involving animals) England Regulations 2018	Statutory Discretionary
Environmental Health	EH 84 Licence for Massage and Special Treatments (including cosmetic)	Environmental Health Licensing Fees	New licence	Each	£176.16 Application £110.10 licence	<b>£151 Application £153 Licence</b>	£22.74	6.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 85 Licence for Massage and Special Treatments (including cosmetic piercing)	Environmental Health Licensing Fees	Renewal licence	Each	£117.81 Application fee £110.10 licence	<b>£150 Application £153 Licence</b>	£75.09	25.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Environmental Health	EH 85 Licence for Massage and Special Treatments (including cosmetic)	Environmental Health Licensing Fees	<b>Variation</b>	Each	£71.12	<b>£107.00</b>	£35.88	33.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 85 Licence for Massage and Special Treatments (including cosmetic)	Environmental Health Licensing Fees	<b>Transfer</b>	Each	£72.12	<b>£71.00</b>	<b>-£1.12</b>	-2.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 86 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>New licence</b>	Each	£274.15 Application fee £110.10 licence	<b>£212 Application £177 Licence</b>	£4.75	1.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 87 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Renewal licence</b>	Each	£218 application £110.10 licence fee	<b>£211 Application £177 Licence</b>	£59.90	15.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 86 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Variation</b>	Each	£92.48	<b>£122.00</b>	£29.52	24.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 87 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Transfer</b>	Each	£92.48	<b>£96.00</b>	£3.52	4.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 88 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>New licence</b>	Each	£396.36 application £110.10 licence fee	<b>£394 Application £214 Licence fee</b>	£101.54	17.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary



Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Environmental Health	EH 89 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Renewal licence</b>	Each	£352.32 application £110.10 licence fee	<b>£354 Application £214 Licence</b>	<b>£105.58</b>	19.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 86 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Variation</b>	Each	£92.48	<b>£177.00</b>	£84.52	37.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 87 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Transfer</b>	Each	£92.48	<b>£114.00</b>	£21.52	1.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 86 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>New licence</b>	Each	£396.36 application +£85.88 £110.10 licence fee	<b>£555 Application £253 Licence</b>	£215.66	27.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 87 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Renewal licence</b>	Each	£352.32 application +£85.88 £110.10 licence fee	<b>£425 Application £253 Licence</b>	£129.70	13.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 86 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Variation</b>	Each	£92.48	<b>£216.00</b>	£123.53	57.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 87 Licence for Massage and Special Treatments (including cosmetic skin piercing)	Environmental Health Licensing Fees	<b>Transfer</b>	Each	£92.48	<b>£114.00</b>	£21.52	19.00%	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 97 Special Treatment Licences	Environmental Health Licensing Fees	<b>EH Special Treatment Licences - Sole trader based at home</b>	each application	£10 discount on licence fee for all new and renewal applications	£10 discount on licence fee for all new and renewal applications	No Change	N/A	s.7(6) London Local Authorities Act 1991	Statutory Discretionary
Environmental Health	EH 95 Primary Authority Services	Environmental Health Licensing Fees	<b>Annual fee per subject area</b>	Per annum	Actual laboratory analytical fees and sampling visit charges	Actual laboratory analytical fees and sampling visit charges	No change	N/A	Regulatory Enforcement and Sanctions ACT 2008	Cost recovery

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Environmental Health	EH 96 Primary Authority Services	Environmental Health Licensing Fees	<b>Primary authority work</b>	Per hour	Up to £66 per hour	<b>Up to £70.49 per hour</b>	£4.49	6.80%	s.27A Regulatory Enforcement and Sanctions ACT 2008	Cost recovery

Terminology key

Statutory prescribed – legislation provides that the local authority charge for providing a service and either (a) the charge is prescribed (i.e. set e.g. £100) or (b) the range is prescribed.

Statutory discretionary (or statutory costs recovery) - legislation provides that you may charge for providing a service but the amount of the charge is discretionary, within the remit of the legislation – the charge may be limited to cost recovery, reasonable cost or based on consideration of prescribed matters e.g. consideration of rental value of land for allotments.

Discretionary – here the authority is not obliged to provide the service but if it does so then the charges must be based on costs recovery, based on the statutory power to charge in Local Government Act 2003/Localism Act 2011

**Fees and Charges 2023/24**

Department: **Growth and Regen**  
 AGrowth and Regena: **Planning**

Inflation rate **6.8%**

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging
Planning	PL 60 Fast Track - householder applications	Planning	Service 1 a - Registration of application within 24 hours b - Consultation of neighbouring properties within 24 hours. c - Provision of an officer's recommendation within 5 weeks of validation	Per application	£443.70	£473.87	£30.17	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 61 Fast Track - householder applications	Planning	Service 2 Visit to site within 5 working days of registration - only where Service 1 is taken	Per application	£127.17	£135.81	£8.65	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 62 Fast Track - householder applications	Planning	Service 3 a - Registration of application within 1 day b - Review of the information submitted with the application within 2 working days of the site visit, if Service 2 accepted, or 7 working days from validation (if Service 2 not accepted) c - Provision of an email setting out any required changes to the application or confirming support/refusal of the application	Per application	£363.33	£388.04	£24.71	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 63 Fast Track - householder applications	Planning	Service 4 a - Registration of application within 1 day b - Consultation of neighbours within 1 working day c - Provision of an officers recommendation within 1 working day following on from the end of the consultation period (28 days)	Per application	£775.65	£828.40	£52.74	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 64 Fast Track - householder applications	Planning	Additional and faster services	Per application	N/A	N/A	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 65 Fast Track - conditions and certificate of lawfulness applications	Planning	Service 5 a- Registration of valid application within 1 working day of receipt b- Provision of an email setting out any required changes to the application or confirming support/refusal of the application within 15 working days of registration. c- Decision issued within 1 working day of confirmation of support or within 1 working of receipt of acceptable amendments / additional information	Per application	£127.17	£135.81	£8.65	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging
Planning	PL 66 Fast Track - conditions and certificate of lawfulness applications	Planning	Service 6 a- Registration of valid application within 1 working day of receipt b- Provision of an email setting out any required changes to the application or confirming support/refusal of the application within 10 working days of registration. c- Decision issued within 1 working day of confirmation of support or within 1 working of receipt of acceptable amendments / additional information	Per application	£321.49	£343.35	£21.86	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 67 Fast Track - conditions and certificate of lawfulness applications	Planning	Service 7 a - Registration of valid application within 1 working day of receipt b - Provision of an email setting out any required changes to the application or confirming support/refusal of the application within 5 working days of registration. c - Decision issued within 1 working day of confirmation of support or within 1 working of receipt of acceptable amendments / additional information	Per application	£382.05	£408.03	£25.98	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 68 Fast Track - conditions and certificate of lawfulness applications	Planning	Service 8 a- Registration of valid application within 1 working day of receipt b- Provision of an email setting out any required changes to the application or confirming support/refusal of the application within 2 working days of registration. c- Decision issued within 1 working day of confirmation of support or within 1 working of receipt of acceptable amendments / additional information	Per application	£507.01	£541.49	£34.48	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 69 Fast Track - conditions and certificate of lawfulness applications	Planning	Service 9 a- Registration of valid application within 1 working day of receipt b- Provision of an email setting out any required changes to the application or confirming support/refusal of the application within 1 working days of registration.	Per application	£762.99	£814.88	£51.88	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 70 Fast Track - conditions and certificate of lawfulness applications	Planning	Additional and faster services	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging
Planning	PL 71 Fast Track - Office to Residential Prior Notifications	Planning	Service 10 a - Registration of valid application within 1 working day of receipt b - Consultation of neighbouring properties within 24 hours c - Provision of an officer's recommendation within 4 weeks of validation	Per application	£438.75	£468.58	£29.83	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 72 Fast Track - Office to Residential Prior Notifications	Planning	Service 11 Subject to a prior notification application is approved, provision of letter confirming compliance with relevant legislation.	Per application	£94.14	£100.54	£6.40	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 73 Fast Track - Office to Residential Prior Notifications	Planning	Additional and faster services	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 74 Fast Track - Larger Home Extensions Prior Notifications	Planning	Service 12 - Larger homes a- Registration of valid application within 1 working day of receipt b- Consultation of neighbouring properties within 24 hours c- Provision of an officer's recommendation within 5 weeks of validation	Per application	£243.41	£259.97	£16.55	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 75 Fast Track - Larger Home Extensions Prior Notifications	Planning	Additional and faster services	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 76 Fast Track - Small Minor Applications and Variation of Conditions 1 - 4 residential units / 100m2 - 999m2	Planning	Service 13 a - Registration of valid application within 1 working day of receipt b - Consultation of neighbouring properties within 24 hours	Per application	£244.42	£261.04	£16.62	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 77 Fast Track - Small Minor Applications and Variation of Conditions 1 - 4 residential units / 100m2 - 999m2	Planning	Service 14 - only available if service 13 is taken a - Review of the information submitted within 5 working days from the validation of the application b- Provision of an email setting out any required changes to the application or confirming support/refusal of the application.	Per application	£366.08	£390.98	£24.89	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 78 Fast Track - Small Minor Applications and Variation of Conditions 1 - 4 residential units / 100m2 - 999m2	Planning	Service 15 Provision of an officer's recommendation within 5 weeks of validation.1 - 4 residential units / 100m2 - 999m2	Per application	£244.42	£261.04	£16.62	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 79 Fast Track - Large Minor Applications and Variation of Conditions 5 - 9 residential units / 1000m2 - 1999m2	Planning	Service 16 a - Registration of valid application within 1 working day of receipt b - Consultation of neighbouring properties within 24 hours	Per application	£363.33	£388.04	£24.71	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging
Planning	PL 80 Fast Track - Large Minor Applications and Variation of Conditions 5 - 9 residential units / 1000m2 - 1999m2	Planning	Service 17 - only available if service 16 is taken a - Review of the information submitted within 5 working days from the validation of the application b - Provision of an email setting out any required changes to the application or confirming support/refusal of the application.	Per application	£507.01	£541.49	£34.48	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 81 Fast Track - Large Minor Applications and Variation of Conditions 5 - 9 residential units / 1000m2 - 1999m2	Planning	Service 18 Provision of an officer's recommendation within 5 weeks of validation.	Per application	£363.33	£388.04	£24.71	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 82 Fast Track - Large Minor Applications and Variation of Conditions 5 - 9 residential units / 1000m2 - 1999m2	Planning	Additional and faster services	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 83 Fast Track - Pre-Application advice Category A and B	Planning	Tailored service - Quote provided on request	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 85 Fast Track - Pre-Application advice Category D, E and F	Planning	Service 19 1- Accelerated offer of meeting at our offices (or on site) within 10 working days 2- Provision of meeting notes within 3 working days of meeting	Per application	25% of standard base pre-application fee	25% of standard base pre-application fee	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 86 Fast Track - Pre-Application advice Category D, E and F	Planning	Service 20 1- Accelerated offer of meeting at our offices (or on site) within 5 working days 2- Provision of meeting notes within 3 working days of meeting	Per application	50% of standard base pre-application fee	50% of standard base pre-application fee	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 87 Fast Track - Pre-Application advice Category D, E and F	Planning	Service 21 1- Accelerated offer of meeting at our offices (or on site) within 2 working days 2- Provision of meeting notes within 3 working days of meeting	Per application	75% of standard base pre-application fee	75% of standard base pre-application fee	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 88 Fast Track - Pre-Application advice Category D, E and F	Planning	Additional and faster services on request	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 89 Fast Track - Pre-Application advice Categories G and J	Planning	Service 22 Accelerated offer of meeting at our offices (or on site) within 10 working days	Per application	25% of standard base pre-application fee	25% of standard base pre-application fee	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 90 Fast Track - Pre-Application advice Categories G and J	Planning	Service 23 Accelerated offer of meeting at our offices (or on site) within 5 working days	Per application	50% of standard base pre-application fee	50% of standard base pre-application fee	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 91 Fast Track - Pre-Application advice Categories G and J	Planning	Service 24 Accelerated offer of meeting at our offices (or on site) within 2 working days	Per application	75% of standard base pre-application fee	75% of standard base pre-application fee	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 92 Fast Track - Pre-Application advice Categories G and J	Planning	Service 25 Provision of written notes within 6 working days of meeting	Per application	£65.78	£70.26	£4.47	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging
Planning	PL 93 Fast Track - Pre-Application advice Categories G and J	Planning	Service 26 Provision of written notes within 3 working days of meeting	Per application	£127.17	£135.81	£8.65	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 94 Fast Track - Pre-Application advice Categories G and J	Planning	Service 27 Provision of written notes within 6 working days of request (when no meeting is required)	Per application	£127.17	£135.81	£8.65	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 95 Fast Track - Pre-Application advice Categories G and J	Planning	Service 28 Provision of written notes within 3 working days of request (when no meeting is required)	Per application	£247.73	£264.57	£16.85	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 96 Fast Track - Pre-Application advice Categories G and J	Planning	Additional and faster services on request	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 97 Fast Track - Category K	Planning	Service 29 Accelerated offer of meeting at our offices (or on site) within 6 working days	Per application	£194.73	£207.97	£13.24	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 98 Fast Track - Category K	Planning	Service 30 Accelerated offer of meeting at our offices (or on site) within 3 working days	Per application	£382.05	£408.03	£25.98	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 99 Fast Track - Category K	Planning	Service 31 Accelerated offer of meeting at our offices (or on site) within 1 working days	Per application	£638.03	£681.42	£43.39	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 100 Fast Track - Category K	Planning	Service 32 Provision of written notes within 6 working days of meeting	Per application	£25.49	£27.22	£1.73	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 101 0 Fast Track - Category K	Planning	Service 33 Provision of written notes within 3 working days of meeting	Per application	£97.37	£103.99	£6.62	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 102 1 Fast Track - Category K	Planning	Service 34 Provision of written notes within 1 working days of meeting	Per application	£194.73	£207.97	£13.24	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 103 2 Fast Track - Category K	Planning	Service 35 Provision of written notes within 6 working days (when no meeting is required)	Per application	£94.14	£100.54	£6.40	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 104 3 Fast Track - Category K	Planning	Service 36 Provision of written notes within 3 working days (when no meeting is required)	Per application	£186.07	£198.72	£12.65	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 105 4 Fast Track - Category K	Planning	Service 37 Provision of written notes within 1 working day (when no meeting is required)	Per application	£373.79	£399.21	£25.42	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 106 5 Fast Track - Category K	Planning	Additional and faster services on request	Per application	On request	On request	N/A	N/A	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 107 6 Fast Track - Additional Services	Planning	Service 38 10 to 24 residential units or 1000-1999 m2 commercial floorspace	Per application	£7,753.24	£8,280.46	£527.22	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary
Planning	PL 108 7 Fast Track - Additional Services	Planning	Service 39 25 to 49 residential units or 2000-3999m2 commercial floorspace	Per application	£11,570.41	£12,357.20	£786.79	6.80%	s93 Local Govt Act 2003/s3 Localism Act 2011	Discretionary

Statutory pGrowth and Regenscribed – legislation provides that the local authority charge for providing a service and either (a) the charge is pGrowth and Regenscribed (i.e. set eg. £100) or (b) the charge is based on the reasonable cost of providing the service. The charge may be limited to the reasonable cost of providing the service or based on consideration of pGrowth and Regenscribed matters eg. consideration of Growth and Regental value of land for allotments.

Statutory discGrowth and Regentionary (or statutory costs Growth and Regeneration) - legislation provides that you may charge for providing a service but the amount of the charge is discGrowth and Regentionary, within the Growth and Regenmit of the legislation – the charge may be limited to cost Growth and Regeneration, Growth and Regeneration cost or based on consideration of pGrowth and Regenscribed matters eg. consideration of Growth and Regental value of land for allotments.

DiscGrowth and Regentionary – heGrowth and Regen the authority is not obliged to provide the service but if it does so then the charges must be based on costs Growth and Regeneration, based on the statutory power to charge in Local Government Act 2003/Localism Act 2011

**Fees and Charges 2024/25**

Department: **Customer and Place**  
 Area: **Highways**  
 Inflation: **6.80%**

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023	Charges from 01/01/24	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Customer and Place	HW 1 Highways	Highways	Unlicensed Skip found on the highway	Each	£372.70	£450.00	£77.30	20.74%	Regulation 4 Local Authorities (Transport Charges) Regulations 1998, s139 Highways Act 1980 and s140 (6) Highways Act 1980	Statutory Discretionary
Customer and Place	HW 2 Highways	Highways	Traffic sensitive site inspection charge Skips	Each	£74.05	£79.08	£5.04	6.80%	reg. 4, reg 3(1) and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998 and s169 Highways Act 1980	Statutory Discretionary
Customer and Place	HW 3 Highways	Highways	Licence to erect or retain on or over a highway any scaffolding or other structure	Each Month	£223.37	£238.56	£15.19	6.80%	s.169 Highways Act 1980 and reg. 3, reg. 4, Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 4 Highways	Highways	Licence to erect a hoarding or fence and site inspections to monitor compliance	Each Month	£223.37	£238.56	£15.19	6.80%	s.172&173 Highways Act 1980 and reg. 3, reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 5 Highways	Highways	Licence to construct works, cellars, cranes, portacabins, temporary crossovers, vaults or pavement lights under or on a street	Each Month	£223.37	£238.56	£15.19	6.80%	For buildings/construction over highway - s.177 Highways Act 1980 For buildings/construction under highway (incl cellars) - s.179 Highways Act 1980 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 6 Highways	Highways	Licence to temporarily deposit materials in a street or to make an excavation in it and the undertaking of site inspections to monitor compliance	Each Month	£223.37	£238.56	£15.19	6.80%	s.171, s171A Highways Act 1980 and reg. 3, reg 3, reg. 4. and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretion
Customer and Place	HW 7 Highways	Highways	If a Highways Licence inspection is required due to a complaint, there is a fee of £79.08	Each		£79.08			reg. 3. and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 8 Highways	Highways	Vehicle Crossover - On occasions where it is necessary for obstructions to be considered for removal in order for a crossover to be constructed such as a tree or lighting column, thereby necessitating a site visit by a tree officer/lighting engineer.	Each	£177.71	£189.80	£12.08	6.80%	s.184 Highways Act 1980 and reg. 3 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 9 Highways	Highways	Rechargeable construction Works - Vehicle Crossovers, Street Lighting, Highway Construction, Sign supply and installation etc.	Each	£298.65	£318.96	£20.31	6.80%	s. 184 and s.278 Highways Act 1980; and reg. 4, Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 11 Highways	Highways	Section 50 Street works licence	Per licence	£642.97	£686.69	£43.72	6.80%	s.50 and Sch. 3 Para. 2 New Roads and Street Works Act 1991	Statutory discretionary
Customer and Place	HW 12 Highways	Highways	Section 50 Street works licence - additional phases of works on previously excavated sites	per application	£286.31	£305.78	£19.47	6.80%	s.50 and Sch. 3 Para. 2 New Roads and Street Works Act 1991	Statutory discretionary
Customer and Place	HW 19 Highways	Highways	The alteration of parking layout through Traffic Management Order (TMO) processes. Charge covers the public consultation, advertising and one TMO alteration	Each	£1,681.89	£2,030.00	£348.11	20.70%	reg. 3, reg. 4 and Sch. 1 Para. 1 Table 2 Local Authorities (Transport Charges) Regulations 1998; s14 Road Traffic Regulation Act 1984; s93 Local Government Act 2003	Statutory Discretionary



Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023	Charges from 01/01/24	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Customer and Place	HW 19b Highways	Highways	Finalisation of the TMO - 1 TMO alteration	Each	£813.47	£868.78	£55.32	6.80%	reg. 3, reg. 4 and Sch. 1 Para. 1 Table 2 Local Authorities (Transport Charges) Regulations 1998; s14 Road Traffic Regulation Act 1984; s93 Local Government Act 2003	Statutory Discretionary
Customer and Place	HW 19c Highways	Highways	Review and respond to any objections received	Each	£243.58	£525.00	£281.42	115.53%	reg. 3, reg. 4 and Sch. 1 Para. 1 Table 2 Local Authorities (Transport Charges) Regulations 1998; s14 Road Traffic Regulation Act 1984; s93 Local Government Act 2003	Statutory Discretionary
Customer and Place	NEW HW 19d	Highways	Implementation costs as per the Schedule of Rates	Each	N/A	£534.00	£534.00	N/A	reg. 3, reg. 4 and Sch. 1 Para. 1 Table 2 Local Authorities (Transport Charges) Regulations 1998; s14 Road Traffic Regulation Act 1984; s93 Local Government Act 2003	Statutory Discretionary
Customer and Place	HW 23 Highways	Highways	Section 38, 278 and 106 Highway Work : Technical approval of highway layout & construction details and the supervision of adoptable highway works in connection with new estate roads offered for adoption.  These works are carried out under Section 38 / 278 of the Highways Act 1980 and / or Section 106 of the Town and Country Planning Act by Agreement. Highest percentage figure used when works cost in under £400,000. Lowest percentage used when works cost £1m to £2m. When works cost over £2m they are subject to individual negotiation. The Fees and Charges made will recover all expenses incurred in checking of the technical submission, site inspections, processing and administration. However, provision will also be made when dealing with external developers to recover all costs incurred by the Council as a result of the increased scope of the works, delay in developers programme for completion of highway works, concluding the relevant agreements under the Highways Act 1980 and dealing with any objections when processing statutory orders.	Each	12%, 15.5% and 20.5%	12%, 15.5% and 20.5%	£0.00	0.00%	S. 278 Highways Act 1980	Statutory Discretionary
Customer and Place	HW 24 Highways	Highways	Minor Offsite Highways Work : Technical approval of highway layout & construction details and the supervision of highway works on the public highway for minor offsite highways work necessitated by the new development.  Under section 184 of the Highways Act 1980, the charges relate to each access created or closed.  This fee applies for all new developments (two or more units) requiring light / heavy duty crossovers, temporary habitual crossings, accesses serving multiple dwellings; commercial or industrial development; accesses to car park / forecourt; accesses for emergency and refuse vehicles or single access that forms part of a multiple property development to facilitate site construction or permanent accesses for the new development.  The Council levies a fixed charge per access / crossover created or redundant crossover reinstated. Total fees are calculated based on the number of accesses, crossovers and redundant crossovers which need to be created, re-aligned or reinstated on the public highway for the whole development. The fees cover costs associated with Officer time and the administration, site assessment, technical approval, estimation of highway works refundable deposit, inspection and certification of the works and covers staff cost from the time of application made to the completion of highway works. The fees do not include the costs of carrying out the works or costs associated with lowering of services affected by development proposals.	Each	£3,735.63	£3,989.65	£254.02	6.80%	s184 Highways Act 1980, Reg. 3, Reg. 4 and Schedule 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory discretionary

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023	Charges from 01/01/24	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Customer and Place	HW 25 Highways	Highways	Highway Licences : Processing of Licences under the Highways Act 1980 on new developments (i.e. under Sections 142;177;179; etc.)  Initial application fee. Additional charges may be levied as the Fees and Charges made will recover all expenses incurred in checking of the technical submission, site inspections, processing and administration. However, provision will be made when dealing with external developers to recover all costs incurred by the Council as a result of the increased scope of the works, delay in developers programme for completion of highway works, concluding the relevant agreements under the Highways Act 1980 and dealing with any objections when processing statutory orders.	Each	£4,679.72	£4,997.94	£318.22	6.80%	s142 (3) Highways Act 1980, s177(3) ; 179; s.179 application fee charged under Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory discretionary
Customer and Place	HW 26 Highways	Highways	Processing of Stopping Up Order Under Section 247 of Town & Country Planning Act 1990 - Initial application fee. Additional charges may be levied as the Fees and Charges made will recover all expenses incurred in checking of the technical submission, site inspections, processing and administration. However, provision will be made when dealing with external developers to recover all costs incurred by the Council as a result of the increased scope of the works, delay in developers programme for completion of highway works, concluding the relevant agreements under the Highways Act 1980 and dealing with any objections when processing	Each	£6,108.81	£6,524.21	£415.40	6.80%	s.247 Town and Country Planning Act 1990	Statutory discretionary
Customer and Place	HW 27 Highways	Highways	Processing of Stopping Up Order Under the Highways Act 1980 - Initial application fee. Additional charges may be levied as the Fees and Charges made will recover all expenses incurred in checking of the technical submission, site inspections, processing and administration. However, provision will be made when dealing with external developers to recover all costs incurred by the Council as a result of the increased scope of the works, delay in developers programme for completion of highway works, concluding the relevant agreements under the Highways Act 1980 and dealing with any objections when processing statutory orders.	Each	£9,601.32	£10,254.21	£652.89	6.80%	Statutory Discretionary - s.177 Highways Act 1980	Statutory discretionary
Customer and Place	HW 28 Highways	Highways	Processing of Notification for Transport for London approval under TMA 2004.  Initial application fee. Additional charges may be levied as the Fees and Charges made will recover all expenses incurred in checking of the technical submission, site inspections, processing and administration. However, provision will be made when dealing with external developers to recover all costs incurred by the Council as a result of the increased scope of the works, delay in developers programme for completion of highway works, concluding the relevant agreements under the Highways Act 1980 and dealing with any objections when processing statutory orders.	Each	£4,679.72	£4,997.94	£318.22	6.80%	s.278 Highways Act 1980	Statutory discretionary
Customer and Place	HW 29 Highways	Highways	Consideration of a request to construct a vehicle crossover, where works are arranged by the authority via the highways term contractor	Each	£219.67	£234.61	£14.94	6.80%	s.184 Highways Act 1980 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998 for charges arising from the cost of determining the application	Statutory Discretionary
Customer and Place	HW 30 Highways	Highways	Minimum deposit related to an application for a licence to erect or retain on or over a highway any scaffolding or other structure	Each	£679.99	£726.23	£46.24	6.80%	s.169 Highways Act 1980 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 31 Highways	Highways	Minimum deposit related to an application to erect a hoarding or fence and site inspections to monitor compliance	Each	£679.99	£726.23	£46.24	6.80%	s.172&173 Highways Act 1980 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 32 Highways	Highways	Minimum deposit in relation to a request to construct works, cellars, cranes, portacabins, temporary crossovers, vaults or pavement lights under or on a street	Each	£679.99	£726.23	£46.24	6.80%	For buildings/construction over highway - s.177 Highways Act 1980 For buildings/construction under highway (incl cellars) - s.179 Highways Act 1980 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 33 Highways	Highways	Minimum deposit in relation to an application to temporarily deposit materials in a street or to make an excavation in it and the undertaking of site inspections to monitor compliance	Each	£298.59	£318.90	£20.30	6.80%	s.171 Highways Act 1980 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretion

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023	Charges from 01/01/24	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Customer and Place	HW 38 Highways	Highways	Licence to place skip on the highway	Each Week	£33.32	£41.65	£8.33	25.00%	reg. 3 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 39 Highways	Highways	Renewal for expired skip licence	Each Week	£33.32	£41.65	£8.33	25.00%	reg. 3 and reg. 4 and Sch. 1 Para. 1 Table 1 Local Authorities (Transport Charges) Regulations 1998	Statutory Discretionary
Customer and Place	HW 44 Highways	Highways	Failure to secure lighting or safety markings on a skip. Penalty for no lighting of safety markings on a builders skip deposited on the highway. S139 (4) (a) Highways Act 1980	Per incident	£114.50	£122.29	£7.79	6.80%	London Local Authorities and Transport for London Act 2003 Sch. 4	Statutory prescribed
Customer and Place	HW 45 Highways	Highways	Failure to clearly mark owners details on a skip. Penalty for not clearly marking the owner of a skip on the public highway. S139 (4) (b) Highways Act 1980	Per incident	£114.50	£122.29	£7.79	6.80%	London Local Authorities and Transport for London Act 2003 Sch. 4	Statutory prescribed
Customer and Place	HW 46 Highways	Highways	Depositing or storing building materials on the public highway without a licence. Penalty for depositing or storing building materials on the public highway without a licence. S148 (a) & (c) Highways Act 1980	Per incident	£114.50	£122.29	£7.79	6.80%	Highways Act (1980) S.148(b) , FPN provision by Schedule 4 of the London Local Authorities and Transport for London Act 2003	Statutory prescribed
Customer and Place	HW 47 Highways	Highways	Erection of a scaffold or any other structure on the public highway without a licence. Penalty for the erection of a scaffold or any other structure on the public highway without a licence. S169 (5) Highways Act 1980	Per incident	£114.50	£122.29	£7.79	6.80%	Highways Act (1980) S169(5) , FPN provision by Schedule 4 of the London Local Authorities and Transport for London Act 2003	Statutory prescribed
Customer and Place	HW 48 Highways	Highways	Affixing a sign or banner upon the public highway without authorisation. Penalty for erecting or fixing a sign on the public highway, tree or highway structure without authorisation. S132 (1) Highways Act 1980	Per incident	£114.50	£122.29	£7.79	6.80%	Highways Act (1980) S169(5) , FPN provision by Schedule 4 of the London Local Authorities and Transport for London Act 2003The Highways Act 1980 - S132 (1)	Statutory prescribed
Customer and Place	HW 49 Highways	Highways	Crane over-sailing licence. The minimum licence period is 3 months. Once the licence has expired you will be required to apply for a new licence at the same rate.	Per incident	£1,568.88	£1,675.56	£106.68	6.80%	s.169/s.179 Highways Act 1980 and Local Authorities (Transport Charges) Regulations 1998/948 Reg 3, 4 and Schedule 1	Statutory Discretionary
Customer and Place	HW 75 Rechargeable Works	Rechargeable Works	Recovery of costs in coring programme for failed sample - material and depth failure	Per failure	£160.67	£171.60	£10.93	6.80%	s.72 New Roads and Street Works Act 1991	statutory costs recovery
Customer and Place	HW 76 Rechargeable Works	Rechargeable Works	Recovery of costs in coring programme for failed sample - air void, 1 layer	Per failure	£207.68	£221.80	£14.12	6.80%	s.72 New Roads and Street Works Act 1991	statutory costs recovery
Customer and Place	HW 77 Rechargeable Works	Rechargeable Works	Recovery of costs in coring programme for failed sample - air void, 2 layers	Per failure	£257.42	£274.92	£17.50	6.80%	s.72 New Roads and Street Works Act 1991	statutory costs recovery
Customer and Place	HW 78 Rechargeable Works	Rechargeable Works	Recovery of costs in coring programme for failed sample - air void, 3 layers	Per failure	£307.15	£328.03	£20.89	6.80%	s.72 New Roads and Street Works Act 1991	statutory costs recovery
Customer and Place	HW 79 Rechargeable Works	Rechargeable Works	Recovery of costs in coring programme for failed sample - air void, 4 layers	Per failure	£356.89	£381.15	£24.27	6.80%	s.72 New Roads and Street Works Act 1991	statutory costs recovery
Customer and Place	HW 80 Rechargeable Works	Rechargeable Works	Commuted Sums for Highways	Unit depends on the Assets Adopted	Commuted Sum rates calculated based on ADEPT Guidelines	Commuted Sum rates calculated based on ADEPT Guidelines	£0.00	0.00%	s.278 Highways Act 1980	statutory discretionary

#### Terminology key

Statutory prescribed – legislation provides that the local authority charge for providing a service and either (a) the charge is prescribed (i.e. set eg. £100) or (b) the range is prescribed.

Statutory discretionary (or statutory costs recovery) - legislation provides that you may charge for providing a service but the amount of the charge is discretionary, within the remit of the legislation – the charge may be limited to cost recovery, reasonable cost or based on consideration of prescribed matters eg. consideration of rental value of land for allotments.

Discretionary – here the authority is not obliged to provide the service but if it does so then the charges must be based on costs recovery, based on the statutory power to charge in Local Government Act 2003/Localism Act 2011

Department: **Electoral Services**  
 Area: **Electoral Registration**

Reference/ Area	Fee/Charge Title	Area	Description	Unit of Measure	Charges 2023/24	Charges 2024/25	Change from prior year (actual)	Change from prior year (%)	Statutory Basis for Charging (i.e. the legislation that permits you to charge for this service / product)	Basis of charging (Statutory prescribed, Statutory discretionary, statutory costs recovery or Discretionary)
Electoral Services	Electoral Registration	Electoral Services	Marked Register - data format	Per Open Register	20.00	20.00	0.00	0.00%	s110 Representation of the People (England and Wales) Regulations 2001 (SI 2001/341)	Statutory
			plus £1.50 for 1,000 entries (or remaining part of 1,000 entries)		1.50	1.50	0.00	0.00%		
Electoral Services	Electoral Registration	Electoral Services	Marked Register - data format	Per Open Register	20.00	20.00	0.00	0.00%	s110 Representation of the People (England and Wales) Regulations 2001 (SI 2001/341)	Statutory
			plus £1.50 for 1,000 entries (or remaining part of 1,000 entries)		5.00	5.00	0.00	0.00%		

Terminology key

Statutory prescribed – legislation provides that the local authority charge for providing a service and either (a) the charge is prescribed (i.e. set eg. £100) or (b) the range is prescribed.

<https://www.electoralcommission.org.uk/running-electoral-registration-england/access-and-supply-electoral-register/access-and-supply-edited-register>

Discretionary – here the authority is not obliged to provide the service but if it does so then the charges must be based on costs recovery, based on the statutory power to charge in Local Government Act 2003/Localism Act 2011

## Addendum: Council, Fees and Charges 2024-2025

### Update: Results of the Fees and Charges Consultation and subsequent required updates regarding equalities.

This addendum provides an update on the consultation findings referenced at paragraph 7.3 to 7.8 and subsequent updates to the equalities section in paragraphs in section 8 of the committee report.

The updates reflect the results of the consultation findings which closed on 3<sup>rd</sup> October after the paper was sent for internal clearance.

### Consultation and Engagement (update for paragraph 7.3 to 7.8)

#### Fees and Charges 2024/25 Consultation findings

1.1.1 The council performed a consultation on the proposed Fees and Charges from 6<sup>th</sup> September 2023 to 3<sup>rd</sup> October 2023.

#### Consultation approach

- The consultation was published on Engage Barnet.
- The consultation asked for views on all the proposed fees and charges set out in Appendix A.
- Respondent's views were gathered via an online questionnaire.
- The questionnaire also included questions on protected characteristics to help inform the EqIA.
- Paper copies and other alternative formats of the consultation were made available on request.
- The consultation was promoted via the council's residents e-newsletter, Communities Together Network Newsletter and on Twitter.

#### Response to the consultation

1.1.2 A total of fourteen (14) questionnaires were completed – all were submitted online.

#### Profile of response

1.1.3 Table 1 show that all three responses were from Barnet residents.

**Table 1: Profile of response**

Stakeholder	Response	
	%	Base
A Barnet resident	100.00%	14
A person who works in the London Borough of Barnet area	0.00%	0
A Barnet business	0.00%	0
Representing a voluntary/community organisation	0.00%	0
Representing a public sector organisation	0.00%	0
Other	0.00%	0

If other (please specify)		0
<b>Total</b>	100%	14

## Consultation results

1.1.4 Respondents were invited to write in their views on the proposed Fees and Charges. There were 12 responses to this question and are listed below:

- *Fees and charges, specifically service charges should be scrapped for freeholders. We have lost amenities like parking and parks, land from the estate has been sold to Notting Hill Gensis, yet free holders are asked to pay service charges when you want to turn the estate from public to private. Not to mention the office is now on the estate! Please do not increase parking charges.*
- *Council tax is high enough already. Don't agree with charges automatically being increased each year.*
- *Families are struggling enough without you increasing prices. I will have to move out of Barnet if you increase yet again as I won't be able to afford to stay in the Borough.*
- *The document is too long you need to summarise key changes.*
- *This will be an extra burden on the people of Barnet.*
- *They should definitely not be increased - why should people have to pay more at this time when the cost of living is so high.*
- *I would not like it to rise, as I believe my council tax is already high enough; despite this, potholes on roads in my area remain not fixed.*
- *I understand that prices are being raised but I think it's really expensive to have a green bin and think it should be less.*
- *I think that charges should be as low as possible. i don't think they should be increased due to cost of living crisis. i think some fees should be scrapped.*
- *They are driving out local businesses - need time to recover from Covid and Brexit - hold back on increases.*
- *In such a hard time financially for people, when they are struggling to purchase food for their children to survive I do not think it is the right time to increase charges for basic things.*
- *I do not think the fees and charges are proportionate to the services they provide, particularly with service charges and parking. Also planning authority management staffer charging hourly for their advice.*

## Profile of response by protected characteristics

1.1.5 The council is required by law (the Equality Act 2010) to pay due regard to equalities in eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations between people from different groups.

1.1.6 The protected characteristics identified in the Equality Act 2010 are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership.

1.1.7 To assist us in complying with the duty under the Equality Act 2010 we asked the respondents to provide equalities monitoring data and explained that collecting this information will help us understand the needs of our different communities and that all the information provided will be treated in the strictest confidence and will be stored securely in accordance with our responsibilities under data protection legislation (such as the General Data Protection Regulation or the Data Protection Act 2018).

1.1.8 Table 2 below shows the profile of these who answered these questions. However, due to the small response it has not been possible to draw out any significant findings in terms of the protected characteristics and the consultation responses.

**Table 2: Protected Characteristic, profile of those that completed the questionnaire**

Protected Characteristic	Response	
	Number	%
Age		
16-17	0	0.00%
18-24	0	0.00%
25-34	1	7.14%
35-44	5	35.72%
45-54	3	21.43%
55-64	1	7.14%
65-74	0	0.00%
75+	0	0.00%
Prefer not to say	3	21.43%
Not answered	1	7.14%
<b>Total</b>	<b>14</b>	<b>100%</b>

Sex		
Female	9	64.29%
Male	3	21.43%
If you prefer your own term	0	0%
Prefer not to say	2	14.29%
Not answered	0	0%
<b>Total</b>	<b>14</b>	<b>100%</b>

Is the gender you identify with the same as your sex registered at birth?		
Yes, it's the same	11	78.57%
No, it's different	0	0%
Prefer not to say	3	21.43%
Not answered	0	0%

Protected Characteristic	Response	
	Number	%
<b>Total</b>	<b>14</b>	<b>100%</b>

<b>Disability</b>		
Yes	1	7.14%
No	11	78.57%
Prefer not to say	2	14.29%
Not answered	0	0%
<b>Total</b>	<b>14</b>	<b>100%</b>

<b>Ethnicity</b>		
Asian - Bangladeshi	0	0.00%
Asian - Chinese	0	0.00%
Asian - Indian	2	14.29%
Asian - Pakistani	0	0.00%
Any other Asian background (please specify below)	0	0.00%
Black - African	0	0.00%
Black - British	1	7.14%
Black - Caribbean	0	0.00%
Any other Black / African / Caribbean background (please specify below)	0	0.00%
Mixed - White and Asian	0	0.00%
Mixed - White and Black African	0	0.00%
Mixed - White and Black Caribbean	0	0.00%
Mixed - any other Mixed / Multiple ethnic background (please specify below)	0	0.00%
White - British	6	42.86%
White - Greek / Greek Cypriot	0	0.00%
White - Gypsy or Irish Traveller	0	0.00%
White - Irish	0	0.00%
White - Turkish / Turkish Cypriot	0	0.00%
White - any other	2	14.29%
Prefer not to say	2	14.29%
Any other ethnic group (please specify)	1	7.14%
Not Answered	0	0.00%
<b>Total</b>	<b>14</b>	<b>100%</b>

<b>Faith</b>		
Buddhist	0	0.00%
Christian (including Church of England, Catholic, Protestant and all other Christian denominations)	3	21.43%
Hindu	1	7.14%
Jewish	3	21.43%
Muslim	1	7.14%



Protected Characteristic	Response	
	Number	%
Sikh	1	7.14%
No Religion	2	14.29%
Prefer not to say	3	21.43%
Other religion/belief (please specify)	0	0.00%
Not answered	0	0.00%
<b>Total</b>	<b>14</b>	<b>100%</b>

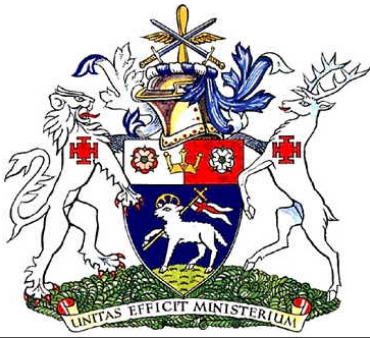
<b>Pregnancy</b>		
Pregnant	0	0.00%
Not Pregnant	8	57.13%
Prefer not to say	2	14.29%
Not answered	4	28.58%
<b>Total</b>	<b>14</b>	<b>100%</b>
<b>Maternity leave</b>		
I currently on maternity leave	0	0.00%
I'm not on maternity leave	8	57.14%
Prefer not to say	3	21.43%
Not Answered	3	21.43%
<b>Total</b>	<b>14</b>	<b>100%</b>

<b>Sexual Orientation</b>		
Straight or Heterosexual	11	78.58%
Gay or Lesbian	0	0.00%
Bisexual	0	0.00%
Prefer not to say	2	14.28%
Other sexual orientation, please tick and type in:	0	0.00%
Not answered	1	7.14%
<b>Total</b>	<b>14</b>	<b>100%</b>

<b>Marital Status</b>		
Never married and never registered a civil partnership	3	21.43%
Married	6	42.86%
In a registered civil partnership	0	0.00%
Separated, but still legally married	0	0.00%
Separated, but still legally in a civil partnership	0	0.00%
Divorced	2	14.29%
Formerly in a civil partnership which is now legally dissolved	0	0.00%
Widowed	0	0.00%
Surviving partner from a registered civil partnership	0	0.00%
Prefer not to say	3	21.43%
Not answered	0	0.00%
<b>Total</b>	<b>14</b>	<b>100%</b>

## **Equalities (update on paragraph 8.9)**

- 1.1.9 The proposed fees and charges against the protected characteristics and incorporated into an EqIA, together with the consultation findings. For non-executive Fees and Charges, there are no EqIA's required.
- 1.1.10 Cabinet will receive the relevant EqIA's for the corresponding executive charges.
- 1.1.11 On reviewing the impact of the Fees and Charges, there is a possibility this proposal could contribute to a cumulative impact due to the current cost of living crisis. The Council has the Barnet Resident Support Fund, where residents can apply for financial support to help with the rising cost of living.



**Council**  
17 October 2023

<b>Title</b>	Assistant Director, Street Scene Operations - Pay Grade Approval – to replace other posts deleted as part of a restructure of the Street Scene management team.
<b>Date of meeting</b>	17 October 2023
<b>Report of</b>	Cath Shaw – Deputy Chief Executive
<b>Wards</b>	All
<b>Status</b>	Public
<b>Key</b>	Non-key
<b>Urgent</b>	No
<b>Appendices</b>	Appendix A – Role Profile: Assistant Director, Street Scene Operations
<b>Officer Contact Details</b>	<p>Craig Miller – Director, Street Scene  <a href="mailto:craig.miller@barnet.gov.uk">craig.miller@barnet.gov.uk</a>            020 8359 6065</p> <p>Sharni Kent – Senior HR Business Partner  <a href="mailto:sharni.kent@barnet.gov.uk">sharni.kent@barnet.gov.uk</a>            020 8359 5542</p>

**Summary**

This report seeks approval of the proposed pay grade (Grade Six) for a new Assistant Director, Street Scene role. The creation of the role was approved by Employment Sub-Committee at its meeting of 26 September 2023.

Approval of the pay grade is referred to full Council in accordance with the Council’s constitution as the top of the grade is above £100,000.

The new role forms part of a partial restructure of the Street Scene management team following two of the existing management posts becoming vacant in recent months. The purpose of the restructure is to better align management structures to current and future needs of the service.

A further post - Head of Parking & Parking Enforcement will also be created. Both new posts will report to the Director, Street Scene.

The new Assistant Director post will replace the existing posts of Head of Transport, Logistics and Fleet and Head of Street Scene Operations roles. The Head of Parking & Parking Enforcement post will replace the existing Assistant Director, Parking role. The three existing roles which will be deleted. The proposed amendments are contained within the existing budget allocation for the Street Scene service.

## Recommendations

1. **That Council approves the grade six pay grade (£94,685 - £115,352) proposed for the Assistant Director, Street Scene Operations role.**
2. **That Council notes the proposed partial restructure of the Street Scene management team.**
3. **That Council notes the proposed establishment of a Head of Parking & Parking Enforcement role.**
4. **That Council notes the proposed deletion of three existing posts:**
  - a. **Head of Transport, Logistics & Fleet**
  - b. **Assistant Director, Parking**
  - c. **Head of Street Scene Operations**

### 1. Purpose of the report

1.1 The purpose of this report is to ask for approval of the application of grade 6 for a new post of Assistant Director, Street Scene Operations. It details the outcome of a review of the Street Scene management structure following two management team roles recently becoming vacant. The purpose of the review was to ensure the team structure remained valid and best placed to support the needs of residents, the service, and the delivery of the strategic objectives within Our Plan for Barnet.

#### **Street Scene Operations**

- 1.2 The Council's universal environmental services (Refuse & Recycling, Street Cleansing and Grounds Maintenance) have historically been delivered under the remit of the Head of Street Scene Operations role. These services are dependent upon and work closely with the council's in-house fleet management and workshop functions that are the responsibility of the Head of Fleet, Transport and Logistics. The three functions make up the largest proportion of the council's vehicle fleet and are the most significant contributor to the workload of the fleet and workshop teams.
- 1.3 The Head of Street Scene Operations role became vacant at short notice in September 2022. This prompted a review of options to ensure service continuity and provided an opportunity to trial a potential future senior management configuration that better linked two intrinsically connected parts of the service with a view to streamlining work processes and improving service effectiveness. To this end, a temporary arrangement was implemented for the Head of Fleet, Transport and Logistics to take on additional responsibilities for leading the Refuse and Recycling, Street Cleansing and Grounds Maintenance teams.
- 1.4 The temporary arrangement has been in place for ten months and has demonstrated real value in bringing logistics and fleet management insight into front line service delivery decisions. This proved invaluable in the design and delivery of the new Community Skip service and the development of a new scheduled based operating model for Street Cleansing to deliver the

council's commitment to increase residential street cleanses from two to four times per annum. Blending operational service knowledge with vehicle capability and resource productivity expertise is facilitating robust service design, enabling intelligent resource deployment, opportunities to improve service productivity and delivery within approved budget.

- 1.5 A new job description has been created and evaluated under the council's job evaluation process as a grade six role.
- 1.6 The Head of Transport, Fleet & Logistics and Head of Street Scene Operations roles will be deleted from the Street Scene establishment.

#### **Parking & Parking Enforcement**

- 1.7 Responsibility for the Parking and Parking Enforcement service was moved to the Director, Street Scene on 01 April 2021 following the retirement of the Executive Director, Environment.
- 1.8 The Assistant Director, Parking post became vacant in April 2023. This post is primarily responsible for the Council's parking enforcement function and since late 2020 also had strategic responsibility for the council's Controlled Parking Zone (CPZ) Programme.
- 1.9 The Assistant Director post becoming vacant has coincided with a fundamental review of the council's CPZ programme and the parking budget to reflect the impact of the COVID-19 pandemic, subsequent fundamental changes to travel and parking behaviours and opportunities arising from the insourcing of the Re Highways function.
- 1.10 The development and implementation of the CPZ programme is dependent on scheme design capability provided by the Barnet Highways Design Team and actual works on the ground delivered by TKJV, the council's highway term contractor. Both functions report to the Director of Highways & Transportation (DHT). Furthermore, the authority to implement any parking control on the public highway rests with the DHT as the council's designated statutory highway officer.
- 1.11 The insourcing of the council's highway's function presents an opportunity to form an integrated resource that has end to end responsibility for the creation, development, and implementation of parking controls on the public highway.
- 1.12 It is proposed that strategic responsibility for the council's CPZ programme be transferred from the Director, Street Scene to the Director of Highways and Transportation. Responsibility for the creation, development, and implementation of the programme will be delegated to the Highways Design Team.
- 1.13 This approach would streamline the council's working processes and improve responsiveness by aligning the parking control function with existing highways design resource. It is anticipated that this will also provide greater capacity, improve efficiency, and enhance service resilience.
- 1.14 The Director Street Scene will retain responsibility for the council's parking enforcement function, the management of the Special Parking Account and the processing of appeals, complaints and representations associated with the issuance of parking penalty charge notices.
- 1.15 The responsibilities and job accountabilities of the parking senior management role have been amended to reflect the amendments proposed in this report. Evaluation of the new role description has confirmed a Head of Service status and a pay grade of seven.
- 1.16 It is proposed to create a new Head of Parking and Parking Enforcement role and to commence a values-based recruitment process for the appointment to this role.
- 1.17 The existing Assistant Director, Parking post will be deleted from the council's establishment.

1.18	Employment Sub-Committee considered the outcome of this review at its meeting of 26 September 2023 and approved a recommendation to create an Assistant Director, Street Scene Operations role.
<b>2.</b>	<b>Reasons for recommendations</b>
2.1	Recent vacancies in several senior management roles within Street Scene and the insourcing of the Re Highways function has provided an opportunity to review the Street Scene management structure to ensure it continues to provide the best fit to deliver the needs of residents and the service. This review has primarily focussed on two prominent functions within the service - Parking and Operations.
2.2	This opportunity has coincided with the need to assess the impact of external factors on services and adjust staffing structures and resources accordingly e.g., amended parking and travel behaviours due to COVID-19 pandemic and cost of living issue, emerging changes to waste management arrangements in England arising from the requirements of the Environment Act 2021.
2.3	We would not be able to put these new arrangements into effect without the creation of the new Assistant Director post. This has been approved by the Employment Sub-Committee but the pay grade now requires approval by full Council.
<b>3.</b>	<b>Alternative options considered and not recommended</b>
3.1	Consideration was given to retaining the existing Street Scene management structure and recruiting to vacant posts on an as is basis. This option was not recommended as it would not realise the benefit and value arising from the alternative structure proposed or, take advantage of the opportunity to an develop integrated end to end function for parking controls following the insourcing of Re Highways.
<b>4.</b>	<b>Post decision implementation</b>
4.1	The creation of the new Assistant Director post at Grade 6 will be confirmed and filled.
<b>5.</b>	<b>Corporate Priorities and Performance</b>
	<b>Corporate Plan</b>
5.1	Both roles detailed in this report are primary contributors to the council commitments to care for our people, our places, and our planet and in particular our work to deliver safe, attractive neighbourhoods and town centres.
5.2	The Assistant Director, Street Scene Operations role will be directly responsible for the Council commitments to provide a Community Skip service, increase the cleansing of residential roads to four times a year and introduce a separate food waste collection service to all households.
	<b>Corporate Performance</b>
5.3	The Assistant Director, Street Scene Operations role will have responsibility for the household recycling rate metric reported in the Office of Local Government (OFLOG) suite of performance indicators. This role is also responsible for the Street Cleansing metrics (based on former NI 195 indicators) reported in the council's corporate performance monitoring report.

<p><b>6. Resources Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)</b></p>
<p>6.1 The difference in cost between the Head of Transport, Logistics and Fleet post and the proposed Assistant Director, Street Scene Operations role is a reduction £34,000 (based on the top of each pay scale including on-costs).</p> <p>6.2 The difference in cost between the Head of Parking &amp; Parking Enforcement role and the Assistant Director, Parking role is a reduction of £34,000 (based on the top of each pay scale including on-costs).</p> <p>6.3 The difference in cost between the proposed Street Scene management team structure and the current arrangement is a reduction of £130,000 (based on the top of each pay scale including on-costs). Budget allocations will be retained at this point to support the review of the wider Street Scene structure that will follow the implementation of the revised senior management arrangement and transition costs associated with transferring responsibilities for the CPZ programme to Highways &amp; Transportation.</p>
<p><b>7. Legal Implications and Constitution References</b></p>
<p>7.1 Part 2B of the Council’s constitution sets out at paragraph 8.2 that no vacant posts at Assistant Director level or above shall be advertised or recruited to without prior Committee approval and all new posts at Assistant Director level or above shall be created by committee decision (Employment Sub-Committee) and not by delegated powers.</p> <p>7.2 Paragraph 1.18 of Part 2A states that one of the functions of Council is ‘to approve packages for newly created posts over £100,000 (packages to include salary, bonuses, fees and allowances and benefits in kind);’</p>
<p><b>8. Citizen Engagement</b></p>
<p>8.1 No direct citizen engagement is to be undertaken in respect of these internal staffing proposals.</p>
<p><b>9. Other Considerations</b></p>
<p><b>Corporate Parenting</b></p> <p>9.1 The proposed changes have no direct impact on looked after children or care leavers.</p> <p><b>Equalities and Diversity</b></p> <p>9.2 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 Cabinet 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 and are as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> <li>a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> </ul>

- 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

#### **Sustainability & Environmental Impact**

- 9.3 The Assistant Director, Street Scene Operations will be responsible for the management of the council's vehicle fleet and the transition to more sustainably powered vehicles that support the ambition to be a net zero council by 2030.

#### **Risk Management**

- 9.4 There are no specific risks associated with approving the recommendations. However, not approving the recommendations would risk non-delivery of the benefits and value associated with the proposed changes as set out in this report.

#### **Insight**



9.5 N/A

**Social Value**

9.6 The Street Scene Operations team work directly with BOOST to promote employment opportunities within the council’s universal front line services for residents. The service actively supports apprenticeship and work experience opportunities for local education establishments.

**10. Background Papers**

10.1 [Employment Sub-Committee Minutes – 26 September 2023](#)

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## Role Profile

<b>Job Title:</b>	<b>Assistant Director Street Scene Operations</b>
<b>Location:</b>	<b>Hybrid</b>
<b>Department:</b>	<b>Street Scene</b>
<b>Directorate:</b>	<b>Customer &amp; Place</b>
<b>Grade:</b>	<b>Six</b>
<b>Salary Range:</b>	<b>£94,685 – £115,352</b>
<b>Reports to:</b>	<b>Director of Street Scene</b>

### 1. Job Purpose:

The Assistant Director Street Scene Operations is responsible for the delivery of high profile, direct labour front line operational service and strategic planning for delivery of:

- Recycling and Waste
- Street Cleansing
- Ground Maintenance
- Passenger Transport Services
- Fleet & Workshop Operations

The role acts as the link between operational delivery, high performance, and strategic goals. With a clear ability to think strategically, the post holder is required to work collaboratively to develop practical responses to key strategic policy challenges facing the authority, promoting innovation and creativity in service provision to achieve integrated outcomes for residents of Barnet.

A crucial requirement of this post is the need to interpret, analyse and own the development of strategic solutions to complex, cross-cutting policy challenges. The role will ensure the development and maintenance of a high quality, resilient, responsive, effective, and integrated services to deliver the Council's strategic aims and objectives. The post will act as the senior client-side role in dealing with external contractors delivering Street Scene services.

The post holder is a member of the Street Scene Leadership Team and will be expected to deputise across the Street Scene Operations workstream on behalf of the Street Scene Director and to assist the Director in establishing standards to ensure that the service is organised to deliver Council policies and priorities in the most effective and efficient way possible.

In total, the Assistant Director role is responsible for circa £15 million per annum revenue budget, and 400 internal staff.

## 2. Key accountabilities:

- 2.1 Lead and direct the implementation of transformation within the services: including the assessment of options appraisals, development, and delivery of business cases, coordinating appropriate consultation processes, and reporting conclusions to relevant Boards and Cabinet and Committees.
- 2.2 Lead the development and implementation of clear objectives for the whole service; overseeing developments, performance management, streamlining services whilst ensuring identification and response to major risks is appropriately managed.
- 2.3 Lead and manage the Recycling & Waste, Street Cleansing, Grounds Maintenance, Passenger Transport and Fleet and Workshop services, to deliver measurable quality improvements, embed best practise and customer centred initiatives and ensure value for money is achieved.
- 2.4 Be responsible for the Council's Vehicle Operator Licence with responsibility for ensuring compliance with the statutory requirements of it to enable effective and resilient service delivery, fleet, and logistics arrangements.
- 2.5 Ensure that appropriate procedures and policies are properly operated, communicated, and monitored to ensure the aims and objectives for the service are delivered effectively and efficiently.
- 2.5 Lead service innovation, sustaining measurable improvement through business planning and development ensuring processes to governance and accountability remain robust.
- 2.6 Monitor services and consider alternative options to manage the business by ensuring resources are maximised and are available to deliver service priorities through an effective workforce.
- 2.7 Lead, develop and execute a business plan for the service which focuses on delivering high quality services and achieving the objectives of Our Plan for Barnet.
- 2.8 Lead on all elements of the Councils budget process relating to the services under the remit of this role, advising the Street Scene Director, Council Management Team (CMT) and elected members as appropriate on service priorities linked to the Medium-Term Financial Strategy (MTFS).
- 2.9 Provide high quality, professional, expert advice to members and committees, including briefing, support, and reporting to Cabinet. Work with the relevant Executive Directors on the development of Cabinet work programmes and decisions in relation to the service areas.
- 2.10 Ensure that the Council complies with its duties in accordance with respective legislation and policy, providing advice to members, officers, third sector organisations. To ensure that the Service is conducting regular meaningful audits led by the corporate team and to ensure that agreed improvements or recommendations are addressed in a timely manner.
- 2.11 Develop effective joint working, creating positive and productive links and relationships with other parts of the Council, external organisations & stakeholders, and private sector or third sector voluntary groups representing the Councils interests. To ensure impactful representation at regional bodies and industry organisations.

### 3. Leadership

- 3.1 To provide strategic guidance and professional advice on matters of policy and strategy, and where appropriate to ensure this is integrated with Corporate, Directorate and national/regional strategy.
- 3.2 To act as the lead client with all stakeholders, funding partners and contractors across the Street Scene Operational Services.
- 3.3 Provide strategic project management, taking an active role at specific governance boards including liaison with contractors, strategic partners, funding bodies and developers.
- 3.4 Providing leadership and guidance to Street Scene Operational services, ensuring that all service objectives are met, undertaking appraisals and ensure regular one-to-one meetings take place, as appropriate.
- 3.5 Ensure that staff are treated equally with understanding and respect and that their entitlement to a fair hearing and trade union representation is upheld.
- 3.6 Develop or support efficient, timely and responsive communication processes to and from staff.
- 3.7 Provide advice and assistance to Portfolio Holders particularly Environment & Climate Change and to attend Cabinet to advise on and contribute to agenda items as appropriate.
- 3.8 To represent the Street Scene Operational Services directly to the Director of Street Scene.
- 3.9 To deputise for the Director of Street Scene to provide support in the absence of the Assistant Director, Street Scene as appropriate.

### 4 Financial Responsibilities:

- 4.1 Ensure effective financial planning to deliver strategic priorities, ensuring monitoring of service budgets and tracking of risks with recovery action in place.
- 4.2 Responsible for the delivery of the Street Scene Operations Service Medium Term Financial Plan and associated savings.
- 4.3 Lead, monitor and review the performance of the Councils weed management, dog control and hazardous waste contracts and other contracts, ensuring all commercial schedules are monitored and applied.
- 4.4 Responsible for identifying and developing future potential sources of funding including from CIL, S106, external bodies and ensuring best value is achieved from assets.

4.5 Ensure that all contracts and commissions are focused on value for money, delivery of the financial plan and sustainable service improvements.

4.6 Respond to internal audit reviews and implement action plans within agreed deadlines.

## 5 Risk Management

5.1 Ensure appropriate risk management and governance processes are in place and continually assessed and managed across the services.

5.2 Evaluate risk, identify control weaknesses, and resolve issues and problems, whilst recognising the need to escalate process issues where necessary.

5.3 Ensure safe and efficient delivery of service by achieving high standards of health and safety and reducing risk.

5.4 Ensure that any risks identified are Risk Assessed and that these are recorded and reviewed annually.

5.5 Ensure that any accidents and incidents are recorded and reported in an appropriate manner.

5.6 Ensure that Contract activities are managed to adhere back-to-back with the above.

## 6 Health and Safety Responsibilities

6.1 Abide by Barnet's health and safety policy, associated arrangements, and implement the Senior manager's/Director's responsibilities set out therein.

6.2 Complete mandatory health and safety training

6.3 Ensure strategic/service plans take account of health and safety risks and effects on employee well-being.

6.4 Monitor health and safety compliance arrangements and act where there are concerns.

6.5 Include health and safety in regular management team/board meetings.

6.6 Lead by example, monitor, and enforce health and safety compliance of managers.

6.7 Ensure sufficient resources are allocated to managing risk.

## 7 Promotion of Corporate Values

7.1 To ensure that customer care is maintained to the agreed standards according to the council's values. To ensure that a high level of confidentiality is maintained in all aspects of work. Our values:

Caring / Learning to Improve / Inclusive / Collaboration

## **8 Flexibility**

- 8.1 To deliver the service effectively, a degree of flexibility is needed, and the post-holder may be required to perform work not specifically referred to above. Such duties, however, will fall within the scope of the post, at the appropriate grade.

## **9 The Council's Commitment to Equality**

- 9.1 To deliver the council's commitment to equality of opportunity in the provision of services. All staff are expected to promote equality in the workplace and in the services the council delivers.

## PERSON SPECIFICATION

<b>Job Title</b>	<b>Assistant Director Street Scene Operations</b>
<b>Location:</b>	<b>Hybrid</b>
<b>Directorate:</b>	<b>Customer &amp; Place</b>
<b>Grade:</b>	<b>Six</b>
<b>Salary Range:</b>	<b>£94,685 – £115,352</b>
<b>Reports to:</b>	<b>Director Street Scene</b>

Criteria	Essential/Desirable	Assessed by:
<b>Professional Membership/Qualification</b>		
Educated to degree level or equivalent in a relevant discipline and/or able to demonstrate significant experience, competence and capability in the planning, development, operation, and management of large local authority Environmental or Street Scene services	Essential	Application/Interview
Holds a recognised Project Management qualification.	Desirable	Application/Interview
Holds a recognised Management qualification.	Desirable	Application/Interview
Able to demonstrate continuing self-development and a track record of keeping up to date and familiar with developments and innovation in the sector and wide organisational environments.	Essential	Application/Interview
<b>Experience &amp; Knowledge</b>		
Experience of operating at a senior management level in a complex organisation ideally in Street Scene and/or public realm.	Essential	Application/Interview
Successful track record of developing and delivering direct labour services which are effective at meeting customer needs and are cost efficient.	Essential	Application/Interview
Detailed knowledge of the planning, development, operation, management, and maintenance of Waste Management, Street Cleansing, Grounds Maintenance, Fleet, Transport and Logistics services.	Essential	Application/Interview



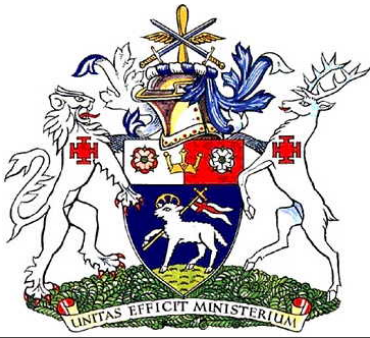
Experience of the development of contracts to an OJEU level, performance specifications and quality standards for Environmental and Fleet services.	Desirable	Application/Interview
Knowledge of specific government policies and legislation affecting Environmental and Public Realm services.	Essential	Application/Interview
Experience of identifying innovative solutions to new commissioning challenges and implementing clear measures to track implementation.	Desirable	Application/Interview
Experience of the successful planning and delivery of capital improvement projects.	Essential	Application/Interview
Experience of the oversight and monitoring the activities of a variety of delivery partners against agreed service standards & specifications and budgets.	Essential	Application/Interview
Experience of leading and being part of single service and multi-disciplinary teams in customer focussed environment.	Essential	Application/Interview
Experience of working both formally and informally with elected and/or board members.	Essential	Application/Interview
Experience of successfully defining, managing, and monitoring significant revenue and capital budgets.	Essential/Desirable	Application/Interview
<b>Skill &amp; Ability</b>		
Able to demonstrate competence, and capability in the delivery of capital schemes and programmes and develop funding streams and bids.	Essential	Application/Interview
Able to demonstrate competence, and capability in the management of direct, indirect staff and resources.	Essential	Application/Interview
Ability to produce and deliver credible and compelling reports, presentations, and briefings to a variety of audiences: from formal Council Committees to informal discussions with service users.	Essential	Application/Interview
Ability to interpret a range of policy documentation and analyse data sets to inform and produce findings or recommendations.	Essential	Application/Interview
Ability to identify cross cutting issues and scope for integration with other services.	Essential	Application/Interview
Ability to distil complex initiatives into simple concepts to be shared with a variety of audiences.	Essential	Application/Interview
Strong interpersonal skills and able to challenge, support, influence and engage senior management and peers.	Essential	Application/Interview

An effective leader and communicator who provides clear direction, inspires, and motivates their team.	Essential	Application/Interview
Ability to develop and maintain positive working relationships and to work both individually and as part of a team recognising their role as part of the wider Council eco-system.	Essential	Application/Interview
Ability to question the status quo and open to new and non-traditional ways of working and service delivery;	Essential	Application/Interview
A self-starter who is agile and able to work with the minimum of supervision.	Essential	Application/Interview
Has a full driving licence and is able to drive for work purposes.	Desirable	Application/Interview
Has appropriate knowledge of Microsoft Office and other ICT applications used by the Council.	Essential	Application/Interview
<b>Values &amp; Behaviours</b>		
<b>Caring</b>		
Integrity- I work with candidates and colleagues in a way that builds trust.	Essential	Application/Interview
Empathy- I say, "thank you" and "well done" where appropriate, and take time to 'check in' to see if the people I work with are ok	Essential	Application/Interview
Support- I support my colleagues to deliver excellent services. I focus on resolving any issues and capturing lessons learnt	Essential	Application/Interview
<b>Learning to Improve</b>		
Insight- I regularly rely on evidence and professional standards to support my work and decision making.	Essential	Application/Interview
Agile-I am fully empowered to act within the scope of my role	Essential	Application/Interview
Growth Mindset- I take responsibility for my own personal development, growth and learning and support others with their learning and development where I can	Essential	Application/Interview
<b>Inclusive</b>		
Personal Responsibility- I am curious about what is important to others around diversity. I reflect and act upon this curiosity to improve my own understanding	Essential	Application/Interview

Caring for people, our places and the planet

Engage with discomfort- I am open to and reflect on what makes me uncomfortable and use my engagement with others to challenge myself and constructively challenge others	Essential	Application/Interview
Champion Diversity- I recognise the advantages and importance of equality, diversity, and inclusion in delivering outcomes for residents, and take an active role to ensure they are implemented and integrated in everything I do.	Essential	Application/Interview
<b>Collaborative</b>		
One Team- I actively and purposefully build my network of relationships with people across the Council and with partners. I proactively seek feedback and evidence as a way of learning from and improving the way I work with others	Essential	Application/Interview
Accountable- I accept responsibility for my own actions and decisions, and demonstrate commitment to ensuring these align to what is best for Barnet	Essential	Application/Interview
Outcomes Focused- I adapt my way of working to best suit the outcome we are trying to achieve within the scope of my role and professional standards	Essential	Application/Interview

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**Council**  
**17 October 2023**

<b>Title</b>	Exception to the Call-In decisions taken as a matter of urgency.
<b>Date of meeting</b>	17 <sup>th</sup> October 2023
<b>Report of</b>	Monitoring Officer
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Appendices</b>	Appendix A – Notice Urgency Provisions
<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

### Summary

In accordance with the Council Constitution, Part 3C paragraph 51, decisions taken as a matter of urgency will be reported by the Monitoring Officer to the next available meeting of the Council, together with the reasons for urgency.

Council are being asked to note that an exemption from Call -in was granted for 'The Approval of the Award of Provision of Leasehold & Main Insurance Contracts effective from 1 October 2023' at Cabinet on 5<sup>th</sup> September 2023.

### Recommendations

**1. That the exemption from call-in be noted.**

#### **1. Reasons for the Recommendations**

1.1 At a meeting of Cabinet on the 5<sup>th</sup> September 2023, a key decision was considered on 'The approval of the Award of Provision of Leasehold & Main Insurance Contracts effective from 1 October 2023'.

1.2 The report seeks approval of the award of provision of Leasehold & Main Insurance Contracts effective from 1 October 2023. The reasons for urgency where as follows:

1.3 The council's insurance contracts are renewed annually on 1 October. The current contracts have been subject to Long Term Agreements (LTA's) which expire on 30 September 2023 with no option to extend.

1.4 The current market for public sector property, leasehold and general insurance is challenging and it has been necessary to extend the tender timetable to allow the market time to respond fully and negotiate with a sole supplier in respect of one element of insurance.

1.5 Once the award is confirmed at Cabinet, award notices must be issued to all bidders by 8<sup>th</sup> September. Allowing the required 10 day standstill period and barring any legal challenge, we anticipate having just 8 working days to finalise the arrangements before they must go live on 1 October.

1.6 If the award was to be called-in there would be insufficient time to meet these timeframes and ensure the council has adequate insurance arrangements in place from 1 October.

## **2. Alternative Options Considered and Not Recommended**

2.1 None

## **3. Post Decision Implementation**

3.1 None

## **4. Corporate Priorities, Performance and Other Considerations**

### **Corporate Plan**

4.1 Not applicable

### **Corporate Performance / Outcome Measures**

4.2 Not applicable

### **Sustainability**

4.3 Not applicable

### **Corporate Parenting**

4.4 Not applicable

### **Risk Management**

4.5 Not applicable

### **Insight**

4.6 Not applicable

### **Social Value**

4.7 Not applicable

<b>5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)</b>
5.1 N/A
<b>6. Legal Implications and Constitution References</b>
6.1 Paragraph 51.5 of the Committee Procedure rules reads that “Decision taken, as a matter of urgency must be reported by the Monitoring Officer to the next available meeting of the Council, together with the reasons for the urgency.
<b>7. Consultation</b>
7.1 The Chair of the Overview and Scrutiny Committee was consulted and agreed that the decision proposed was reasonable in the circumstances and should be treated as a matter of urgency.
<b>8. Equalities and Diversity</b>
8.1 Not applicable
<b>9. Background Papers</b>
9.1 Cabinet Agenda – 5 <sup>th</sup> September 2023 <a href="https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=1010&amp;MIId=11431&amp;Ver=4">https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=1010&amp;MIId=11431&amp;Ver=4</a>

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## London Borough of Barnet

### Notice - Urgency Provisions Local Government Act 2000

Notice is given in accordance with the Council Constitution Part 3C Committee Procedure Rules section 51 (Call-in and Urgency) which states that the call-in procedure shall not apply where the decision being taken by the Executive is an urgent decision.

A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The following matter listed below is considered one of urgency for the reasons set out and thus not subject to call-in.

Agreement has been obtained from the Chair of the Overview and Scrutiny in accordance with the Council Constitution, that the decision proposed is reasonable in the circumstances and should be treated as a matter of urgency.

In line with the Council Constitution, Part 3C section 51, decisions taken as a matter of urgency will be reported by the Monitoring Officer to the next available meeting of the Council, together with the reasons for urgency.

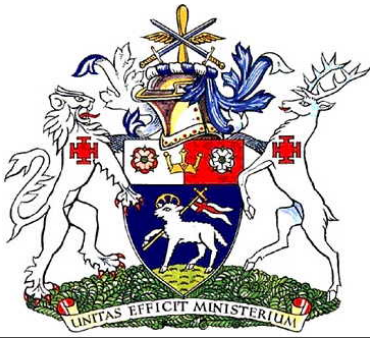
<b><u>Details of intended Key Decision</u></b>	
<b>Title:</b>	Approval of the Award of Provision of Leasehold & Main Insurance Contracts effective from 1 October 2023
<b>Date:</b>	Cabinet 5 September 2023
<b>Summary:</b>	To confirm the outcome of the tender of property (including Leasehold), liability and miscellaneous insurances to protect council assets from insurable risks.
<b>Reasons for urgency:</b>	<p>The council's insurance contracts are renewed annually on 1 October. The current contracts have been subject to Long Term Agreements (LTA's) which expire on 30 September 2023 with no option to extend.</p> <p>The current market for public sector property, leasehold and general insurance is challenging and it has been necessary to extend the tender timetable to allow the market time to respond fully and negotiate with a sole supplier in respect of one element of insurance.</p> <p>Once the award is confirmed at Cabinet, award notices must be issued to all bidders by 8<sup>th</sup> September. Allowing the required 10 day standstill period and barring any legal challenge, we anticipate having just 8 working days to finalise the arrangements before they must go live on 1 October.</p>

	If the award was to be called-in there would be insufficient time to meet these timeframes and ensure the council has adequate insurance arrangements in place from 1 October.
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<a href="https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=1010&amp;MId=11431&amp;Ver=4">https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=1010&amp;MId=11431&amp;Ver=4</a>	
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**Council**      AGENDA ITEM 16.4  
**17 October 2023**

<b>Title</b>	Report of the Head of Governance – Administrative Matters
<b>Date of meeting</b>	17 October 2023
<b>Report of</b>	Head of Governance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Appendices</b>	Appendix A – Changes to appointments of committees Appendix B – Non Councillor appointments to committees and boards
<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 note and approve the change to appointments of committees in Appendix A.
2. That Council note and approve the updated membership of the Local Pension Board, the Health & Wellbeing Board and the Joint Venture membership between Kuropatwa Group

#### 1. Reasons for the Recommendations

- 1.1 As set out in the attached appendices.

#### 2. Alternative Options Considered and Not Recommended

- 2.1 None in the context of the report.

<b>3. Post Decision Implementation</b>
3.1 Council decisions will be minuted and implemented through the Head of Governance.
<b>4. Corporate Priorities, Performance and Other Considerations</b>
<p><b>Corporate Plan</b></p> <p>4.1 None specifically arising from the report</p> <p><b>Corporate Performance / Outcome Measures</b></p> <p>4.2 None specifically arising from the report.</p> <p><b>Sustainability</b></p> <p>4.3 None specifically arising from the report.</p> <p><b>Corporate Parenting</b></p> <p>4.4 None specifically arising from the report.</p> <p><b>Risk Management</b></p> <p>4.5 None specifically arising from the report.</p> <p><b>Insight</b></p> <p>4.6 None specifically arising from the report</p> <p><b>Social Value</b></p> <p>4.7 N/A</p>
<b>5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)</b>
5.1 There are no specific financial implications from the changes in the appendices. All changes will be funded from the Council’s budget.
<b>6. Legal Implications and Constitution References</b>
6.1 Council Constitution, Article 2A, Terms of Reference of Council, Council has responsibility for “agreeing and amending the terms of reference of committees, deciding their composition and making appointments to them.”
6.2 As outlined in Article 2A, Terms of Reference of Council, Council has responsibility for “making appointments and nominations of Members including council companies to outside bodies”
<b>7. Consultation</b>
7.1 None specifically arising from the report.
<b>8. Equalities and Diversity</b>
8.1 None specifically arising from the report.

## 9. Background Papers

9.1 None.

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## Appendix A – Changes to appointment of committees

It is recommended that Council agree the appointment to committees as outlined in the table below.

<b>Committee</b>	<b>Current Member</b>	<b>Nominated replacement</b>
Children & Education Overview & Scrutiny Committee	Vacancy (substitute)	Councillor Dean Cohen (to become a substitute member)
Governance, Audit, Risk Management & Standards Committee	Councillor Giulia Monasterio (VC)	Councillor Ella Rose (VC)
Governance, Audit, Risk Management & Standards Committee	Councillor Emma Whysall	Councillor Simon Radford
Licensing & General Purposes Committee	Councillor Shuey Gordon	Councillor Alison Cornelius

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## Appendix B

### Non-Councillor Appointments to Committees and Boards

It is recommended Council confirm approval of the updated memberships highlighted below.

#### Local Pensions Board Membership

Member	Role	Appointed	Term	End of Term	Status
Geoffrey Alderman	<b>(Chair)</b> Employee Representative (Retired/ Deferred)	<b>23 May 2023</b>	<b>1 year</b>	23 May 2024	Current
Hem Savla	Employee Representative (Retired/ Deferred)	<b>25 Jan 2022</b>	<b>4 Years</b>	25 January 2026	Current
Salar Rida	Employee Representative (Active)	<b>2 March 2020</b>	<b>4 Years</b>	2 March 2024	Current
David Woodcock	Employer Representative (Admitted body) Middlesex University	<b>25 January 2022</b>	<b>4 Years</b>	25 January 2026	Current
Deepani De Silva	Employer Representative Barnet Homes	<b>19 October 2021</b>	<b>4 Years</b>	19 October 2025	Current
Stephen Ross	Independent Member	<b>23 May 2023</b>	<b>1 year</b>	23 May 2024	Current
Alice Leach	<b>Substitute /</b> Deferred Employee rep (substitute Member)	<b>25 January 2022</b>	<b>4 Years</b>	25 January 2026	Current

Nb. The Local Pensions Board also includes one Councillor appointee and a Substitute who are both members. The tenures for Councillors are for a one-year period, as approved at Annual Council 23 May 2023.

## Health & Wellbeing Board membership

<b>Health &amp; Wellbeing Board</b>	
<b>Post</b>	<b>Current Board Members</b>
Elected Member(s)	<ul style="list-style-type: none"> <li>• Councillor Alison Moore, Chair of the Health &amp; Wellbeing Board &amp; Cabinet Member for Health and Wellbeing</li> <li>• Councillor Pauline Coakley Webb, Cabinet Member for Family Friendly Barnet</li> <li>• Councillor Paul Edwards – Cabinet Member for Adult Social Care</li> </ul> <ul style="list-style-type: none"> <li>o Substitute – Councillor Barry Rawlings</li> <li>o Substitute – Councillor Zahra Beg</li> <li>o Substitute – Councillor Anne Clarke</li> </ul>
Director of Public Health and Lead Officer	<ul style="list-style-type: none"> <li>• Dr Tamara Djuretic, Director of Public Health and Prevention</li> </ul> <ul style="list-style-type: none"> <li>o Substitute – Janet Djomba, Deputy Director of Public Health</li> </ul>
Director of Adult Social Services	<ul style="list-style-type: none"> <li>• Dawn Wakeling, Executive Director, Communities, Adults and Health –</li> </ul> <ul style="list-style-type: none"> <li>o Substitute – Jess Baines-Holmes, Director of Integrated Commissioning, Adults &amp; Health - Adults Joint Commissioning (London Borough of Barnet &amp; North Central London Integrated Care Board)</li> </ul>
Director of Children’s Services	<ul style="list-style-type: none"> <li>• Chris Munday, Executive Director, Children’s &amp; Family Services</li> </ul> <ul style="list-style-type: none"> <li>o Substitute – Ben Thomas, Assistant Director, Education, Strategy and Partnerships</li> </ul>
North Central London (NCL) Integrated Care Board (ICB) representatives	<ul style="list-style-type: none"> <li>• Dr Nikesh Dattani, Clinical Director of Place, Vice Chair of the Health and Wellbeing Board</li> <li>• Colette Wood, Director Primary Care Transformation</li> <li>• Dr Joanna Yong, Clinical Lead, Children, Young People and Maternity (Barnet directorate)</li> </ul> <ul style="list-style-type: none"> <li>o Substitute – Sarah McDonnell-Davies, Executive Director of Borough Partnerships</li> <li>o Substitute – Michael Whitworth, Chief Executive Officer, Barnet Federation of GPs and Primary Care Networks</li> <li>o Substitute – Carol Kumar, Deputy Director of Primary Care Transformation</li> <li>o Substitute – Kelly Poole, Deputy Director of Primary Care Transformation</li> </ul>
Health Service Providers	<ul style="list-style-type: none"> <li>• Debbie Sanders, Chief Executive Barnet Hospital, Royal Free London NHS Foundation Trust</li> <li>• Anne Whateley, Director of Partnerships and Integration, Central London Community Healthcare NHS Trust</li> </ul> <ul style="list-style-type: none"> <li>o Substitute - Kathleen Isaac, Director of Operations, Central London Community Healthcare NHS Trust</li> </ul>

Barnet Healthwatch Representatives	<ul style="list-style-type: none"> <li>• Barnet Healthwatch Manager – Sarah Campbell</li> <li>o Substitute - Jon Bartlett</li> </ul>
Inclusion Barnet	<ul style="list-style-type: none"> <li>• Caroline Collier, CEO Inclusion Barnet (non-voting member with full speaking rights)</li> <li>o Substitute – Debbie Bezalel, Deputy Head of Community Services, Inclusion Barnet</li> </ul>
Safeguarding Adults Board	<ul style="list-style-type: none"> <li>• Fiona Bateman, Independent Chair Safeguarding Adults Board (non-voting member with full speaking rights)</li> </ul>

The **Quorum** should consist of at least one Councillor, one officer from North Central London Integrated Care Board, and one Council officer.

**Joint Venture between Kuropatwa Group, as the Private Sector Partner (PSP), Investment Partnership**

Appointed officers will be:

1. Stephen McDonald, Director of Growth or equivalent officer
2. Assistant Director of Development Delivery

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