

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 31ST OCTOBER, 2017 AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

A G E N D A



ASSURANCE GROUP

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Agenda and Timetable
Tuesday 31st October, 2017

Item	Subject	Timing	Page Nos
	Part 1 - Statutory formalities/Announcements (15 minutes)	7.00 – 7.15pm	
1.	Apologies for absence		
2.	Elect a Member to preside if the Mayor is absent		
3.	Prayer		
4.	Declarations of Interest		
5.	Minutes of the last meeting		5 - 22
6.	Official announcements		
7.	Any business remaining from last meeting		
	Part 2 - Question Time (30 minutes)	7.15 – 7.45pm	
8.	Questions to the Leader (and Committee Chairmen if he/she has delegated)		
	Part 3 - Statutory Council Business (60 minutes)	7.45 – 8.45pm	
9.	Petitions for Debate (20 minutes)		
10.	Reports from the Leader		
11.	Reports from Committees		
11.1	Annual Report of the Audit Committee 2016-17		23 - 38
11.2	Report of the Constitution Ethics and Probity Committee - Constitution Review		39 - 156
12.	Reports of Officers		

12.1	Report of Strategic Director for Environment		157 - 250
13.	Questions to Council Representatives on Outside Bodies		
	Break (15 minutes)	8.45 – 9.00pm	
	Part 4 – Business for Debate (45 minutes)	9.00 – 9.45pm	
14.	Motions (45 minutes)		
14.1	Administration Motion in the name of Councillor Rohit Grover - Safety of the Ossulton Way/ Kingsley Way/A1 Junction		251 - 252
14.2	Administration Motion in the name of Councillor Alison Cornelius - Keep our dog walkers under control		253 - 254
14.3	Administration Motion in the name of Councillor David Longstaff - Is Mayor Khan an enemy of the people of Barnet?		255 - 256
14.4	Opposition Motion in the name of Councillor Pauline Coakley-Webb - Planning school places in Barnet		257 - 258
14.5	Opposition Motion in the name of Councillor Barry Rawlings - Local Government Pay		259 - 260
15.	Motions for Adjournment		

Andrew Charlwood, Head of Governance
Building 4, North London Business Park, Oakleigh Road South, N11 1NP

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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 4BG, on 25 July 2017

AGENDA ITEM 5

PRESENT:-

The Worshipful the Mayor (Councillor Brian Salinger)
The Deputy Mayor (Councillor Val Duschinsky)

Councillors:

Jess Brayne	Anne Hutton	Sachin Rajput
Alison Cornelius	Andreas Ioannidis	Barry Rawlings
Rebecca Challice	Dr Devra Kay	Hugh Rayner
Pauline Coakley Webb	Sury Khatri	Tim Roberts
Dean Cohen	Adam Langleben	Gabriel Rozenberg
Jack Cohen	Kathy Levine	Lisa Rutter
Melvin Cohen	David Longstaff	Shimon Ryde
Philip Cohen	Kitty Lyons	Gill Sargeant
Geof Cooke	John Marshall	Joan Scannell
Richard Cornelius	Kath McGuirk	Alan Schneiderman
Tom Davey	Arjun Mittra	Mark Shooter
Paul Edwards	Alison Moore	Agnes Slocombe
Claire Farrier	Ammar Naqvi	Stephen Sowerby
Anthony Finn	Nagus Narenthira	Caroline Stock
Brian Gordon	Graham Old	Daniel Thomas
Eva Greenspan	Charlie O-Macauley	Reuben Thompstone
Rohit Grover	Alon Or-Bach	Jim Tierney
Helena Hart	Reema Patel	Laurie Williams
John Hart	Bridget Perry	Peter Zinkin
Ross Houston	Wendy Prentice	Zakia Zubairi

Apologies for Absence

Councillor Maureen Braun

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Maureen Braun.

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

The Worshipful the Mayor was present.

3. PRAYER

Mr Natubhai Shah of the Jain religion was called upon by the Worshipful the Mayor to speak to Council on the difference between Jain and other religions. Mr Natubhai Shah then said prayers.

4. DECLARATIONS OF INTEREST

The Worshipful the Mayor drew Members' attention to the Report of the Monitoring Officer, at agenda item 12.2. It was noted that the Monitoring Officer had noted that the matters raised in agenda item 14.5 on Council agenda: Motion in the name of Cllr Ross Houston on 'Standards in the private rented sector' pertained to many of Barnet Councillors in a general sense. For the avoidance of any doubt, the Monitoring Officer confirmed that Councillors who are private landlords in the borough, private landlords outside the borough and tenants within the borough may stay, speak and vote on item 14.5 of the council meeting.

The following interests were declared:

Councillor	Subject	Interest declared
Cllr Ross Houston	Various items – reference to Barnet Homes	Councillor Ross Houston declared a non-pecuniary interest by virtue of being a council appointed director of the Barnet Group
Cllr John Marshall	Various items – reference to Barnet Homes	Councillor John Marshall declared a non-pecuniary interest by virtue of being a council appointed director of the Barnet Group
Cllr Anne Hutton	Item 14.5 – Motion in the name of Councillor Ross Houston	Councillor Anne Hutton declared a non-pecuniary interest as she is a landlord of a property outside the borough. Councillor Hutton indicated she would leave the meeting for the consideration of this item and would not take part in the vote.
Cllr Gill Sargeant	Item 14.5 – Motion in the name of Councillor Ross Houston	Councillor Gill Sargeant declared a non-pecuniary interest as she is a landlord of a property outside the borough. Councillor Sargeant indicated she would leave the meeting for the consideration of this item and would not take part in the vote.
Cllr Tim Roberts	Item 14.5 – Motion in the name of Councillor Ross Houston	Councillor Tim Roberts declared a non-pecuniary interest as is a joint owner of a privately let property in the borough. Councillor Roberts indicated he would leave the meeting for the consideration of this item and would not take part in the vote.
Cllr Adam Langleben	Motion in the name of Councillor Brian Gordon	Councillor Langleben declared a non-pecuniary interest as his employer, the Jewish Leadership Council, has campaigned on Hezbollah
Councillor Arjun Mittra	Motion in the name of Councillor Brian Gordon	Councillor Arjun Mittra declared a non-pecuniary interest as his employer is City Hall.

Councillor Laurie Williams clarified that he was not a private landlord of a property in the borough.

5. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 23 May 2017 were agreed as a correct record.

6. OFFICIAL ANNOUNCEMENTS

The Worshipful the Mayor expressed, on behalf of Council, Council's shock and sadness at the terror attacks on 22 May in Manchester where 22 people lost their lives many of whom were children, and the 8 innocent people killed in the London Bridge terror attack on 3 June, with many more injured in both incidents. He noted Council condemns this senseless and tragic loss of life.

In response to the attacks The Worshipful the Mayor noted he had received three letters of condolence from:

- Jean-Jaques Guillet – Mayor of Chaville (a twin town of Barnet)
- Israel Singer – the Mayor of Ramat-Gan
- Angelika Schottler – the Mayor of Bezirksamt Tempelhof-Schöneberg von Berlin

The Worshipful the Mayor paid tribute to the victims of the recent fire at Grenfell Tower. He noted the Council was shocked and saddened by the terrible loss of life, and that Council's thoughts were with the survivors and the families of the victims. It was noted that details of how the Council has provided assistance to the Royal Borough of Kensington and Chelsea in response to this tragedy were detailed in the response to question number 23. in Questions to the Leader.

In other announcements The Worshipful the Mayor noted that Ronald Hobson, one of the founders of National Car Parking and former resident of Barnet, had sadly passed away. It was noted he was a generous benefactor who supported both individuals and organisations in the borough.

The Worshipful the Mayor announced he had also been informed that former Labour councillor John Stevenson who represented the Arkley Ward had sadly passed away on 20 April 2017.

Councillor Jim Tierney spoke in tribute to former councillor John Stevenson.

The Worshipful the Mayor noted the funeral of Mr Maurice Charles Sills who died on 25 June aged 101 was held in St Paul's Cathedral and attended by nearly 1,000 people. The Worshipful the Mayor noted Mr Sills was lately a resident of Whetstone, and formerly also of Torrington Park, and was a retired Headmaster who devoted the forty years of his retirement to conducting tours of St Paul's, chiefly for schoolchildren, and was a noted volunteer. Notably his was the first funeral to be held in the Cathedral since that of someone else with local connections, Lady Thatcher LG.

A minutes silence was held in remembrance.

The Worshipful the Mayor reminded members there would be a stone setting at Bushey cemetery for the late and former Councillor Dan Hope to take place on Sunday 17th September at 4.30pm.

The Worshipful the Mayor then extended his congratulations to the three Barnet MPs on their re-election at the June General Election.

The Worshipful the Mayor noted he was delighted to announce that the Queen's award for voluntary service 2017 was presented by the Lord to the Jewish Volunteering Network, registered in Barnet. He noted the Deputy Lieutenant, Mr Martin Russell, had asked members to consider nominating worthy local charities for this award.

In terms of recent achievements, The Worshipful the Mayor noted an award had been given to Sister Barbara of the Anglican Benedictine Community at Edgware Abbey, who was invested with the badge of the Order of Mercy. She was recognised for her service over six decades caring for the dying, at Henry Nihill House, Edgware Abbey.

The Worshipful the Mayor also noted the achievements of Barnet's young people who had participated in the recent London Youth Games. It was noted the females won gold, and the boys silver, at the table tennis, and that Barnet also qualified for the finals at squash.

The Worshipful the Mayor then noted he would like to congratulate his son Stephen and his partner Lama on providing him with a new granddaughter, Catherine Jazz.

Finally, The Worshipful the Mayor extended council's congratulations to the achievement of Sebi Mabuza a pupil at Whitefield School who was crowned Barnet's regional champion in the Jack Petchey Speak Out Challenge. It was noted that Sebi was in attendance at the council meeting.

Sebi Mabuza then addressed the Council, to warm applause.

7. ANY BUSINESS REMAINING FROM LAST MEETING

None.

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

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

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

9. PETITIONS FOR DEBATE (20 MINUTES)

None.

10. REPORTS FROM THE LEADER

None.

11. REPORT OF THE CONSTITUTION ETHICS AND PROBITY COMMITTEE - CONSTITUTION REVIEW

The Head of Governance noted that in addition to the recommendations set out in the report of the Constitution, Ethics and Probity Committee, Council was requested to approve the following amendments:

1. Responsibility for Functions, Annex B (Scheme of Delegated Authority to Officers) –
 - a. Delete references to 'Remuneration Committee' on pages 89 and replace with 'General Functions Committee' and delete the reference to the 'Remuneration Committee' on page 90
 - b. Delete the sentence "They are, in turn, accountable to the public and are responsible for all matters which impact upon the Council exercising its powers and duties."
2. Meetings Procedure Rules, Section 1 (Membership and Quorum) – increase the number of substitute Members for the Planning Committee to 10 (5 from each Group).

Councillor John Marshall, Chairman of the Constitution Ethics and Probity Committee, then moved reception and adoption of the recommendations in the report and the additional recommendations noted above. Debate ensued.

The recommendations as moved were put to the vote and were unanimously agreed.

RESOLVED:

1. **That Council approve the recommendations contained in the report from the Constitution Ethics & Probity Committee at Annex 1A, and the track change versions attached at Appendix A to Appendix F.**
2. **That Council note the Monitoring Officer's use of delegated authority to make minor amendments to Chief Officers post titles in the Constitution as set out in track change versions attached at Appendix G to Appendix J.**
3. **That Responsibility for Functions, Annex B (Scheme of Delegated Authority to Officers) be amended to –**
 - a. **Delete references to 'Remuneration Committee' on pages 89 and replace with 'General Functions Committee' and delete the reference to the 'Remuneration Committee' on page 90**
 - b. **Delete the sentence "They are, in turn, accountable to the public and are responsible for all matters which impact upon the Council exercising its powers and duties."**
4. **That Meetings Procedure Rules, Section 1 (Membership and Quorum) – increase the number of substitute Members for the Planning Committee to 10 (5 from each Group).**
5. **That the Monitoring Officer be authorised to implement these revisions and publish a revised Constitution.**

12. REFERRAL TO COUNCIL FROM THE CHILDREN EDUCATION LIBRARIES AND SAFEGUARDING COMMITTEE - BARNET OFSTED INSPECTION OF SERVICES FOR CHILDREN IN NEED OF HELP AND PROTECTION, CHILDREN LOOKED AFTER AND CARE LEAVERS

Councillor Reuben Thompstone, Chairman of the Children Education Libraries and Safeguarding Committee, moved reception and adoption of the recommendations in the report. Councillor Pauline Coakley-Webb moved her amendment. Debate ensued.

Votes were taken on Councillor Pauline Coakley-Webb’s amendment and the votes were declared as follows:

For	31
Against	31
Abstain	0
Absent	1
TOTAL	63

The Worshipful the Mayor used his casting vote against the amendment in accordance with Meeting Procedure Rule 18.3.

At least ten members called for a formal division on the voting. Upon the vote being taken, the results of the division were declared as follows:

	For	Against	Not Voting	Absent
Maureen Braun				✓
Jess Brayne	✓			
Rebecca Challice	✓			
Pauline Coakley Webb	✓			
Dean Cohen		✓		
Jack Cohen	✓			
Melvin Cohen		✓		
Philip Cohen	✓			
Geof Cooke	✓			
Alison Cornelius		✓		
Richard Cornelius		✓		
Tom Davey		✓		
Val Duschinsky		✓		
Paul Edwards	✓			
Claire Farrier	✓			
Anthony Finn		✓		
Brian Gordon		✓		
Eva Greenspan		✓		

	For	Against	Not Voting	Absent
Rohit Grover		✓		
Helena Hart		✓		
John Hart		✓		
Ross Houston	✓			
Anne Hutton	✓			
Andreas Ioannidis	✓			
Devra Kay	✓			
Sury Khatri		✓		
Adam Langleben	✓			
Kathy Levine	✓			
David Longstaff		✓		
Kitty Lyons	✓			
John Marshall		✓		
Kath McGuirk	✓			
Arjun Mittra	✓			
Alison Moore	✓			
Ammar Naqvi	✓			
Nagas Narenthira	✓			
Charlie O'Macauley	✓			
Graham Old		✓		
Alon Or-Bach	✓			
Reema Patel	✓			
Bridget Perry		✓		
Wendy Prentice		✓		
Sachin Rajput		✓		
Barry Rawlings	✓			
Hugh Rayner		✓		
Tim Roberts	✓			
Gabriel Rozenberg		✓		
Lisa Rutter		✓		
Shimon Ryde		✓		
Brian Salinger		✓		
Gill Sargeant	✓			
Joan Scannell		✓		
Alan Schneiderman	✓			
Mark Shooter		✓		
Agnes Slocombe	✓			
Stephen Sowerby		✓		
Caroline Stock		✓		

	For	Against	Not Voting	Absent
Daniel Thomas		✓		
Reuben Thompstone		✓		
Jim Tierney	✓			
Laurie Williams	✓			
Peter Zinkin		✓		
Zakia Zubairi	✓			

For	31
Against	31
Abstain	0
Absent	1
TOTAL	63

The Worshipful the Mayor used his casting vote against the amendment in accordance with Meeting Procedure Rule 18.3.

The amendment was lost.

The recommendations in the report were then put to the vote and were unanimously agreed.

RESOLVED:

- 1. That Council consider and vote on the recommendations 1, 2, 3, 4 and 5 contained at Annex 1 of the report which was referred from the Children Education Libraries and Safeguarding Committee on 18 July 2017.**
- 2. That Council consider and vote on the amended recommendation 6 and new recommendation 7 as set out in paragraph 1.5 to this report.**

13. REPORT OF THE HEAD OF GOVERNANCE

The Head of Governance introduced the report. He noted that the item set out at agenda item 12.1 detailed changes to the calendar of meetings (Appendix A and Appendix A1), a nomination to a vacancy on an outside body (Appendix B) and changes to committee memberships (Appendix C).

The recommendations as set out in Appendices A and A1 were put to the vote and were unanimously agreed.

Council considered the nominations for appointments to an outside body, the Stonegrove Community Trust, as set out in Appendix B. The Administration Group Secretary, Councillor Joan Scannell moved the Administration Group nomination of Councillor Brian Gordon. The Opposition Group Secretary, Councillor Ammar Naqvi moved the Opposition Group nomination of Councillor Adam Langleben.

On the Administration Group nomination being put to the vote, the votes were declared as follows:

For	31
Against	30
Abstain	1
Absent	1
Total	63

On the Opposition Group nomination being put to the vote, the votes were declared as follows:

For	30
Against	31
Abstain	1
Absent	1
Total	63

The Administration Group nomination was carried.

Council considered the nominations for appointments to committees as set out in Appendix C. The Administration Group Secretary, Councillor Joan Scannell moved the Administration Group nominations for additional substitute members of Planning Committee as set out in Appendix C. The Opposition Group Secretary, Councillor Ammar Naqvi moved the Opposition Group nominations for additional substitute members to Planning Committee and a change of membership to Licensing Committee as set out in Appendix C.

The nominations were put to the vote and were unanimously agreed.

RESOLVED:

- 1. That Council note the changes to the calendar of meetings 2017-18.**
- 2. That Councillor Brian Gordon be appointed to the vacancy on the Stonegrove Community Trust.**
- 3. That the following changes be made to committee memberships:**

Committee	Additional Substitute Members
Planning Committee	Cllr Philip Cohen (Labour)
	Cllr Arjun Mittra (Labour)
	Cllr Shimon Ryde (Conservative)
	Cllr John Marshall (Conservative)

Committee	Current Member	Replacement Member
Licensing Committee	Cllr Kitty Lyons	Cllr Barry Rawlings

14. REPORT OF THE MONITORING OFFICER

RESOLVED that Council note the action taken by the Monitoring Officer in granting the dispensations for this meeting as set out in the Report of the Monitoring Officer.

15. QUESTIONS TO COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

There were none.

16. ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR RICHARD CORNELIUS - ENSURING THE SAFETY OF BARNET'S TOWER BLOCK RESIDENTS

Councillor Tom Davey moved the motion in Councillor Richard Cornelius' name. Councillor Ross Houston moved the amendment in his name. Debate ensued.

The amendment in the name of Councillor Ross Houston was put to the vote. Votes were recorded as follows:

For	31
Against	31
Abstain	0
Absent	1
TOTAL	63

The Worshipful the Mayor used his casting vote against the amendment in accordance with Meeting Procedure Rule 18.3.

The amendment was declared lost.

The motion was then put to the vote and was declared carried.

RESOLVED:

Ensuring the safety of Barnet's tower block residents

Council expresses shock and sadness at the tremendous loss of life at Grenfell Tower, North Kensington, on 14 June 2017. Members extend their condolences to all those who lost their homes, family, and friends in the fire, and recognise this was a catastrophe made all the more tragic for being avoidable.

Council notes the decision of the Housing Committee on 26 June 2017 to instruct Barnet Homes to carry out a review of fire safety measures in the Council's 28

high rise blocks and give consideration to the installation of sprinkler systems, improved fire and smoke alarm systems, and any other measures which may be required to meet best practice.

Council also welcomes the assurance given by Secretary of State for Communities and Local Government Sajid Javid to the chairman of the Local Government Association that 'funding will be made available to those councils that need to conduct work'. The £10 million set aside by the Housing Committee from the Housing Revenue Account was taken as an emergency measure, and concerns funds otherwise earmarked for capital projects and maintenance.

In light of the tragic events at Grenfell Tower, and the ongoing misery they have caused, Council calls on officers of the Council and Barnet Homes to complete their fire safety review with due care and attention at the earliest possible opportunity to provide reassurance to, and ensure the safety of, Barnet residents and to seek funding from Government.

17. OPPOSITION MOTION IN THE NAME OF COUNCILLOR PHIL COHEN - NHS FUNDING IN NORTH LONDON

Councillor Phil Cohen moved the motion and the amendment to his motion in his name. Councillor Helena Hart moved the amendment in her name. Debate ensued.

The amendment in the name of Councillor Phil Cohen was put to the vote. Votes were recorded as follows:

For	31
Against	31
Abstain	0
Absent	1
TOTAL	63

The Worshipful the Mayor used his casting vote against the amendment in accordance with Meeting Procedure Rule 18.3.

The amendment was declared lost.

The amendment in the name of Councillor Helena Hart was then put to the vote. Votes were recorded as follows:

For	31
Against	30
Abstain	1
Absent	1
TOTAL	63

The amendment was declared carried.

The substantive motion as amended by Councillor Helena Hart was then put to the vote and the votes were recorded as follows:

For	31
Against	30
Abstain	1
Absent	1
TOTAL	63

The substantive motion was declared carried.

RESOLVED:

NHS funding in North London

Council notes that the latest NCL Sustainability and Transformation Plan states that if nothing is done there will be an estimated £811 million deficit across the NHS in North Central London in 2020/21 with a funding gap across North London Councils on Social Care and Public Health of a further £247 million.

Council also notes with concern that the Plan further states that despite their work to deliver efficiencies in the way that health and care is delivered, this has not been enough to bring their Plan into financial balance and warns that difficult choices will have to be made.

Despite assurances from the STP Convenor that there are no plans for changes to local health services beyond those set out in the STP Plan, in view of the marked and constant lack of democratic local political involvement and input permitted into the process from the outset, Council remains extremely concerned as to what measures will have to be taken to close the financial gap and the effect that these will have on the quality, quantity and accessibility of health services for Barnet residents.

Barnet politicians have led the way in highlighting both the lack of progress in integrating health and social care services across the five London boroughs of Barnet, Camden, Enfield, Haringey and Islington and the lack of democratic input.

Council calls on the NHS to start taking these concerns seriously and to consult properly and in a timely fashion with Barnet residents and their democratically elected representatives and on all members of this Council to continue to support the Leader, the Health & Wellbeing Board and the Health Overview & Scrutiny Committee in all their efforts to hold the NHS to account.

18. MOTIONS FOR ADJOURNMENT

19. OPPOSITION MOTION IN THE NAME OF COUNCILLOR ROSS HOUSTON - STANDARDS IN THE PRIVATE RENTED SECTOR

Councillor Tim Roberts, Councillor Claire Hutton and Councillor Gill Sargeant left the chamber for consideration and voting on this item.

The Worshipful the Mayor noted that under Full Council Procedure Rule 1. 16. He had received notice that Councillor Ross Houston would like to propose a 'Motion for the Adjournment' to enable the motion listed at agenda item 14.5 on Standards in the Private Rented Sector to be debated. Councillor Ross Houston proposed his motion be moved and Council duly agreed to debate.

Councillor Ross Houston moved the motion and the amendment to his motion in his name. Councillor Tom Davey moved the amendment in his name. Under Council procedure Rule 13.5 Councillor Richard Cornelius moved "that the question be now put". Councillor Ross Houston had right of reply.

The amendment in the name of Councillor Ross Houston was put to the vote. Votes were recorded as follows:

For	28
Against	31
Abstain	0
Absent	4
TOTAL	63

At least ten members called for a formal division on the voting. Upon the vote being taken, the results of the division were declared as follows:

	For	Against	Not Voting	Absent
Maureen Braun				✓
Jess Brayne	✓			
Rebecca Challice	✓			
Pauline Coakley Webb	✓			
Dean Cohen		✓		
Jack Cohen	✓			
Melvin Cohen		✓		
Philip Cohen	✓			
Geof Cooke	✓			
Alison Cornelius		✓		
Richard Cornelius		✓		
Tom Davey		✓		
Val Duschinsky		✓		
Paul Edwards	✓			
Claire Farrier	✓			

	For	Against	Not Voting	Absent
Anthony Finn		✓		
Brian Gordon		✓		
Eva Greenspan		✓		
Rohit Grover		✓		
Helena Hart		✓		
John Hart		✓		
Ross Houston	✓			
Anne Hutton				✓
Andreas Ioannidis	✓			
Devra Kay	✓			
Sury Khatri		✓		
Adam Langleben	✓			
Kathy Levine	✓			
David Longstaff		✓		
Kitty Lyons	✓			
John Marshall		✓		
Kath McGuirk	✓			
Arjun Mittra	✓			
Alison Moore	✓			
Ammar Naqvi	✓			
Nagas Narenthira	✓			
Charlie O'Macauley	✓			
Graham Old		✓		
Alon Or-Bach	✓			
Reema Patel	✓			
Bridget Perry		✓		
Wendy Prentice		✓		
Sachin Rajput		✓		
Barry Rawlings	✓			
Hugh Rayner		✓		
Tim Roberts				✓
Gabriel Rozenberg		✓		
Lisa Rutter		✓		
Shimon Ryde		✓		
Brian Salinger		✓		
Gill Sargeant				✓
Joan Scannell		✓		
Alan Schneiderman	✓			
Mark Shooter		✓		

	For	Against	Not Voting	Absent
Agnes Slocombe	✓			
Stephen Sowerby		✓		
Caroline Stock		✓		
Daniel Thomas		✓		
Reuben Thompstone		✓		
Jim Tierney	✓			
Laurie Williams	✓			
Peter Zinkin		✓		
Zakia Zubairi	✓			

For	28
Against	31
Abstain	0
Absent	4
TOTAL	63

The amendment was lost.

The amendment in the name of Councillor Tom Davey was then put to the vote. Votes were recorded as follows:

For	31
Against	28
Abstain	0
Absent	4
TOTAL	63

The amendment was declared carried.

The substantive motion as amended by Councillor Tom Davey was then put to the vote and the votes were recorded as follows:

For	31
Against	28
Abstain	0
Absent	4
TOTAL	63

The substantive motion was declared carried.

RESOLVED:

Standards in the Private Rented Sector

Council notes there was no Housing & Planning Bill introduced, debated, or voted on in Parliament this year, nor were there any Labour amendments to said bill requiring private landlords to make their homes “fit for human habitation.”

Council suggests the legislation to which Cllr Ross Houston may have been referring in the original draft of this motion was the Housing & Planning Act — which received royal assent on 12 May 2016. Council notes a similar lack of attention to detail led to the defeat of the Labour amendment to said Act — based on Karen Buck MP’s failed Homes (Fitness for Human Habitation) Bill — by 312 votes to 219 on 12 January 2016.

Council recognises the proposed amendment was defeated because it was poorly drafted, would have reproduced existing legislation — of which councils such as Barnet make great use —and created unnecessary costs for law-abiding landlords and their tenants.

Council notes that since April 2015, local authorities are now required to obtain Secretary of State confirmation for any selective licensing scheme affecting more than 20% of private landlords in their area.

Council agrees with housing minister Brandon Lewis that “the blanket licensing approach adopted by some local authorities has major drawbacks” — namely that they have the effect of penalising responsible and compliant landlords rather than supporting them — when the more nuanced approach encouraged by the Selective Licensing of Houses (Additional Conditions) (England) Order 2015 could more effectively target rogue landlords.

Council notes Barnet did just this in respect of Houses in Multiple Occupation (HMOs) last year and applauds the Private Sector Housing Team for successfully prosecuting ten rogue landlords since November 2015; extracting almost £300,000 in fines, fees, and victim surcharges.

However, Council recognises not all authorities operate to as high a standard as Barnet, and notes the one redeeming feature of Karen Buck’s bill was the proposed introduction of powers to enforce standards in public sector housing — which may have prevented the situation in Camden whereby tower block residents were forced to live with exposed gas pipes and missing fire doors.

Council therefore requests that the Leader of the Council to write to the Secretary of State to enquire how the issue of public sector housing standards will be addressed in the forthcoming parliamentary session.

20. ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR BRIAN GORDON - PROSCRIBE HEZBOLLAH IN ITS ENTIRETY

Under Full Council Procedure Rule 1. 16. Council agreed to debate the Motion in the name of Councillor Brian Gordon – Proscribe Hezbollah in its entirety.

Councillor Brian Gordon moved the motion in his name. Debate ensued.

The motion was put to the vote and was unanimously agreed.

RESOLVED:

Proscribe Hezbollah in its Entirety

Council expresses grave concern that the terrorist ideology of Hezbollah was allowed to be paraded yet again on the streets of London on Sunday 18th June at the annual 'Al Quds Day' march. The display of overtly racist, violence-provoking flags and banners and the delivery of blatantly antisemitic speeches with impunity is an affront to this country's democratic and tolerant way of life.

It is even more reprehensible at a time when innocent civilians of all faiths and none have been repeatedly targeted by, and fallen victim to, terrorist attacks on British soil this year. The Government has rightly declared its commitment to fighting this scourge in every conceivable way. However, there is presently one major string missing to this bow.

Council notes the unacceptable legal loophole whereby the so-called military wing of Hezbollah has been proscribed in the United Kingdom but the 'political wing' has not. The reality, however, is they are one and the same — a fact recognised by the Arab League, the Cooperation Council for the Arab States of the Gulf, Bahrain, Canada, the United States, Israel, France, and the Netherlands.

As Barnet is a multi-cultural borough committed to the values of community cohesion and an abhorrence of hate crime, we as members of its Council consider we have a duty to speak out on this issue, which has caused acute anxiety to numerous Barnet residents who are rightly proud of the borough's large and coexisting Muslim and Jewish communities. To ensure this harmony is not threatened, Council calls on the Home Secretary and the Mayor of London to use their respective powers and influence to:

- 1. Proscribe Hezbollah in its entirety as a terrorist organisation;**
- 2. Ensure the police and other law enforcement agencies appropriately prosecute those who display Hezbollah flags and banners and use our streets to propagate racial hatred and incitement to violence.**

**21. ADMINISTRATION MOTION IN THE NAME OF COUNCILLOR JOHN MARSHALL
- FAILURE OF UN-SPONSORED TALKS IN CYPRUS**

Under Full Council Procedure Rule 1. 16. Council agreed to debate the Motion in the name of Councillor John Marshall – Failure of UN-sponsored talks in Cyprus.

Councillor John Marshall moved the motion in his name. Under Council procedure Rule 13.5 Councillor John Marshall then moved "that the question be now put".

The motion was put to the vote and was unanimously agreed.

RESOLVED:

Failure of UN-sponsored talks in Cyprus

Council regrets the failure of the United Nations-sponsored intercommunal talks in Cyprus, caused by the intransigence of the Turkish Cypriots refusing to let Greek Cypriots return to Morphou, our twin town.

Morphou was home to a predominantly Greek Cypriot community before the Turkish invasion of Cyprus in 1974. There cannot, therefore, be a lasting settlement to the dispute on the island without a right of return for this displaced population — many of whom live in Barnet.

Council urges the borough's MPs Theresa Villiers, Mike Freer, and Matthew Offord to condemn this selfishness and urges foreign secretary Boris Johnson to raise these concerns with the Turkish government.

The meeting finished at 9.47 pm

	<p>Council</p> <p>31 October 2017</p>
<p>Title</p>	<p>Annual Report of the Audit Committee 2016/17</p>
<p>Report of</p>	<p>Chairman of the Audit Committee</p>
<p>Wards</p>	<p>N/A</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>Annex 1 - Annual Report of the Audit Committee 2016/17 Cover Report Appendix 1 – Audit Committee Annual Report 2016-17</p>
<p>Officer Contact Details</p>	<p>Clair Green, Assurance Director clair.green@barnet.gov.uk</p>

<p>Summary</p>
<p>The Constitution under Responsibility for Functions includes the following within the Audit Committee’s terms of reference: “The Audit Committee shall prepare a report to Full Council on an annual basis on its activity and effectiveness.”</p> <p>The attached Annual Report describes how the Audit Committee met its objectives as well as detailing the work of the Committee and the outcomes it achieved for 2016-17. It was approved by the Audit Committee on 27 July 2017.</p>

<p>Recommendations</p>
<p>1. That Council note the Annual Report of the Audit Committee for 2016-17.</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The Annual Report describes the work of the Committee and the outcomes it achieved for 2016-17.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is a Constitutional requirement for the Audit Committee to present an Annual Report to full Council each year.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None.

4. POST DECISION IMPLEMENTATION

- 4.1 N/A

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.2 The Audit Committee provides the Council with independent assurance and effective challenge and, therefore, the Committee is central to the provision of effective governance that supports delivery of all corporate priorities.

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

None in the context of this report.

5.4 Legal and Constitutional References

- 5.5 Responsibility for Functions, Annex A, of the council's constitution requires that the Audit Committee "shall prepare a report to Full Council on annual basis on its activity and effectiveness".

5.6 Risk Management

- 5.6.1 None in the context of this report

5.7 Equalities and Diversity

- 5.7.1 None in the context of this report

5.8 Consultation and Engagement

- 5.8.1 N/A

6. BACKGROUND PAPERS

- 6.1 None

	<h2>Audit Committee</h2> <h3>27 July 2017</h3>
<p style="text-align: right;">Title</p>	<p>Annual Report of the Audit Committee 2016-17</p>
<p style="text-align: right;">Report of</p>	<p>Chairman of the Audit Committee</p>
<p style="text-align: right;">Wards</p>	<p>N/A</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A – Annual Report of the Audit Committee 2016-17</p> <ul style="list-style-type: none"> • Annex 1 –Schedule of Planned and Unplanned Work 2016-17
<p style="text-align: right;">Officer Contact Details</p>	<p>Clair Green, Assurance Director clair.green@barnet.gov.uk</p>

<h2>Summary</h2>
<p>The Constitution under Responsibility for Functions includes the following within the Audit Committee’s terms of reference:</p> <p>“The Audit Committee shall prepare a report to Full Council on an annual basis on its activity and effectiveness.”</p> <p>The attached Annual Report describes how the Audit Committee meets its objectives as well as detailing the work of the Committee to date and the outcomes it has achieved for 2016-17</p>

Recommendations

- 1. That the Committee recommend Full Council to note and approve the Annual Report of the Audit Committee for 2016-17 as an accurate record of the outcomes and work programme for the year.**

1. WHY THIS REPORT IS NEEDED

- 1.1 The Annual Report describes the work of the Committee to date and the outcomes it has achieved for 2016-17.
- 1.2 The Committee is asked whether they wish to make any amendments and note that the report will be presented to Full Council in due course.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is a Constitutional requirement for the Audit Committee to present an Annual Report to full Council each year.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None.

4. POST DECISION IMPLEMENTATION

- 4.1 Once agreed by the Committee the report will be sent to the next Full Council meeting.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.11 The Audit Committee provides the Council with independent assurance and effective challenge and, therefore, the Committee is central to the provision of effective governance that supports delivery of all corporate priorities.

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

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 There are no legal issues in the context of this report.

- 5.3.2 The Audit Committee's terms of reference are noted in the Council's Constitution under responsibility for functions. Function 16 of the terms of references requires that the Audit Committee "shall prepare a report to Full

Council on annual basis on its activity and effectiveness”.

5.4 Risk Management

5.4.1 None in the context of this report

5.5 Equalities and Diversity

5.5.1 None in the context of this report

5.6 Consultation and Engagement

5.6.1 N/A

6. BACKGROUND PAPER

None

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Appendix 1

Audit Committee Annual Report 2016-17

Cllr Hugh Rayner
Chairman of the Audit Committee
27 July 2017

Contents

1. Introduction and overview

2. Summary of Audit Committee outcomes during 2016-7

3. Conclusions

Annex 1 –Schedule of Planned and Unplanned Work 2016-17

1. Introduction and Overview

1.1 Good corporate governance requires independent, effective assurance about both the adequacy of financial management and reporting, and the management of other processes required to achieve the organisation's corporate and service objectives. Good practice from the wider public sector indicates that these functions are best delivered by an independent audit committee. In this context, "independence" means that an audit committee should be independent from any other executive function. Further, the National Audit Office regards "well-functioning Audit Committees as key to helping organisations achieve good corporate governance".

1.2 It is important that local authorities have independent assurance about the mechanisms underpinning these aspects of governance.

Specifically:

1.2.1 **independent assurance** of the adequacy of the control environment within the authority;

1.2.2 **independent review** of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and

1.2.3 **assurance** that any issues arising from the process of drawing up, auditing and certifying the authority's annual accounts are properly dealt with and that appropriate accounting policies have been applied.

1.3 Effective audit committees can bring many benefits to local authorities and these benefits are described in CIPFA's *Audit Committees - Practical Guidance for Local Authorities* as:

1.3.1 raising greater awareness of the need for internal control and the implementation of audit recommendations

1.3.2 increasing public confidence in the objectivity and fairness of financial and other reporting;

1.3.3 reinforcing the importance and independence of internal and external audit and any other similar review process (for example, providing a view on the Annual Governance Statement); and

1.3.4 providing additional assurance through a process of independent and objective review.

1.3.5 Effective internal control and the establishment of an audit committee can never

1.3.6 eliminate the risks of serious fraud, misconduct or misrepresentation of the financial position. However, an audit committee:

➤ **can give additional assurance through a process of independent and objective review**

➤ **can raise awareness of the need for sound control and the implementation of recommendations by internal and external audit**

1.4 **Audit Committee at Barnet Council**

The Council's Constitution includes the terms of reference for the Audit Committee, defining its core functions. The terms of reference describes the purpose of the Audit Committee as:

“to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority’s financial and non-financial performance to the extent that it affects the authority’s exposure to risk and weakens the control environment, and to oversee the financial reporting process.”

- 1.4.1 In order to bring additional expertise from the sector and financial capability the Audit Committee also has two independent members.
- 1.4.2 The Audit Committee has a work programme that has been drawn up to effectively discharge its responsibilities as defined by the terms of reference.
- 1.4.3 The Committee relies upon independent, qualified professionals to provide assurance. Directors and Assistant Directors have been requested by the Audit Committee to support the process and to aid in the Committee’s effectiveness/understanding.
- 1.4.4 The Committee undertakes all of its meetings in the public domain. In addition, there have been no instances whereby items have been considered exempt.
- 1.4.5 From the Local Election in 2014 up to Annual Council May 2017 the Audit Committee had been chaired by Councillor Brian Salinger, a member of the administration, for a three year period.
- 1.4.5 The Chairman during 2016-7 required senior officer attendance where there were high priority Audit recommendations and has encouraged public participation at the Audit Committee.

2. Summary of Audit Committee Outcomes during 2016-7

- 2.1 During the financial year (April 2016 – March 2017) the Audit Committee has demonstrated a number of outcomes with a focus on delivering improvement to the organisation. The way in which these were implemented were as follows:-
 - 2.1.1 **Key controls and assurance mechanisms.** The Committee relies upon information presented from qualified, independent and objective officers and external assurance providers. The key controls and assurance mechanisms are as described within the Annual Governance Statement. The Audit Committee is not a working group, it does not carry out the work itself, but relies on the assurance framework to bring significant issues to the Committee for discussion and make recommendations for the Executive and officers to take forward. The Committee recognises that management are responsible for a sound control environment¹.
 - 2.1.2 **Enhanced internal audit methodology.** During 2016/17 the Committee approved the introduction of a scoring methodology within internal audit reports. In particular, this has made it more transparent as to why some audits are given ‘Limited’ as opposed to ‘Reasonable’ assurance ratings. The methodology was designed by and agreed across the Cross Council Assurance Service (CCAS), a group of 6 London boroughs of which Barnet is a founding member. The Committee also approved the alignment of the Schools audit approach with the non-schools audit approach. Now whenever a high priority recommendation is made, the follow-up process is the same, in that evidence is obtained to confirm implementation within the agreed timeframe.
 - 2.1.3 **Cross Council Assurance Service (CCAS).** CCAS, referred to above, was shortlisted for a CIPFA Public Finance Innovation Award for innovation in Internal Audit.

¹The control environment comprises the systems of governance, risk management and internal control

2.2. External Audit financial resilience and value for money. For 2016/17 BDO are the Council's appointed external auditors.

2.2.1 In July 2016, in accordance with International Standard on Auditing (ISA) 260, the council's external auditors (BDO) were required to issue detailed reports on matters arising from the audit of the Council's Accounts. The ISA 260 report has to be considered by "those charged with governance" (The Audit Committee) before the external auditor can sign the accounts, which legally had to be done by 30 September 2016. The Council's external auditors did not identify any adjustments affecting the Council's financial position and the accounts were signed accordingly.

2.2.2 The key messages arising from the audit of the 2016/17 financial statements were:

- The auditors identified no evidence of material misstatement as a result of management override of controls, or systematic bias in the making of accounting estimates.
- The work on the significant risk of fraud in relation to revenue recognition identified no issues.
- There were no differences to be corrected in the final Statement of Accounts that affected the reported surplus for the year. A number of amendments to classifications and presentational adjustments were made but there were no unadjusted audit differences.
- The auditors identified some areas for improvement in respect of the Council's Narrative Statement.
- The auditors did not identify any significant control deficiencies, but did make a number of other recommendations.

2.2.3 In providing the opinion on the financial statements, the external auditors, concluded on the adequacy of the Council's arrangements for ensuring economy, efficiency and effectiveness in its use of resources (the Value for Money Conclusion) and presented an unqualified Value for Money Conclusion.

2.4 Improvement agenda – the Audit Committee is committed to improving shortfalls in the control environment, rather than apportioning blame.

2.4.1 The Audit Committee has been provided with assurances on high priority recommendations and the progress against these quarter by quarter. The Audit Committee and its Chairman has asked that leading officers (Directors or Assistant Directors / Strategic Leads) to attend the Audit Committee to explain any deficiencies identified by Internal Audit and how they intend to address and action them. The important aspect that the Audit Committee has been assessing each quarter is whether the direction of travel from one quarter to the next has been improving via recommendations having been implemented. This focus on improving the control environment through follow-up and discussion has made Delivery Units accountable for improvement. We followed up a total of 44 high priority recommendations that had been raised and were due to have been implemented by the end of 2016/17. Of those, we found that 2 were no longer applicable and 1 deadline was extended with Committee approval. 36 had been fully implemented by the year end (88%); the remaining 5

recommendations had been partially implemented at the time of reporting/year end (12%). Overall the direction of travel for implementing audit recommendations on a timely basis improved in 2016-17 with 88% of high priority recommendations confirmed as having been implemented within agreed timescales compared to 83% in 2015-16.

2.4.2 The Public Sector Internal Audit Standards require the Head of Internal Audit to provide an annual opinion, based upon and limited to the work performed, on the overall adequacy and effectiveness of the organisation’s framework of governance, risk management and control (i.e. the organisation’s system of internal control). The opinion does not imply that Internal Audit has reviewed all risks relating to the organisation and is based on the work performed in 2016-17 but the conclusion should be considered in the context of the financial pressures facing the Council in a period where savings are required to be made but there is a greater demand for local services due to the borough’s growing population. For 2016-17 a ‘Reasonable’ Annual Internal Audit Opinion was given.

2.4.3 In line with the Scheme of Financing Schools, the Chief Finance Officer is required to deploy internal audit to examine the control frameworks operating within schools under the control of the Local Education Authority (“LEA”). In 2016-17, Internal Audit performed 23 schools visits and undertook 3 follow-up reviews. Additionally the Head of Internal Audit and the Head of Counter-Fraud Operations attended a meeting of all Barnet governors to discuss and explain the audit and anti-fraud approach.

2.4.4 The **Internal Audit and the Corporate Anti-Fraud Team (CAFT)** functions, which are organisationally independent from the rest of the Council, have a combined Annual Plan approved annually by Audit Committee which demonstrates their commitment to joint working, making the best use of resources and avoidance of duplication of effort. This also enables them to ensure that any control weakness identified through fraudulent activity are followed up with recommendations to strengthen the control environment and noted on the service risk registers.

2.5 Issues external and internal assurances – during the year the Audit Committee has been presented with various reports regarding control weaknesses. Areas that received an Internal Audit ‘No / Limited’ assurance rating, where the audit review identified areas of weaknesses and high priority recommendations, are listed below. The Committee has also continued to follow up other High priority recommendations within Reasonable Assurance reports where those recommendations are not implemented within the agreed timeframes.-

Review Title	Assurance rating	Number of High Priority recommendations
Highways Programme	Limited	1
Estates / H&S compliance	Limited	1
Insurance	Limited	1
Parking Permit Administration	Limited	1

2.6 Anti-Fraud – during the year the CAFT operated to an anti-fraud strategy and annual work plan which was approved by the Audit Committee. The Audit Committee has also received quarterly progress as well as an Annual report from CAFT which provide detailed summary on outcomes

including preventative, proactive and reactive anti-fraud work undertaken. There has been consistent good work reported by CAFT in relation to corporate fraud, tenancy fraud and blue badge fraud and misuse.

2.6.2 Blue Badge Fraud and Misuse featured heavily within the CAFT program in 2016-17 with 187 new referrals being received in this area. Officer resource was increased to combat what has proved to be an area of increasing fraud with 23 cases successfully prosecuted and 43 Formal Cautions issued, 37 Warning letters sent out and 6 cases referred to the Police. Five joint street operations took place which resulted in 34 Blue Badges being seized.

2.6.3 In relation to Tenancy Fraud CAFT investigations resulted in 64 properties being recovered during 2016 -17, which include, 6 succession applications being denied and 13 emergency accommodation properties being cancelled. The savings that this number of recovered properties equates to is £9.6m (according to audit commission calculation of £150k per recovered property). Good work was also undertaken in relation to 'Right to Buy' applications – with 17 being denied as a result of CAFT intervention. There is a maximum discount of £103,900 per property on right to buy cases; this work has meant that CAFT have saved the loss of a property and a financial loss of £1,539,600 in discounts in 2016-17 year.

2.6.4 In other areas of internal fraud 1 member of staff is no longer employed / dismissed as a result of CAFT investigations and 1 school place withdrawn as a result of CAFT intervention / investigation.

2.6.5 In relation to Proceeds of Crime (POCA) Investigation CAFT Specialist Financial investigators were able to investigate a case of a landlord who was previously found guilty of breaching a planning enforcement notice using special powers under the POCA to both identify and calculate the criminal benefit that he had received. A confiscation order was made against Mr A for an amount of £555,954 being the profit generated from his criminal conduct. He was also fined £65,000 and ordered to pay £80,000 in costs. Under the governments POCA incentivisation scheme the confiscation amount of £555,954 will be split into 3 parts - £277,977 (50%) goes to the Treasury, £69,494 (12.5%) goes to the courts and £208,482 (37.5%) comes to Barnet council.

2.6.5 Whistleblowing blowing matters are also reported to the Audit Committee. Three matters were referred under whistleblowing policy in the last year – summarised below:-

Q1 A whistleblowing letter was received this quarter but this related to a grievance issue and the whistle-blower was informed how to raise the issue in accordance with the relevant HR Policy.

Q3 A whistleblowing referral was received this quarter which was passed to appropriate service to deal with under the corporate complaints procedure

Q4 A whistleblowing referral was received this quarter which is currently being investigated

2.6.6 In October 2016 CAFT introduced 'Simple Cautions' as an alternative sanction in accordance with our Fraud, Bribery and Corruption Policy.

A 'Simple Caution' is an alternative sanction to prosecution with the following aims:

- To offer a proportionate response to low-level offending where the offender has admitted the offence;
- To deliver swift, simple and effective justice that carries a deterrent effect;
- To record an individual's criminal conduct and can form part of the defendant's criminal record for possible reference in future criminal proceedings or other similar checks;
- To reduce the likelihood of re-offending;
- To increase the amount of time police/council officers spend dealing with more serious crime and reduce the amount of time officers spend completing paperwork and attending court, whilst simultaneously reducing the burden on the courts.

2.7 **Planned and unplanned work** – The Committee has completed its work plan in accordance with its planned level of activity as detailed at annex 1.

3. Conclusions

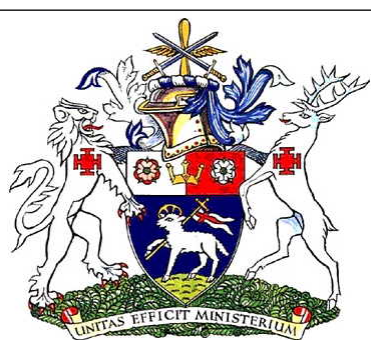
- 3.1 In conclusion the Audit Committee feels that it has demonstrated that it has added value to the Council's overall Governance Framework.
- 3.2 Throughout 2017-18 the Audit Committee plans to continue to require senior officers to attend Committee meetings to aid in its understanding of the services and the issues identified through the audit process, but mostly to ensure that internal and external recommendations are given the priority required and implemented on a timely basis.
- 3.3 The Audit Committee's focus will continue to be ensuring action is taken of internal control deficiencies and reviewing progress on a regular basis as well as commitment to improving shortfalls in the control environment, rather than apportioning blame.

Annex 1 – Schedule of Planned and Unplanned work 2016 - 17

Detail Reports considered:

Audit Committee meeting Date	Reports
19th April 2016	Exception Recommendations and Internal Audit Progress Report – up 31 st March 2017
	Internal Audit Annual Opinion 2015-16
	Internal Audit and Anti-Fraud Strategy Annual Plan 2016-17
	External Audit Plan 2015-16
	Annual Report of the Corporate Anti-Fraud Team 2015-16
	Counter Fraud Framework Review
	External Audit planning report 2015 - 16
	Audit Committee Work Programme 2016-17
28th July 2016	Internal Audit Exception Recommendations Report and Progress Report up to 30 June 2016
	Corporate Anti-Fraud Team Q1 Progress Report: April - June 2016
	Annual Governance Statement 2015-16
	Annual Report of the Audit Committee 2015-16

Audit Committee meeting Date	Reports
	<p data-bbox="539 363 1812 400">External Auditor's Report under International Standard on Auditing (ISA) 260 for the year 2015/16</p> <p data-bbox="539 435 994 472">Audit Committee work programme</p>
3rd November 2016	<p data-bbox="539 504 1854 541">Internal Audit Exception Recommendations and Progress Report Q2 - 1st July - 30th September 2016</p> <p data-bbox="539 572 1330 660">Corporate Anti-Fraud Team (CAFT) Q2 Progress Report: July - September 2016</p> <p data-bbox="539 695 994 732">Audit Committee work programme</p>
30th January 2017	<p data-bbox="539 767 1883 804">Internal Audit Exception Recommendations and Progress Report Q3: 1st October - 31st December 2016</p> <p data-bbox="539 836 1704 873">Corporate Anti-Fraud Team (CAFT) Q3 Progress Report: 1st October - 31st December 2016</p> <p data-bbox="539 904 1429 941">Invitation to opt-in to the national scheme for auditor appointments</p> <p data-bbox="539 973 1084 1010">Grants Certification Work Report 2015/16</p> <p data-bbox="539 1042 913 1078">Annual Audit Letter 2015/16</p> <p data-bbox="539 1110 969 1147">External Auditor Progress Report</p> <p data-bbox="539 1179 1352 1216">Audit Committee Work Programme - January 2017 - May 2017</p>



Council
31 October 2017

<p>Title</p>	<p>Report of the Constitution Ethics and Probity Committee – Constitution Review</p>
<p>Report of</p>	<p>Monitoring Officer and Chief Legal Advisor Head of Governance</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>Annex 1 – Report to Special Constitution Ethics and Probity Committee, 19 October 2017 Annex 1A – Decisions of the Special Constitution Ethics and Probity Committee, 19 October 2017 Appendix A – Introduction and Summary to the Constitution Appendix B – Article 1, The Constitution Appendix C – Article 2, Members of the Council Appendix D – Article 3, Residents and Public Participation Appendix E – Article 4, The Full Council Appendix F – Article 5, The Mayor and Chairing the Council Appendix G – Article 6, The Leader Appendix H – Article 7, Committees, Forums, Working Groups and Partnerships Appendix I – Article 8, Joint Arrangements Appendix J – Article 9, Chief Officers Appendix K – Article 10, Decision Making Appendix L – Article 11, Finance, Contracts and Legal Matters Appendix M – Article 12, Review and Revision of the Constitution Appendix N – Full Council Procedure Rules Appendix O – Full Council Procedure Rules (Tracked)</p>
<p>Officer Contact Details</p>	<p>Andrew Charlwood, Head of Governance, 020 8359 2014, andrew.charlwood@barnet.gov.uk</p>

Summary

The Constitution, Ethics and Probity Committee at a special meeting held on 19 October 2017 considered a report on the Constitution, reviewing various sections. Only Full Council may amend the Constitution and therefore Council are recommended to approve the various recommendations of the Committee that would alter the Constitution.

Recommendations

- 1. That Council approve the recommendations contained in the report from the Constitution Ethics & Probity Committee at Annexe 1A, and the track change versions attached at Appendix A to Appendix O.**
- 2. That the Monitoring Officer and Chief Legal Advisor be authorised to implement these revisions and publish a revised Constitution.**

1. WHY THIS REPORT IS NEEDED

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

2. REASONS FOR RECOMMENDATIONS

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

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Options were put forward to the Committee and the attached report reflects the options chosen (as amended by the Committee) for recommendation to Council following discussion and debate.

4. POST DECISION IMPLEMENTATION

- 4.1 The Monitoring Officer will make arrangements for any changes agreed to be actioned, together with minor drafting and housekeeping changes. The revised Constitution will be published online and for existing hard copies issued to be revised and replaced.
- 4.2 The Constitution, Ethics & Probity Committee will continue to proactively keep the Constitution under review and may make further recommendations in the next municipal year.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

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

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

- 5.2.1 None.

5.3 Legal and Constitutional References

- 5.3.1 Council Constitution, Responsibility for Functions, Functions of Full Council, Paragraph 1.2: "Only the Council will adopt and change the Constitution, except where otherwise provided in the Constitution or by resolution of the Council".
- 5.3.2 Council Constitution, Responsibilities for Functions – the Constitution, Ethics and Probity Committee terms of reference includes to: "Proactively to review and keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council".
- 5.3.3 Council Constitution, Chief Officers "The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public".
- 5.3.4 Council Constitution, Responsibilities for Functions, Annex A – the Constitution, Ethics and Probity Committee Committee's terms of reference includes "To have responsibility for overseeing the Council's governance arrangements".

5.4 Risk Management

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

5.5 Equalities and Diversity

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

5.6 Consultation and Engagement

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

6. BACKGROUND PAPERS

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

	<h2>Special Constitution, Ethics and Probity Committee</h2> <h3>19 October 2017</h3>
Title	Constitution Review
Report of	Monitoring Officer Head of Governance
Wards	N/A
Status	Public
Enclosures	Appendix A – Introduction and Summary to the Constitution Appendix B – Article 1, The Constitution Appendix C – Article 2, Members of the Council Appendix D – Article 3, Residents and Public Participation Appendix E – Article 4, The Full Council Appendix F – Article 5, The Mayor and Chairing the Council Appendix G – Article 6, The Leader Appendix H – Article 7, Committees, Forums, Working Groups and Partnerships Appendix I – Article 8, Joint Arrangements Appendix J – Article 9, Chief Officers Appendix K – Article 10, Decision Making Appendix L – Article 11, Finance, Contracts and Legal Matters Appendix M – Article 12, Review and Revision of the Constitution Appendix N – Full Council Procedure Rules Appendix O – Full Council Procedure Rules (Tracked)
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Summary	
The Monitoring Officer has undertaken a review of the Constitution with the aim of to simplify it in plain English and in a way which avoids duplication and unnecessary complexity and detail. This report presents revised Articles for consideration.	

Recommendations

That the Committee recommend to Council that the Constitution be amended to incorporate the changes set out in this report and the amended versions attached at Appendix A to Appendix O.

1. WHY THIS REPORT IS NEEDED

Constitution Review

- 1.1 As reported to the Committee in June 2017, the Monitoring Officer has undertaken a comprehensive review of the Constitution. The Constitution should be a straightforward explanation of how the Council works in practice. The current Constitution is very lengthy and it is not easy to find a way around the current 31 documents which together make up the Constitution. This revised version is an attempt to simplify the Constitution in plain English and in a way which avoids duplication and unnecessary complexity and detail
- 1.2 The part of the Constitution which explains how the Council works is called the Articles. These Articles have been revised and updated, but more importantly other relevant information which is currently scattered around other documents in the Constitution has been moved into the relevant Article. Consequently, specific information should be easier to find as it will be in the same place.
- 1.3 During consultation with the Committee Chairman and the Leader several changes to the Constitution have been proposed and other changes will require further consideration. Detailed changes are set out in this report and the associated appendices.

Format of the Constitution

- 1.4 The Constitution will be in two Parts. Part 1 will comprise the Articles which currently number 13, but reducing to 12, together with an Introduction and Summary.
- 1.5 The current Articles and relevant supporting documents run to 136 pages; all relevant information is now moved within the revised Articles which run to 50 pages.
- 1.6 In addition there will be a Part 2 of the Constitution which will include the key supporting documents such as Standing Orders for Full Council, Contract Procedure Rules and Finance Regulations. These supporting documents (currently 20, but reducing to 12) are in the process of review with leading officers and will be reported to the Committee in due course.

Deletions

- 1.7 A significant amount of current detail is proposed for deletion. Deleted sections will be retained for reference and audit purposes. The information in

these sections has either been moved into the Articles or has been deleted because it is unhelpful and possibly confusing for Members, residents and officers accessing the Constitution on the council's website. Deleted sections are as follows:

- Responsibility for Functions
- Responsibility for Functions, Annex A (Membership and Terms of Reference of Committees, Sub-Committees and Partnership Boards)
- Responsibility for Functions, Annex B (Scheme of Delegated Authority to Officers)
- Meeting Procedure Rules
- Public Participation and Engagement Rules
- Management of Assets, Property and Land Rules

Amendments

- 1.8 There are several substantive changes proposed to the Articles within the current Constitution and these are as follows:
- Introduction and Summary – *Shortened (1 page)*
 - The Constitution (Article 1) – *Updated (1 page)*
 - Members of the Council (Councillors) (Article 2) – *All information relating to Members now in one section (4 pages)*
 - Residents and Public Participation (Article 3) – *All information relating to residents and public participation now in one section (7 pages)*
 - The Full Council (Article 4) – *All now in one section (2 pages)*
 - The Mayor and Chairing the Council (Article 5) – *Updated (1 page)*
 - The Leader (Article 6) – *Updated (1 page)*
 - Committees, Forums, Working Groups, and Partnerships (Article 7) (*Shortened Terms of Reference – 52 pages reduced to 20*)
 - Joint Arrangements (Article 8) – *Updated (1 page)*
 - Chief Officers (Article 9) – *Updated (5 pages) (Decision making power to £165k for individual matter but not to include key decisions)*
 - Decision making (Article 10) – *Revised, updated and new (4 pages)*
 - Finance, Contracts and Legal Matters (Article 11) – *(2 pages)*
 - Review and Revision of the Constitution (Article 12) – *Updated (2 pages)*

1.4 The following table represents the changes proposed to sections of the Constitution and the reasons for the changes:

No.	Section	Reference	Issue Identified	Changes Made
1	Introduction and Summary to the Constitution	See 'changes made'	In consultation with Members and officers, the Monitoring Officer has undertaken a review of the Constitution to simplify and clarify the document. Detailed changes proposed are set out in the 'changes made' section.	<ol style="list-style-type: none"> 1. Revised text throughout the Article to remove unnecessary wording and clarify language. 2. Renamed Sections 1 and 2 and sections contained therein. 3. Delete 'citizens' and replace with 'residents'. 4. Revised wording to highlight that Members have a duty to all residents, not just those living in their ward. 5. Amended the 'Decision Making Structure' section to simplify the content. 6. Delete section on 'Urgent and Emergency Decisions' as covered in revised Article 7 (Committees, Forums, Working Groups and Partnerships) 7. Delete section on 'Area Committees and Forums' as covered in revised Article 7 (Committees, Forums, Working Groups and Partnerships) 8. Amended the 'The Council's Staff' section to clarify that officers give advice to committees and Members. 9. Amend section on 'Residents Rights' to refer to revised Article 3 (Residents and Public Participation) 10. Delete section on 'Explanatory Notes' as unnecessary. 11. Delete diagram of committee structure appended as unnecessary.
2	Article 1 – The Constitution	See 'changes made'		<ol style="list-style-type: none"> 1. In section 1.3 delete 'citizens' and replace with 'residents'. 2. Delete 'address inequality' as this is not a purpose of the constitution. 3. Amend section 1.4 to state that the Council may amend the Constitution. 4. Move Article 13 (Suspension, Interpretation and Publication

No.	Section	Reference	Issue Identified	Changes Made
				of the Constitution) into a new section 1.5 of Article 1 and delete current Article 13.
3	Article 2 – Members of the Council		Incremental changes to the procedures for referrals between committees have resulted in the procedure rules being lengthy and complex. Amendments are proposed to condense the rules and clarify the circumstances when agenda items/decisions may be referred.	<ol style="list-style-type: none"> 1. Amend section 2.1 to clarify the language. 2. Amend section 2.3 (a) to clarify the language relating to the 'Key roles' of councillors including the deletion of the section which starts 'Champion the causes...' as this is perfunctory. 3. Amend section 2.3 (b) to delete the section relating to scrutiny of performance as this is covered in the preceding bullet point (relating to participating in decision-making). 4. In section 2.3 (b) delete 'authority' and replace with 'council'. 5. Delete duplicated text in Section 2.3 (b). 6. Amend the title of section 2.3 (c) to 'Access to Information as the sections covers Members rights of access to council information. 7. In section 2.3 (c) delete 'Councillors' and replace with 'Members' 8. In section 2.3 (c) add a requirement for officers to keep Ward Members informed of matters affecting their Ward. 9. In section 2.3 (d) delete 'Councillors' and replace with 'Members' and add 'Vice-Chairman' 10. Move content relating to referrals from Responsibility for Functions (proposed to be deleted) and create a new section 2.4 (d). Revise section 2.4 (d) to simplify the rules relating to referrals between committees. <i>Note:</i> sections copied from Responsibility for Functions have been copied and retained and deleted tracked changes for reference. 11. Add wording in section 2.1 (e) to restrict urgent decisions from being referred and to clarify that the referral must be made before the decision is taken

No.	Section	Reference	Issue Identified	Changes Made
				<p>12. Move content from Meetings Procedure Rules into Article 2 and add a new section 2.5 (f). Revise wording to simplify the rules relating to Members Items'. Sections copied from Responsibility for Functions have been copied and tracked change deleted for reference.</p> <p>13. Move content relating to Members rights to address planning committees from the Planning Committee Procedure Rules (currently section 7 of Meeting Procedure Rules). Revise wording to delete unnecessary content and duplication.</p> <p>14. Move content relating to councillor's rights to attend and speak at committees or sub-committees when they are not a member (currently section 9 of Meeting Procedure Rules). Retain content un-amended. Add new wording to confirm Members rights to remain in the meeting room when committees that they are not a member of consider exempt business.</p>
4	Article 3 – Residents and Public Participation	See 'changes made'	In relation to proposed change 7., introducing a new section 3.4 (Public Questions and Comments – Procedure at Committee) is proposed to try and ensure that members of the public who wish to make a comment have an opportunity to address the committee. If a large number of supplementary questions are taken before comments,	<ol style="list-style-type: none"> 1. Revised text throughout the Article to remove unnecessary wording and clarify language. 2. Delete references to 'citizens' and replace with 'residents'. 3. Delete section 3.1 (a) (i) relating to voting and petitions 4. Amend section 3.1 to refer to clarify that only residents can petition the council. 5. Move section 2 (Public Questions) of the Public Participation and Engagement Rules into Article 3. Create new section 3.2 titled 'Questions to a committee'. 6. Move section 3 (Public Comments) of the Public Participation and Engagement Rules into Article 3. 7. Add a new section 3.4 titled 'Public Questions and

No.	Section	Reference	Issue Identified	Changes Made
			<p>there is a risk that the 30 minutes for questions and comments will end before a resident has an opportunity to make a comment which would disenfranchise them.</p>	<p>Comments – Procedure at Committee’ to clarify the order in which public comments and supplementary questions will be managed at a committee meeting.</p> <p>8. Amend section 3.5 to refer to ‘issues’ for residents’ forums as this is consistent with the terminology currently used by Members and officers in relation to matters considered at the forums.</p> <p>9. Amend section 3.5 to clarify the meaning of the Six-Month Rule in the context of residents’ forums.</p> <p>10. Amend the wording in section 3.6 relating to petitions to clarify that certain petitions will be treated as ‘letters of representation’ and will be outside of the normal petition procedures.</p> <p>11. Amend section 3.7 to clarify and simplify the rules relating to speaking at planning committees including to reflect that the Governance Service will take over management of the registering speakers.</p>
5	Article 4 – The Full Council	See ‘changes made’	<p>In relation to proposed change 4. there has been an inconsistency of practice relating to officer appointments to external bodies. The revised text clarifies the position in respect of both Members and officer.</p>	<ol style="list-style-type: none"> 1. Revised text throughout the Article to remove unnecessary wording and clarify language Amend the wording in section 4.1 to simplify the language. 2. Move the functions of Full Council listed in section 1 of Responsibility for Functions into Article 4. 3. Add a new responsibility for Full Council to approve Member and officer appointments to outside bodies and external organisations on the recommendation of the Group Secretaries or Chief Executive 4. Delete the definition of the policy framework in section 2 as the explanation is not required. 5. Delete section 4.4 (Responsibility for Functions) as this

No.	Section	Reference	Issue Identified	Changes Made
				simply refers to other sections of the constitution.
6	Article 5 – The Mayor and Chairing the Council	See ‘changes made’		<ol style="list-style-type: none"> 1. Amend the wording in section 5.1 to clarify that the Deputy Mayor should also be appointed by Council and to clarify their term of office. 2. Add a new section 5.2 to ensure that the election of the Mayor and Deputy Mayor is the first item of business transacted at the annual council meeting. 3. In section 5.3 delete the provision that states that the Mayor will appoint a deputy. 4. Add wording to section 5.3 to provide that the Mayor may write letters of condolence and congratulation on behalf of the Council.
7	Article 6 – The Leader	See ‘changes made’		<ol style="list-style-type: none"> 1. Amend section 6.1 to clarify wording.
8	Article 7 – Committees, Forums, Working Groups and Partnerships	See ‘changes made’	<p>The Council is required to adopt a Brownfield Land Register and consider new applications to it. Changes are proposed to enable this before the deadline of 31 December 2017.</p> <p>A best practice review the Local Pension Board has taken. Following the review is recommended that the membership be increased from 5 to 7 (to be in line with</p>	<ol style="list-style-type: none"> 1. Delete ‘Sub-Committees’, ‘Area Committees’, ‘Forums’ and ‘the Local Strategic’ from the Article title 2. Revise the wording in section 7.1 to make more succinct. 3. Delete references to ‘Panels’ and replace with ‘working groups’. 4. Delete section on ‘Additional Sub-Committees and Panels’. 5. Amend section 7.2 to refer to delete references to parent committees making appointments to sub-committees. 6. Delete section on Area Committee and Forums as these are included in the terms of reference of committees detailed later in the Article. 7. Delete unnecessary text from section 7.4 on the Local Strategic Partnership. 8. Review and shortening of terms of reference of all committees to improve clarity (including revisions to the terms of reference

No.	Section	Reference	Issue Identified	Changes Made
			<p>other local authorities membership). In addition, the Board has detailed terms of reference which specify the role of the Board, appointment process, composition of the Board, periods of office for Board members, frequency of meetings, accountability and reporting, etc. Rather than include these detailed terms of reference in the Constitution, it is proposed to refer to these as being separately adopted.</p>	<p>and remit of Area Committees and a rationalisation of the terms of reference of the General Functions Committee).</p> <ol style="list-style-type: none"> 9. Add new responsibilities to the terms of reference of the Planning Committee and Area Planning Committees in relation to a Brownfield Land Register. 10. Revise the membership of the Local Pension Board to increase from 5 to 7. 11. Include the following committee procedures in this Article moved from Meetings Procedure Rules (proposed to be deleted): Substitute Members – Rules; Quorum – Rules; Chairmen of Meetings; Minutes; Urgent Business 12. Amend Urgency provisions to remove the ability for the Chief Executive to take a decision normally reserved for a committee. 13. Delete text relating to the conclusion time for Residents Forums as these now take place at 7.00pm and no longer have an Area Committee which follows immediately after.
9	Article 8 – Joint Arrangements	See ‘changes made’		<ol style="list-style-type: none"> 1. Delete ‘References’ to legislation as these are not required. 2. Delete unnecessary text relating to delegations to joint committees being listed in Responsibility for Functions as this is no longer required.
10	Article 9 – Chief Officers	See ‘changes made’		<ol style="list-style-type: none"> 1. Add wording to 9.01 (a) to clarify that the Chief Executive as Head of Paid Service appoints all staff except Chief Officers. 2. Update the list of Chief Officers to reflect the senior management structure approved by the General Functions Committee implemented in June 2017. 3. Updated wording relating to the powers delegated to officers to simply the language and clarifies financial limits to delegations. 4. Updated list of Statutory Officers.

No.	Section	Reference	Issue Identified	Changes Made
				<ol style="list-style-type: none"> 5. Delete the section titled 'Other Chief Officers' as these are listed in the 'Chief Officers' section above. 6. Delete references in 9.4 (b) as these are no longer required. 7. Amend 9.3 (b) delete 'Chief Operating Officer' and replace with 'Assistant Chief Executive' to reflect the new senior officer structure. 8. Delete sections from section 9.3 relating to the functions of the Monitoring Officer relating to 'contributing to corporate management' and 'restrictions on posts' as these are covered elsewhere or are statutory provisions. 9. Delete references at the end of section 9.3 as these are no longer required. 10. Delete sections from section 9.4 relating to the functions of the Chief Finance Officer relating to 'contributing to corporate management' as this are covered elsewhere. 11. Delete section 9.8 on other chief officers as this is no longer required.
11	Article 10 – Decision Making	See 'changes made'		<ol style="list-style-type: none"> 1. Delete section on 'Responsibility for decision making' as no longer required. 2. Amend section 10.2 to refer to decisions taken by Full Council. 3. Amend section 10.3 to refer to decision-making by committees and revise the wording to improve clarity. Include new text to state that: i) all committee reports will be in the name of the Chairmen apart from Planning and Licensing Committees; and ii) that Chairmen will clear all committee reports apart from Planning and Licensing Committees. 4. Add a new section 10.4 (Decision Making by Chairmen of Theme Committees Jointly with Chief Officers) to give a new power to Chairmen of theme committee to make decisions

No.	Section	Reference	Issue Identified	Changes Made
				<p>jointly with chief officers with a value of between £165K and £500K.</p> <ol style="list-style-type: none"> 5. Amend section 10.5 to clarify the circumstances where a written record report is required. 6. Insert Table A detailing authorisation limits in relation to land and property transactions previously included in the Management of Assets, Land and Property Rules.
12	Article 11 – Finance, Contracts and Legal Matters	See ‘changes made’		<ol style="list-style-type: none"> 1. Delete ‘References’ as these are no longer required. 2. Amend sections 11.3 and 11.4 to delete ‘Monitoring Officer’ and replace with ‘Assistant Chief Executive’ as the senior responsible officer. 3. Amend section 11.4 on authentication of documents to improve clarity and confirm the financial threshold for documents which require the Seal to be attested. 4. Delete wording in section 11.4 relating to authorised officers as this is covered in section 11.5. 5. Minor amendments to 11.5 to include the Assistant Chief Executive as they are a senior responsible officer. 6. Delete text relating to the ‘Facsimiles of Common Seal’ as no longer required. 7. Delete section on ‘Disposal of land and real property’ as no longer required.
13	Article 12 – Review and Revision of the Constitution			<ol style="list-style-type: none"> 1. Amend text to clarify some of the wording.
14	Full Council Procedure	See ‘changes made’		<ol style="list-style-type: none"> 1. Amend Part 4, Business for Debate, 15. to remove Motions for the Adjournment and replace with a procedure for debating

No.	Section	Reference	Issue Identified	Changes Made
	Rules			<p>more than two motions if time permits at the end of the meeting.</p> <ol style="list-style-type: none"> 2. Amendments to clarify the wording in sections 6 (Variations), 7 (Suspension of Rules), 9 (General Provisions for Motions and Amendments). 3. Deletion of sections 13 (Motions which may be moved during debate and closure motions) and 14 (Division and Voting) which are no longer required. 4. Clarification of wording in section 22.1 to clarify that Motions must relate to Barnet specific issues. 5. Revisions to the wording in sections 23.5 and 23.6 to shorten and clarify the language. 6. Delete section 26 relating to Procedure for Policy and Resources Committee Budget Report as not required.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The Constitution, Ethics and Probity Committee are required under their terms of reference to proactively review and keep under review all aspects of the Constitution. These proposals are recommended to ensure the smooth running of the Council.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Committee could retain the current Constitution un-amended. This is not recommended as the current structure and format of the Constitution requires review and updating to ensure that it is easy to understand and interpret.

4. POST DECISION IMPLEMENTATION

- 4.1 Subject to the committee's approval, the recommendations will form part of a report to Full Council on 31 October 2017 to make final approval.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Barnet Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. By keeping the Constitution under review it ensures that the framework in which the Council is governed supports the delivery of corporate priorities and performance.

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

- 5.2.1 There are no resource implications as a result of these proposals.

5.3 Legal and Constitutional References

- 5.3.1 Council's Constitution, Responsibilities for Functions, Annex A – the Constitution, Ethics and Probity Committee terms of reference includes responsibility to “proactively to review and keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council”.

5.4 Risk Management

- 5.4.1 The process of managing changes to the Constitution through the Constitution Ethics and Probity Committee ensures that the proposals are developed through Member participation and consideration.

5.5 Equalities and Diversity

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

5.6 Consultation and Engagement

5.6.1 None in the context of this decision.

6. BACKGROUND PAPERS

6.1 The currently adopted Constitution can be accessed here:
<http://barnet.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13581&path=0>

6.2 Tracked changes versions have been retained for audit purposes and are available for inspection on request.

Decisions of the Constitution, Ethics and Probity Committee

19 October 2017

Members Present:-

Councillor John Marshall (Chairman)
Councillor Melvin Cohen (Vice-Chairman)

Councillor Richard Cornelius Councillor Barry Rawlings
Councillor Ross Houston Councillor Joan Scannell
Councillor Dr Devra Kay

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 29 June 2017 be approved as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

None.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENTS (IF ANY)

The Committee noted the responses to the public comment and questions which had been published and circulated prior to the meeting.

6. MEMBERS' ITEMS (IF ANY)

None.

7. CONSTITUTION REVIEW

RESOLVED that the Committee recommend to Council that the Constitution be amended to incorporate the changes set out in the table below and the track change versions attached at Appendix A to Appendix O.

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
1	Introduction and Summary	Pages 27 – 28	<ol style="list-style-type: none"> 1. Revised text throughout the Article to remove unnecessary wording and clarify language. 2. Renamed Sections 1 and 2 and sections contained therein. 3. Delete ‘citizens’ and replace with ‘residents’. 4. Revised wording to highlight that Members have a duty to all residents, not just those living in their ward. 5. Amended the ‘Decision Making Structure’ section to simplify the content. 6. Delete section on ‘Urgent and Emergency Decisions’ as covered in revised Article 7 (Committees, Forums, Working Groups and Partnerships) 7. Delete section on ‘Area Committees and Forums’ as covered in revised Article 7 (Committees, Forums, Working Groups and Partnerships) 8. Amended the ‘The Council’s Staff’ section to clarify that officers give advice to committees and Members. 9. Amend section on ‘Residents Rights’ to refer to revised Article 3 (Residents and Public Participation) 10. Delete section on ‘Explanatory Notes’ as unnecessary. 	Agreed as per report

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			11. Delete diagram of committee structure appended as unnecessary.	
2	Article 1 – The Constitution	Pages 29 – 30	<ol style="list-style-type: none"> 1. In section 1.3 delete ‘citizens’ and replace with ‘residents’. 2. Delete ‘address inequality’ as this is not a purpose of the constitution. 3. Amend section 1.4 to state that the Council may amend the Constitution. 4. Move Article 13 (Suspension, Interpretation and Publication of the Constitution) into a new section 1.5 of Article 1 and delete current Article 13. 	Agreed as per report
3	Article 2 – Members of the Council	Pages 31 – 34	<ol style="list-style-type: none"> 1. Amend section 2.1 to clarify the language. 2. Amend section 2.3 (a) to clarify the language relating to the ‘Key roles’ of councillors including the deletion of the section which starts ‘Champion the causes...’ as this is perfunctory. 3. Amend section 2.3 (b) to delete the section relating to scrutiny of performance as this is covered in the preceding bullet point (relating to participating in decision-making). 4. In section 2.3 (b) delete ‘authority’ and replace with ‘council’. 5. Delete duplicated text in Section 2.3 (b). 6. Amend the title of section 2.3 (c) to ‘Access to Information as the 	<p>Agreed as per report subject to:</p> <ol style="list-style-type: none"> 1. The addition in section 2.3 (d) of the Lead Member for Children’s Services; 2. The deletion of the wording ‘...other than planning committees...’ from the first paragraph in section 2.3 (e); and 3. The addition of the following paragraph in section 2.3 (e): “The Chairman or three Members of an Area Planning

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<p>sections covers Members rights of access to council information.</p> <p>7. In section 2.3 (c) delete 'Councillors' and replace with 'Members'</p> <p>8. In section 2.3 (c) add a requirement for officers to keep Ward Members informed of matters affecting their Ward.</p> <p>9. In section 2.3 (d) delete 'Councillors' and replace with 'Members' and add 'Vice-Chairman'</p> <p>10. Move content relating to referrals from Responsibility for Functions (proposed to be deleted) and create a new section 2.4 (d). Revise section 2.4 (d) to simplify the rules relating to referrals between committees. <i>Note:</i> sections copied from Responsibility for Functions have been copied and retained and deleted tracked changes for reference.</p> <p>11. Add wording in section 2.1 (e) to restrict urgent decisions from being referred and to clarify that the referral must be made before the decision is taken</p> <p>12. Move content from Meetings Procedure Rules into Article 2 and add a new section 2.5 (f). Revise wording to simplify the rules relating to Members Items'. Sections copied from Responsibility for</p>	<p>Committee may refer an item to the Planning Committee for determination by indicating before the vote is taken that they wish to refer the item and providing reasons for the referral."</p>

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<p>Functions have been copied and tracked change deleted for reference.</p> <p>13. Move content relating to Members rights to address planning committees from the Planning Committee Procedure Rules (currently section 7 of Meeting Procedure Rules). Revise wording to delete unnecessary content and duplication.</p> <p>14. Move content relating to councillor’s rights to attend and speak at committees or sub-committees when they are not a member (currently section 9 of Meeting Procedure Rules). Retain content un-amended. Add new wording to confirm Members rights to remain in the meeting room when committees that they are not a member of consider exempt business</p>	
4	Article 3 – Residents and Public Participation	Page 35 – 41	<ol style="list-style-type: none"> 1. Revised text throughout the Article to remove unnecessary wording and clarify language. 2. Delete references to ‘citizens’ and replace with ‘residents’. 3. Delete section 3.1 (a) (i) relating to voting and petitions 4. Amend section 3.1 to refer to clarify that only residents can petition the council. 5. Move section 2 (Public Questions) of the Public 	Agreed as per report subject to the inclusion of the additional wording in section 3.6: “Petitions which have been submitted in response to a consultation process initiated by a specific committee should be reported back to that committee.”

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<p>Participation and Engagement Rules into Article 3. Create new section 3.2 titled 'Questions to a committee'.</p> <p>6. Move section 3 (Public Comments) of the Public Participation and Engagement Rules into Article 3.</p> <p>7. Add a new section 3.4 titled 'Public Questions and Comments – Procedure at Committee' to clarify the order in which public comments and supplementary questions will be managed at a committee meeting.</p> <p>8. Amend section 3.5 to refer to 'issues' for residents' forums as this is consistent with the terminology currently used by Members and officers in relation to matters considered at the forums.</p> <p>9. Amend section 3.5 to clarify the meaning of the Six-Month Rule in the context of residents' forums.</p> <p>10. Amend the wording in section 3.6 relating to petitions to clarify that certain petitions will be treated as 'letters of representation' and will be outside of the normal petition procedures.</p> <p>11. Amend section 3.7 to clarify and simplify the rules relating to speaking at planning committees including to reflect that the</p>	

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			Governance Service will take over management of the registering speakers.	
5	Article 4 – The Full Council	Pages 43 – 44	<ol style="list-style-type: none"> 1. Revised text throughout the Article to remove unnecessary wording and clarify language Amend the wording in section 4.1 to simplify the language. 2. Move the functions of Full Council listed in section 1 of Responsibility for Functions into Article 4. 3. Add a new responsibility for Full Council to approve Member and officers appointments to outside bodies and external organisations on the recommendation of the Group Secretaries or Chief Executive 4. Delete the definition of the policy framework in section 2 as the explanation is not required. 5. Delete section 4.4 (Responsibility for Functions) as this simply refers to other sections of the constitution. 	Agreed as per report
6	Article 5 – The Mayor and Chairing the Council	Page 45	<ol style="list-style-type: none"> 1. Amend the wording in section 5.1 to clarify that the Deputy Mayor should also be appointed by Council and to clarify their term of office. 2. Add a new section 5.2 to ensure that the election of the Mayor and Deputy Mayor is the first item of business transacted at the annual council meeting. 	<p>Agreed as per report subject to:</p> <ol style="list-style-type: none"> 1. The addition of the word ‘dies’ in the second sentence of paragraph 5.1; and 2. Amend section 5.2 as follows: “The election of the Mayor and

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<ol style="list-style-type: none"> 3. In section 5.3 delete the provision that states that the Mayor will appoint a deputy. 4. Add wording to section 5.3 to provide that the Mayor may write letters of condolence and congratulation on behalf of the Council. 	<p><i>the nomination and ratification of the Deputy Mayor shall be the first business transacted at the annual meeting of the council.</i></p>
7	Article 6 – The Leader	Page 47	<ol style="list-style-type: none"> 1. Amend section 6.1 to clarify wording. 	Agreed as per report
8	Article 7 – Committees, Forums, Working Groups and Partnerships		<ol style="list-style-type: none"> 1. Delete ‘Sub-Committees’, ‘Area Committees’, ‘Forums’ and ‘the Local Strategic’ from the Article title 2. Revise the wording in section 7.1 to make more succinct. 3. Delete references to ‘Panels’ and replace with ‘working groups’. 4. Delete section on ‘Additional Sub-Committees and Panels’. 5. Amend section 7.2 to refer to delete references to parent committees making appointments to sub-committees. 6. Delete section on Area Committee and Forums as these are included in the terms of reference of committees detailed later in the Article. 7. Delete unnecessary text from section 7.4 on the Local Strategic 	Agreed as per report, subject to the reinstatement of the current terms of reference of the General Functions Committee

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<p>Partnership.</p> <p>8. Review and shortening of terms of reference of all committees to improve clarity (including revisions to the terms of reference and remit of Area Committees).</p> <p>9. Add new responsibilities to the terms of reference of the Planning Committee and Area Planning Committees in relation to a Brownfield Land Register.</p> <p>10. Revise the membership of the Local Pension Board to increase from 5 to 7.</p> <p>11. Include the following committee procedures in this Article moved from Meetings Procedure Rules (proposed to be deleted): Substitute Members – Rules; Quorum – Rules; Chairmen of Meetings; Minutes; Urgent Business</p> <p>12. Amend Urgency provisions to remove the ability for the Chief Executive to take a decision normally reserved for a committee.</p> <p>13. Delete text relating to the conclusion time for Residents Forums as these now take place at 7.00pm and no longer have an Area Committee which follows immediately after.</p>	

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
9	Article 8 – Joint Arrangements	Page 69	<ol style="list-style-type: none"> 1. Delete ‘References’ to legislation as these are not required. 2. Delete unnecessary text relating to delegations to joint committees being listed in Responsibility for Functions as this is no longer required. 	<p>Agreed as per report subject to paragraph 8.2 being amended as follows: “Access to Information legislation will apply to Members of joint committees.”</p>
10	Article 9 – Chief Officers	Pages 71 – 75	<ol style="list-style-type: none"> 1. Add wording to 9.01 (a) to clarify that the Chief Executive as Head of Paid Service appoints all staff except Chief Officers. 2. Update the list of Chief Officers to reflect the senior management structure approved by the General Functions Committee implemented in June 2017. 3. Updated wording relating to the powers delegated to officers to simply the language and clarifies financial limits to delegations. 4. Updated list of Statutory Officers. 5. Delete the section titled ‘Other Chief Officers’ as these are listed in the ‘Chief Officers’ section above. 6. Delete references in 9.4 (b) as these are no longer required. 7. Amend 9.3 (b) delete ‘Chief Operating Officer’ and replace with ‘Assistant Chief Executive’ to reflect the new senior officer structure. 8. Delete sections from section 9.3 relating to the 	<p>Agreed as per report</p>

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<p>functions of the Monitoring Officer relating to 'contributing to corporate management' and 'restrictions on posts' as these are covered elsewhere or are statutory provisions.</p> <p>9. Delete references at the end of section 9.3 as these are no longer required.</p> <p>10. Delete sections from section 9.4 relating to the functions of the Chief Finance Officer relating to 'contributing to corporate management' as this are covered elsewhere.</p> <p>11. Delete section 9.8 on other chief officers as this is no longer required.</p>	
11	Article 10 – Decision Making	Pages 77 – 82	<ol style="list-style-type: none"> 1. Delete section on 'Responsibility for decision making' as no longer required. 2. Amend section 10.2 to refer to decisions taken by Full Council. 3. Amend section 10.3 to refer to decision-making by committees and revise the wording to improve clarity. Include new text to state that: i) all committee reports will be in the name of the Chairmen apart from Planning and Licensing Committees; and ii) that Chairmen will clear all committee reports apart from Planning and Licensing Committees. 4. Add a new section 10.4 (Decision Making by 	Agreed as per report

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<p>Chairmen of Theme Committees Jointly with Chief Officers) to give a new power to Chairmen of theme committee to make decisions jointly with chief officers with a value of between £165K and £500K.</p> <p>5. Amend section 10.5 to clarify the circumstances where a written record report is required.</p> <p>6. Insert Table A detailing authorisation limits in relation to land and property transactions previously included in the Management of Assets, Land and Property Rules.</p>	
12	Article 11 – Finance, Contracts and Legal Matters	Pages 83 – 84	<ol style="list-style-type: none"> 1. Delete ‘References’ as these are no longer required. 2. Amend sections 11.3 and 11.4 to delete ‘Monitoring Officer’ and replace with ‘Assistant Chief Executive’ as the senior responsible officer. 3. Amend section 11.4 on authentication of documents to improve clarity and confirm the financial threshold for documents which require the Seal to be attested. 4. Delete wording in section 11.4 relating to authorised officers as this is covered in section 11.5. 5. Minor amendments to 11.5 to include the Assistant Chief Executive as they are a senior responsible officer. 6. Delete text relating to the ‘Facsimiles of Common 	Agreed as per report

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			<p>Seal' as no longer required.</p> <p>7. Delete section on 'Disposal of land and real property' as no longer required.</p>	
13	Article 12 – Review and Revision of the Constitution	Pages 85 – 86	1. Amend text to clarify some of the wording.	Agreed as per report
14	Full Council Procedure Rules	Pages 87 – 108	<ol style="list-style-type: none"> 1. Amend Part 4, Business for Debate, 15. to remove Motions for the Adjournment and replace with a procedure for debating more than two motions if time permits at the end of the meeting. 2. Amendments to clarify the wording in sections 6 (Variations), 7 (Suspension of Rules), 9 (General Provisions for Motions and Amendments). 3. Deletion of sections 13 (Motions which may be moved during debate and closure motions) and 14 (Division and Voting) which are no longer required. 4. Clarification of wording in section 22.1 to clarify that Motions must relate to Barnet specific issues. 5. Revisions to the wording in sections 23.5 and 23.6 to shorten and clarify the language. 6. Delete section 26 relating to Procedure for Policy and Resources Committee Budget Report 	<p>Agreed as per report subject to:</p> <ol style="list-style-type: none"> 1. Amend section 2.1, 2. to include the Deputy Mayor 2. Amendment of section 5.2 to state: “If the Mayor is absent from a meeting of the Council then the Deputy Mayor will preside.” 3. Delete the following wording from paragraph 5.3: “...or if the Deputy Mayor being present is not chosen...” Amend section 6 as follows: “The order of any business may be varied by the Mayor with the consent of Council.”

No.	Section	Reference (papers submitted to Committee)	Changes contained in the report to Constitution, Ethics and Probity Committee	Recommendation to Full Council
			as not required.	4. Retain section 11 (Division and Voting); 5. Delete the following wording from section 17.3: “(Including Overview and Scrutiny Committees)” 6. Change the wording in section 17.11 from ‘particularly’ to ‘substantially’

In considering the Full Council Procedure Rules, Councillor Rawlings moved that section 10.3 (which stated “After the deadline referred to at 10.1 above, a Member may only move an amendment to a Motion in their name orally from the floor”), which was proposed for deletion, be retained. Councillor Houston seconded the motion. Upon being put to the vote, the proposal was lost. Votes were recorded as follows:

In Favour	3
Against	4
Abstentions	0

The meeting finished at 8.03 pm

INTRODUCTION AND SUMMARY TO THE CONSTITUTION

The Constitution sets out the parameters within which the Council should operate, how decisions are to be made and the procedures which are to be followed; this is to ensure that the Council is efficient, transparent and accountable to residents. Some of these processes are required by law, while others are a matter for the Council to choose.

The Constitution is divided into the following sections:

Part 1 – The Articles

These set out the basic rules governing the Council's business.

- The Constitution (Article 1)
- Members of the Council (Councillors) (Article 2)
- Residents and Public Participation (Article 3)
- The Full Council (Article 4)
- The Mayor and Chairing the Council (Article 5)
- The Leader (Article 6)
- Committees, Forums, Working Groups, and Partnerships (Article 7)
- Joint arrangements (Article 8)
- Chief Officers (Article 9)
- Decision making (Article 10)
- Finance, contracts and legal matters (Article 11)
- Review and revision of the Constitution (Article 12)

Part 2 – Supporting Documents

Code of Corporate Governance

Full Council Procedure Rules

Access to Information Rules

Financial Regulations

Contract Procedure Rules / Code of Procurement Practice

Members' Code of Conduct and procedure for investigations

Members' Licensing Code

Members' Planning Code

Protocol for Member/Officer Relations

Members' Allowances Scheme

How the Council operates

The Council is composed of 63 Councillors (Members) elected every four years. Councillors are democratically accountable to all residents in the Borough and in particular to those living in their Ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have agreed to follow a local Code of Conduct for Members to ensure high standards in the way they undertake their duties.

Decision Making Structure

The Council has a Committee System of governance. Decisions are made by Full Council, or are delegated to Committees, Theme Committee Chairmen and Chief Officers as set out in Article 10.

All Councillors meet together as the Full Council. Council delegates functions to the committees as set out Article 7. Meetings of the Council and committees are open to the public.

The Council's Staff

The Council's staff (called 'Officers') give advice to Committees and Members, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationships between officers and Members of the Council.

Residents' Rights

Residents have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes.

Article 1 – The Constitution

1.1 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.2 The Constitution

This Constitution (Part 1 – The Articles, and Part 2 – Key Supporting Documents) is the Constitution of the London Borough of Barnet.

1.3 Purpose of the Constitution

- Enable the Council to provide clear leadership to the community in partnership with residents, businesses and other organisations;
- Provide a means of improving the delivery of services to the community;
- Enable the Council itself, or in partnership with others, to provide high quality services through making arrangements to secure continuous improvement in the way its functions are exercised; having regard to a combination of economy, efficiency and effectiveness, as well as to statutory requirements.
- Support the active involvement of residents in the process of local authority decision-making;
- Help councillors represent their constituents more effectively;
- Enable decisions to be taken efficiently and effectively;
- Create a powerful and effective means of holding decision-makers to public account;
- Ensure that no-one will review or scrutinise a decision in which they were directly involved in making;
- Ensure that those responsible for decision-making are clearly identifiable to local people and that they explain the reasons for decisions.

1.4 **Interpretation and Review of the Constitution**

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above. The Council will monitor, evaluate and may amend the operation of the Constitution as set out in Article 12.

1.5 **Suspension of the Constitution**

Limit to suspension. The Articles of this Constitution may not be suspended. Any of the Rules within Part 2 of the Constitution may be suspended by the Full Council.

Article 2 – Members of the Council (Councillors)

2.1 Composition and eligibility

- (a) **Composition:** The Council will comprise 63 Members, otherwise called Councillors. They will be elected by the voters of each Ward as defined by a scheme drawn up by the Local Government Commission and approved by the Secretary of State.
- (b) **Eligibility:** Only registered voters of the Borough or those living or working there will be eligible to stand for the office of a Councillor.

2.2 Election and terms of office

The regular election of Members is held on the first Thursday in May every four years from 2002. The terms of office of Members will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.3 Roles and functions of all Members

(a) **Key roles**

- to participate constructively in the good government of the area;
- Contribute actively to the formation or scrutiny of the council's policies, budget, strategies and service delivery;
- to represent effectively the interests of the Ward for which he/she was elected and deal with their constituents' enquiries and representations.

(b) **Key tasks**

- fulfil the statutory and locally determined requirements of an elected Member of the Council including compliance with all relevant codes of conduct, and participation in those decisions and activities of the Full Council and its committees;
- participate in the area and service-based consultative processes with the community and with other organisations;
- represent the council to the community, and the community to the council, through the various forums available;
- develop and maintain a working knowledge of Barnet's services, activities and other factors which impact upon the community's wellbeing and identity;
- contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area; and

- participate in the activities of any political group of which he/she is a member
- participate in training sessions made available to Members by the Council.

(c) **Access to Information**

- members will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law and officers will keep Ward Members informed of matters relating to their Ward
- Members will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it;
- “confidential” and “exempt” information are defined in the Access to Information Rules set out in Part 2 of this Constitution.

(d) **Special Responsibilities**

Some Members have special responsibilities, additional to those of other Members, including:

- The Leader of a political group;
- Chairman and Vice Chairman of a council committee;
- The Chairman of some other council body;
- The Lead Member for Children’s Services.

(e) **Members’ Rights to Refer Matters to Parent Body**

Unless the matter is urgent three members of a committee or sub-committee may refer a key decision (for definition see below) to Council or parent committee but any such reference must be requested before the decision on the matter is made by the committee. The reasons for the referral must be stated. In making the referral, the committee or sub-committee can make recommendations to Council or parent committee. Non-key decisions, Members’ Items and reports to the Urgency Committee cannot be referred.

The Chairman or three Members of an Area Planning Committee may refer an item to the Planning Committee for determination by indicating before the vote is taken that they wish to refer the item and providing reasons for the referral.

A chairman of an area committee may refer applications to the area committee budget to the Environment Committee. The reasons for the referral must be stated. In making the referral, the chairman can make recommendations to Council or parent committee.

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

(f) **Members' Items for the Agenda**

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. This rule does not apply to the licencing, planning and urgency committees. The referral of a motion from Full Council to a committee will not count as a Member's Item for the purposes of this rule.

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.

Any Member will be permitted to have one matter only (with no sub-items) on the agenda for an Area Committee where the Member is sponsoring an application to an Area Committee Budget. Members' Items sponsoring an application to the Area Committee Budget must be submitted 19 clear working days before the meeting. Items received after that time will only be dealt with at the meeting if the Chairman agrees they are urgent.

(g) **Member Requests to Speak at Planning Committees**

Members may only address a planning committee on applications which affect their ward or on an application affecting their Ward which that Member has 'called-in' to committee identifying a planning consideration. Members should give notice to the Chairman of the meeting of their intention to speak before the start of the meeting. Any Ward 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.

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 Chairman of the meeting before the start of the meeting. Any such Member would be allowed up to 3 minutes

(h) **Members' rights to attend and speak at committees or sub-committees when they are not a Member of the committee.**

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.

Apart from planning committees (see above) and licensing committees councillors may speak at a meeting subject to giving notice to the Chairman of the meeting before the start of the meeting and the Chairman giving his or her consent. Any Councillor wishing to address the Committee or Sub-Committee shall have up to 3 minutes.

The Lead Member for Children's 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 Chairman of the meeting before the start of the meeting and the Chairman giving his or her consent

Members may remain for the private part of any committee meeting.

2.4 **Conduct**

Councillors will at all times observe their Code of Conduct, Members' Planning and Licensing Codes, and the Protocol on Member/Officer Relations set out in this Constitution.

2.5 **Allowances**

Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme set out in this Constitution.

Article 3 – Residents and Public Participation

3.1 Residents' Rights

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

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

Residents can participate in Committee meetings as follows:

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

3.2 Questions to a Committee

Questions must detail which agenda item they are in connection with. Committee agendas are usually published on the Council's website five working days prior to the meeting. Residents should state their address when submitting questions.

Questions should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting (for example for a committee meeting on a Thursday the deadline would be 10am on the preceding Monday; for a committee meeting on a Tuesday the deadline would be 10am on the preceding Thursday). Any questions submitted after this time will not be considered.

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

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

At the meeting a time period of up to 30 minutes is available for public questions and comments in total.

3.3 Comments to Committees

Comments must relate to an item being considered on a Committee agenda and provide members of the public with an opportunity to address Committee Members. Committee agendas are published on the Council's website five clear working days prior to the meeting.

Requests to speak should be submitted to the relevant Governance Officer named on the front page of the agenda and be received by 10am on the third working day prior to the meeting. Any requests to make comments after this time will not be considered.

At the meeting each speaker will have a time period of up to three minutes to address the committee. Committee Members may ask the speaker questions on the representation they have made to the committee.

Comments may also be made in writing within the same deadlines as above and these will be published as an addendum to a report.

3.4 Procedure for Questions and Comments at Committees

At the committee meetings a time period of up to 30 minutes, is available for public questions and comments in total.

Public comments will be received by the Committee before supplementary questions are asked. Where a resident has submitted more than one question, their second item or question will be considered after all other residents have asked their first supplementary question. Supplementary questions will continue to be asked in this way until there are no further questions or 30 minutes has elapsed.

3.5 Issues for Residents Forum

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

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

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

The Six Month Rule shall apply whereby matters dealt with cannot be raised again within this period. The Six Month Rule means that Residents Forum will not reconsider any issues discussed at a resident's forum or any decision taken by a committee in the six months preceding the date of the forum.

The Residents Forum may also be a forum for certain consultations from the Council as decided by the Chairman.

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

The Chairman will determine issues in the following way:

1. Residents will have the opportunity to discuss the issue raised
2. Chairman, Chief Officers or other relevant officers may respond to the issues raised
3. Having considered the issues the Chairman can take the following actions:
 - note the issue and take no action
 - instruct that an appropriate named officer contact the resident within 20 working days to provide an additional response
 - instruct that Ward Members are notified of the issue.
 - decide that the issue be referred to the next meeting of an Area Committee for consideration, subject to the issue being within the terms of reference of an Area Committee

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

Public questions and comments are not permitted:

- If they are defamatory, abusive or offensive
- If submitted from Council employees or trade unions on employment matters; there are avenues available for these to be addressed via the Terms of Reference of the General Functions Committee

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

3.6 Petitions

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

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

The address of the Head of Governance is as follows:

Head of Governance
London Borough of Barnet
Building 2, North London Business Park
Oakleigh Road South
N11 1NP

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

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

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

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

A petition will not be accepted if:

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

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

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

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

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

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

Petitions will be reported as follows:

Signatures	Forum and Procedure
0-24	No action required.
25 – 1,999 Signatures	<p>The petition will be reported to Residents Forum to which the issue relates. Where the petition relates to a borough-wide issue, the matter will be reported to the Residents Forum for the constituency area in which the lead petitioner resides.</p> <p>The Lead Petitioner will be given three minutes to present the petition to the Forum. Following the presentation the Residents Forum Chairman will decide to:</p> <ul style="list-style-type: none"> • Take no action; • Refer the matter to a chief officer to respond to within 20 working days; or • Refer the matter to the relevant Area Committee (if funding is required)
2,000 – 6,999 Signatures	<p>Where the petition relates to the functions and responsibilities of an Area Committee it will be reported to the relevant Area Committee.</p> <p>Where the petition relates to the matters outside the functions and responsibilities outside of the remit of an Area Committee, the petition will be reported to the relevant Theme Committee.</p>

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

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

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

3.7 Requests to speak at Planning Committees

Requests to speak should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Requests will be accepted in the order received.

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

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.

3.8 Complaints

Residents have the right to complain to:

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

3.9 Disorderly Conduct

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

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Article 4 – The Full Council

4.1 Role and Function

The Full Council is a formal meeting of all Councillors and is required by law to take certain important decisions as set out below. Full Council also approves a number of key plans and strategies, which together form the Policy Framework:

- Approving the strategic financing of the council upon recommendations of the Policy and Resources Committee
- Determination of the financial strategy
- Approval of the Budget
- Approval of the capital programme
- Setting the Council Tax
- Determination of fees and charges (unless delegated)
- Determination of borrowing limits
- Adopting and changing the Constitution (unless delegated)
- Approving and adopting the Policy Framework
- Delegating/receiving functions to/from other councils or their Executives
- Adopting a Members' Allowance Scheme
- Agreeing and amending the terms of reference of committees, deciding their composition and making appointments to them
- Electing chairmen and vice-chairmen of committees
- Conferring the title of Freeman of the Borough
- Confirming the appointment or dismissal of the Head of Paid Service
- Byelaws and dealing with local legislation or private bills
- Electing the Leader of the Council, the Mayor and Deputy Mayor
- Approval of annual pay statement
- Housing Land Transfers
- Approving Member and officer appointments to outside bodies and external organisations on the recommendation of the Group Secretaries or Chief Executive

The Full Council provides a central forum for debate and gives the opportunity for Councillors to ask questions about the Council or matters affecting the Council.

4.2 Meanings

(a) Policy Framework.

- Safer Communities Strategy
- Sustainable Community Strategy
- Development Plan Documents comprising the Local Plan
- Adoption of Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders
- Statement of Licensing Policy
- Statement of Gambling Licensing Policy

(b) **Budget.**

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the council tax base and Council Tax, decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

(c) **Housing Land Transfer.**

Housing Land Transfer means the approval or adoption of applications to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under the Housing Act 1985.

4.3 **Council Meetings**

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings;

and they will be conducted in accordance with the Council Procedure Rules included within Part 2 of this Constitution.

Article 5 – The Mayor and Chairing the Council

Role and function of the Mayor

- 5.1 The Mayor and Deputy Mayor will be elected annually from among the Councillors. The Mayor and Deputy Mayor will hold office until the following annual meeting of the council unless s/he resigns, dies or becomes disqualified.
- 5.2 The election of the Mayor and the nomination and ratification of the Deputy Mayor shall be the first business transacted at the annual meeting of the council.
- 5.3 The Mayor (and in his/her absence, the Deputy Mayor) will have the following responsibilities:
- To uphold and promote the purposes of the Constitution and to interpret the Constitution when necessary with advice from the Monitoring Officer if required;
 - To preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community; the Deputy Mayor will preside in the absence of the Mayor;
 - To ensure that the Council meeting is a forum for the debate of matters of concern to the local community;
 - To promote public involvement in the Council's activities;
 - To attend such civic and ceremonial functions as the Council and he/she determine appropriate in carrying out his/her duties as first citizen of the borough;
 - The Mayor as First Citizen can send, where appropriate, messages of condolence and congratulation.

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Article 6 – The Leader

6.1 Leader of the Council

The Leader will be a Councillor elected to the position of Leader by the Council and the Leader's term of office starts on the day of his/her election.

The Leader will hold office until

- (a) she/he resigns from office; or
- (b) she/he is suspended from being a Councillor or is no longer a Councillor; or
- (c) the day of the annual meeting of the next council which follows their election as Leader unless either (a) or (b) occurs prior to that time; or
- (d) removed by resolution of the Council

If the Council passes a resolution to remove the Leader, a new Leader is to be elected-

- (a) at the meeting at which the Leader is removed from office, or
- (b) at a subsequent meeting.

6.2 Conflicts of Interest

Where the Leader has a conflict of interest this should be dealt with as set out in the Members Code of Conduct in this Constitution.

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Article 7 – Committees, Forums, Working Groups and Partnerships

Committees

7.1 The Council will appoint the committees set out below at 7.7 to discharge the functions described.

Sub-Committees and Working Groups

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

Appointment of Members to Committees

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

Local Strategic Partnership

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

7.5 Responsibility for Functions

Body responsible	Functions	Membership
Policy and Resources Committee	<p>(1) To determine strategic policy, finance including recommending capital and revenue budget to full Council, welfare, corporate plan and local plans, procurement, partnerships, IT, grants and the effective use of resources.</p> <p>(2) To be responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council.</p> <p>(3) Consider for approval budget and business plan of the Barnet Group Ltd.</p>	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

	<p>If any report appears to come within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee.</p>	
<p>Performance and Contract Management Committee</p>	<p>(1) Overall responsibility for quarterly budget and performance monitoring, oversight of contract variations including monitoring trading position and financial strategy of Council services and external providers.</p> <p>2) To make recommendations to Policy and Resources and Theme Committees on relevant policy and commissioning implications arising from the scrutiny of performance of Council services and external providers.</p> <p>(3) Specific responsibility for risk management and treasury management performance.</p> <p>4) To consider any decisions of the West London Economic Prosperity Board which have been called in, in accordance with this Article.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Children, Education, Libraries and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to children, schools, education, and libraries.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p>	<p>9</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>Requirement to have a Lead Member for Children's Services.</p> <p>Co-opted Members (<i>may speak on all matters, but can only vote on education related items</i>):</p>

	<p>(4) To receive reports on relevant performance information on Delivery Units providing services under the remit of the Committee.</p> <p>(5) To receive and consider reports as appropriate from the Corporate Parenting Advisory Panel.</p> <p>(6) Receive an annual report from the Lead Member for Children’s Services (Chairman of Children Education Libraries and Safeguarding Committee) covering key matters.</p> <p>(7) Receive an annual report from the Safeguarding Children’s Board.</p>	<p>Three Voluntary Aided School Representatives - to provide a faith perspective on education matters (Church of England; Roman Catholic; and Jewish).</p> <p>One representative from the Standing Advisory Committee on Religious Education</p> <p>Two Parent Governor representatives (PGRs) elected by other parent governors.</p> <p>6 substitutes Quorum 3</p>
<p>Adults and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to vulnerable adults, adult social care and leisure services.</p> <p>(2) Work with partners on the Health and Well Being Board to ensure that social care, interventions are effectively and seamlessly joined up with public health and healthcare and promote the Health and Well Being Strategy and its associated sub strategies.</p> <p>(3) To submit to the Policy and Resources Committee proposals relating to the Committee’s budget for the following year in accordance with the budget timetable.</p> <p>(4) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(5) To receive reports on relevant performance information on Delivery Units providing services under the remit of the Committee.</p>	<p>9</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

<p>Environment Committee</p>	<p>(1) Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Assets, Regeneration and Growth Committee</p>	<p>(1) Responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information on Delivery Units providing services under the remit of the Committee.</p>	<p>9</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council. Committee to be made up in accordance with proportionality</p> <p>6 substitutes</p> <p>Quorum 3</p>

<p>Housing Committee</p>	<p>(1) Responsibility for housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p>	<p>9</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Community Leadership Committee</p>	<p>(1) Responsibility for civic events, community safety, emergency planning, registration and nationality service, grants to the voluntary sector.</p> <p>(2) To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid)</p> <p>(3) To submit to the Policy and Resources Committee proposals on the Committee's budget for the following year in accordance with the budget timetable and make recommendations on issues relating to virements, underspends or overspends. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Community Leadership Sub-Committee</p>	<p>To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid) when there is no scheduled meeting of the full Committee which falls within the eight week statutory deadline for determining applications</p>	<p>3</p> <p>Chairman, Vice-Chairman and Opposition Spokesperson Appointed by Community Leadership Committee</p> <p>3 substitutes</p> <p>Quorum 2</p>

<p>Area Committees</p> <p>Finchley & Golders Green;</p> <p>Chipping Barnet; and</p> <p>Hendon</p>	<p>In relation to the area covered:</p> <p>1) Responsibility for all constituency specific matters relating to the street scene including parking, road safety, transport, allotments, parks and trees.</p> <p>2) Consider constituency specific matters as agreed with the Chairman.</p> <p>3) Consider matters relating to Town Centre regeneration and designating conservation areas.</p> <p>4) Consider matters raised at Residents Forums and determine how they are to be taken forward, including whether to request a report for a future meeting, refer to an Officer and/or ward councillors.</p> <p>5) Determine the allocation of Community Infrastructure Levy funding within the constituency up to a maximum of £25,000 per scheme / project in each case subject to sufficient of the budget allocated to the committee being unspent.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One Member and one substitute member for each Ward.</p> <p>Quorum 3</p>
<p>Licensing Committee</p>	<p>for all policy matters relating to licensing with licencing hearings concerning all licencing matters delegated to sub-committees.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members</p> <p>No substitute members</p> <p>Quorum 3</p>
<p>Licensing Sub-Committees</p>	<p>All functions in relation to licensing as delegated by the Licensing Committee. Members appointed from the membership of the Licensing Committee</p>	<p>3</p> <p>Quorum 3</p> <p>Chairman appointed at each meeting of a Sub-Committee.</p>

<p>Audit Committee</p>	<p>To provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.</p> <p><u>Anti-Fraud Activity</u> To monitor the effective development and operation of the Council's Corporate Anti-Fraud Team (CAFT).</p> <p><u>Regulatory Framework.</u> To review any issue referred to it by the Chief Executive and to oversee the production of the authority's Annual Governance Statement and to recommend its adoption.</p> <p><u>Accounts</u> To review and approve the annual statement of accounts and consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</p> <p><u>Annual Report</u> The Audit Committee shall prepare a report to Full Council on annual basis on its activity and effectiveness.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>The membership should also include two independent, non-voting Members with a period of appointment of four years.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Planning Committee</p>	<p>To determine Applications for Planning Permission, including permissions in principle, made under the Town and Country Planning Act 1990 where the recommendation is for approval and the development:</p> <p>a. is within the categories which must be referred to the Mayor of London under the London Mayor Order;</p> <p>b. does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure; or</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>10 substitutes</p> <p>Quorum 3</p>

	<p>c. is by or on behalf of the Council and, in the opinion of the relevant Chief Planning Officer], it is a significant development</p> <p>The confirmation of Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015.</p> <p>The confirmation of Town and Village Green Registration Applications under the Commons Act 2006, including considering the recommendations of a non-statutory inquiry chaired by an independent person.</p> <p>Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning.</p> <p>Consider for approval and confirmation Neighbourhood Development Orders and Community Right to Build Orders.</p> <p>Recommending the creation of Conservation Areas to Full Council</p> <p>Consider approving Article 4 Directions for consultation</p> <p>Take action under Part 8 of the Anti-Social Behaviour Act 2003 relating to high hedges</p> <p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.</p> <p>Any other planning application or planning matter referred to this Committee by relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Reports on all matters reserved to the Committee shall be made direct to the Committee and not through an Area Planning Committee.</p> <p>Any Planning Area Committee agenda item referred to this Committee for consideration and determination.</p>	
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	<p>To consider for approval fees and charges for those areas under the remit of the Committee.</p> <p>To consider additions, deletions or amendments to the entries in the Council's Brownfield Land Register, including any referrals from the Area Planning Committees, and conduct any other functions related to the Brownfield Land Register.</p>	
<p>Area Planning Committees:</p> <p>Finchley & Golders Green; Chipping Barnet; and Hendon</p>	<p>To determine the following application types, except where they are referable under the Constitution to the Planning Committee:</p> <p>A. Applications for Planning Permission made under the Town and Country Planning Act 1990;</p> <p>B. Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990;</p> <p>C. Applications for Consent to Display an Advertisement made under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007;</p> <p>D. Applications for permissions in principle made under the Town and Country Planning Act 1990 and any application to add, delete or amend any entries in the Council's Brownfield Land Register" after the words "To determine the following application types, except where they are referable under the Constitution to the Planning Committee</p> <p>Where the recommendation is for approval and:</p> <p>a. there is significant local public objection (defined as 5 or more objectors who have objected in writing in response to a planning application)</p> <p>b. there is a Councillor referral of an application which affects their Ward which that Member has 'called-in' to committee identifying a planning consideration.</p>	<p>7 for each Committee</p> <p>One councillor representing each Ward 7 substitutes – one per Ward</p> <p>Quorum 3</p> <p>Chipping Barnet Area Planning Committee Brunswick Park Coppetts East Barnet High Barnet Oakleigh Totteridge Underhill</p> <p>Finchley and Golders Green Area Planning Committee: Childs Hill East Finchley Finchley Church End, Garden Suburb Golders Green West Finchley Woodhouse</p> <p>Hendon Area Planning Committee Burnt Oak Colindale Edgware Hale Hendon Mill Hill West Hendon</p>

	<p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.</p> <p>Any other application or planning matter referred to this Committee by the relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Applications to undertake treatment to trees included within a Tree Preservation Order</p> <p>Applications for a Hedgerow removal notice made under the Hedgerow Regulations 1997.</p>	
<p>General Functions Committee</p>	<p>All other Council functions that are not reserved to Full Council including</p> <ul style="list-style-type: none"> • Appointing representatives on outside bodies • Nominating local authority representatives to School Governing bodies • Staff matters (i.e. salaries and conditions of service) other than those within the remit of Chief Officer Appointment Panel • Polling Stations • Ward Boundaries • Request a ward boundary review by the Local Government Boundary Commission for England • Elections in general • Health and safety • Carry out functions in relation to approving premises for marriages and the formation of civil partnerships under the Marriage Act 1949, the Civil Partnership Act 2004 and the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 • Determine Members requests for non-committee information as specified in the Members Information Management Policy 	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

- Endorsing the calendar of meetings prior to Council approval
- Agreeing the Members Diary and Year Book

Where decisions have a significant impact on the Pension Fund and/or Council budget, decisions will be subject to agreement also by the Pension Fund Committee and/or Policy and Resources Committee.

Collective Disputes -

In accordance with the Council's Trade Union and Employee Engagement Framework, certain disputes may be referred to the General Functions Committee.

(a) Only where there has been a failure to agree at People Management Group about the implementation (or proposed implementation) of change affecting working arrangements can the matter be referred to the General Functions Committee at its next scheduled meeting.

(b) Issues concerning working arrangements which are submitted to the General Functions Committee will be supported by the minutes of the People Management Group which considered the matter.

(c) Where the matter is not resolved at this point, the Collective Disputes Procedure is regarded as exhausted and the Council will advise trade unions and employees of its intentions.

(d) When considering the report, a representative of the trade unions may be requested to speak with the consent of the Chairman or be questioned by the Committee before a decision is made.

(e) Consider reports on restructure in line with the HR Regulations.

In accordance with supplementary guidance issued by the Department for Communities & Local Government in 2012 and February 2013 Council be given the opportunity to vote on Chief Officer salary packages, of salary packages of £100,000 or more and any severance packages at or above £100,000 and in instances where Council has delegated these functions to the General Functions Committee, then the General Functions Committee will:

Decide on and report back to Council on

- a. Chief Officer salary packages
- b. Salary packages to be offered of £100,000 or more
- c. Severance packages per individual of £100,000 or more. (Severance package will consist of redundancy pay, pay in lieu of notice, any holiday pay the employee is contractually entitled to and any pension lump sum the employee is entitled to in accordance with the Local Government Pension Scheme).

Responsibilities

The Committee will take account of the Reward and Employment strategies of the Council and ensure that it is fully briefed on the prevailing organisational approach. The following list of responsibilities is not intended to be exhaustive:

- a. To develop the annual pay policy statement for full Council approval and be responsible for the publication of the annual statement, which will include:
 - The level and elements of remuneration for each Chief Officer;
 - Relationship of the remuneration of Chief Officers and other officers;
 - A description of the relationship between decisions made on the lowest paid and top paid employees in the organisation;
 - Remuneration of the lowest paid (with the definition of the lowest paid and the reasons for adopting that definition);

	<ul style="list-style-type: none"> • Remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments; • Transparency arrangements; • Reasons for chosen approach to remuneration levels and how this is to be implemented; • Differences of approach to groups of employees and the reasons for them; • Pay dispersion. • Incremental progression factors • Use of honoraria and ex-gratia payments • Determine remuneration parameters for officers who have returned to work for a local authority • Appointment and remuneration terms <p>b. To review annually remuneration, as defined above</p> <p>c. To keep under review the terms & conditions as they relate to pay for all Council employees and where changes have a significant impact on the Pension Fund and/or Council budget, decisions will be subject to agreement also by the Pension Fund Committee and/or Policy and Resources Committee and/or General Functions Committee.</p> <p>d. To receive information in the context of reward from organisations that have a relationship with the Council or arrangements that may influence decisions when determining pay</p> <ul style="list-style-type: none"> • The employees of Barnet Group • Contractors • Shared management schemes • Outplacements • Agency and other staff <p>e. To have oversight to ensure that remuneration terms of appointments are appropriate.</p> <p>f. To take advice from the Pension Fund Committee with regard to decisions on pay</p>	
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	<p>that would impact upon pension arrangements or contributions.</p> <p>g. To set parameters for the remuneration of Chief Officers on recruitment.</p> <p>h. To ensure that sufficient flexibility exists within the pay policy to allow responses to unforeseen circumstances without having recourse to revising the pay policy statement between annual reviews.</p> <p>i. To have oversight of the national pay agenda and consider the implications in the local context.</p> <p>j. To commission relevant research and/or comparative information on salaries in the public and private sectors e.g. from:</p> <ul style="list-style-type: none"> • The Council's own HR function • National and/or Regional employers' organisations • Independent consultancy organisations with relevant experience in pay market analysis • Submissions made by the Associations on behalf of their members and make recommendations thereon. <p>k. To ensure that the Public Sector Equality Duty, as set out by the Equality Act 2010, is applied throughout the pay and reward structure.</p> <p>l. To take cognisance of the CLG Code of Recommended Practice for Local Authorities on Data Transparency.</p> <p>m. To reference back to previous year's actual remuneration for Chief Officers and senior employees (definition of senior employee is consistent with CLG Code of Recommended Practice for Local Authorities on Data Transparency).</p> <p>n. To obtain assurance that adequate internal and external moderation and benchmarking takes place when senior posts are subject to job evaluation.</p>	
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	<p>o. To take account of forward plans and the impact of remuneration on workforce planning, talent management and succession planning.</p> <p>p. To review remuneration arising from performance management and ensure that any performance-related pay mechanisms are fair and transparent.</p> <p>q. To refer such items as necessary to the Council.</p> <p>r. To refer to guidance from the Secretary of State.</p>	
Constitution, Ethics and Probity Committee	<p>To have responsibility for overseeing the Council's governance arrangements.</p> <p>Keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council.</p> <p>To consider and make recommendations to the Council on:</p> <p>(i) how it can satisfy the continuing duty to promote and maintain high standards of conduct by Members;</p> <p>(ii) on the Code of Conduct for Members;</p> <p>(iii) on ethical standards in general across the authority.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
Standards Committee	<p>To investigate and determine allegations of a breach of the Code of Conduct for Members in the context of satisfying the Council's continuing duty to promote and maintain high standards of conduct for Members.</p>	<p>5 (2 Members each from the Administration and the Opposition, and an Independent Member Chairman)</p> <p>2 substitutes each from the Administration and the Opposition.</p> <p>Quorum 3</p>

<p>Pension Fund Committee</p>	<p>To consider approval and act in accordance with statutory Pension Fund documents:</p> <ul style="list-style-type: none"> • Statement of Investment Principles • Funding Strategy Statement • Governance Policy Statement • Pension Administration Strategy • Communication Policy Statement <p>To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so</p> <p>To meet review and consider approval of the Pension Fund Statement of Accounts, income and expenditure and balance sheet or record of payments and receipts</p> <p>To receive and consider approval of the Pension Fund Annual Report.</p> <p>To appoint independent investment advisors. To appoint Pension Fund investment managers. To appoint Pension Fund actuaries. To appoint a performance management company. To appoint custodians.</p> <p>To review and challenge at least quarterly the Pension Fund investment managers' performance against the Statement of Investment Principles in general and investment performance benchmarks and targets in particular. One of these meetings to be the annual review, at which the representative from the council's performance management organisation attends to comment on the relative performance of the fund managers.</p> <p>To consider actuarial valuations and their impact on the Pension Fund.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>To invite a recognised representative from the trades unions and a representative from Middlesex University (the largest scheduled / admitted body) to committee meetings</p> <p>These representatives are appointed to advise the committee on behalf of the interests they represent, but are not to have any voting rights. Further invites to scheduled/admitted bodies to be decided by the chairman of the committee.</p> <p>6 substitutes – 3 from each political group</p> <p>Quorum 3</p>
<p>Local Pension Board</p>	<p>The Board is responsible for assisting with:</p> <ul style="list-style-type: none"> ○ securing compliance with Local Government Pension Scheme (LGPS) Government regulations and any other legislation relating to the governance and administration of the LGPS 	<p>7 Members comprising:</p> <p>3 employers side representatives (1 councillor and 2 employer representatives</p>

	<ul style="list-style-type: none"> o securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator. o such other matters that the LGPS regulations may specify <p>Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund.</p>	<p>from an admitted body</p> <p>3 employee side representatives (1 active member and 2 deferred member)</p> <p>1 independent member/advisor</p>
Chief Officer Appointment Panel	<p>To deal with Chief Officer Appointments, Discipline and Capability matters.</p> <p>Members comprise: Chairman – Leader of the Council Deputy Leader of the Council. Chairman of General Functions Committee. Leader of the Opposition Leader of the Minority opposition group.</p>	<p>5</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One substitute from each political group</p> <p>Quorum 3</p>
Health and Wellbeing Board	<p>(1) To jointly assess the health and social care needs of the population with NHS commissioners, and apply the findings of a Barnet joint strategic needs assessment (JSNA) to all relevant strategies and policies.</p> <p>(2) To agree a Health and Wellbeing Strategy (HWBS) for Barnet taking into account the findings of the JSNA and performance manage its implementation to ensure that improved outcomes are being delivered.</p> <p>(3) To work together to ensure the best fit between available resources to meet the health and social care needs of the population of Barnet (including children), by both improving services for health and social care and helping people to move as close as possible to a state of complete physical, mental and social wellbeing. Specific resources to be overseen include money for social care being allocated through the NHS; dedicated public health budgets; the Better Care Fund; and Section 75 partnership agreements between the NHS and the Council.</p>	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>Three Members of the Council</p> <p>Director of Public Health</p> <p>Strategic Director for Children & Young People</p> <p>Strategic Director for Adults, Communities & Health</p> <p>Barnet Clinical Commissioning Group- Board members x 3</p> <p>Barnet Clinical Commissioning Group- Chief Officer</p> <p>Barnet Healthwatch</p>

	<p>(4) To promote partnership and, as appropriate, integration, across all necessary areas, including the use of joined-up commissioning plans across the NHS, social care and public health. To explore partnership work across North Central London where appropriate.</p> <p>(5) Specific responsibilities for:</p> <ul style="list-style-type: none"> • Overseeing public health • Developing further health and social care integration. 	<p>representative</p> <p>Independent Chair of the Adults and Children's Safeguarding Boards (Non-Voting Member)</p> <p>NHS England</p> <p>Each member may nominate a substitute if they cannot attend.</p> <p>Requirement for proportionality is waived and voting rights allowed to members other than Members of the Council.</p> <p>Quorum 3</p>
Health Overview and Scrutiny Committee	<p>(1) To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service and NHS bodies located within the London Borough of Barnet and in other areas.</p> <p>(2) To make reports and recommendations to Council, Health and Well Being Board, the Secretary of State for Health and/or other relevant authorities on health issues which affect or may affect the borough and its residents.</p>	<p>9</p> <p>Chairman, Vice-Chairman, Members and substitutes to be appointed by Council</p>
Urgency Committee	<p>To consider any item of business which needs a decision as a matter of urgency and where a meeting of the relevant Committee is not scheduled to take place within the time period within which the decision is required.</p>	<p>3 Appointed by Council.</p> <p>Quorum 2</p>
Residents Forums <u>Chipping Barnet Residents Forum</u> Underhill, High Barnet, East Barnet, Oakleigh, Brunswick Park, Coppetts and	<p>Residents Forums provide an opportunity for any resident to raise matters affecting the area except matters relating to licensing and planning applications.</p>	<p>A Chairman and Vice-Chairman of each appointed by the Council.</p>

<p>Totteridge Wards.</p> <p><u>Hendon Residents Forum</u> Hale, Edgware, Burnt Oak, West Hendon, Colindale, Hendon and Mill Hill Wards</p> <p><u>Finchley and Golders Green Residents Forum</u> Woodhouse, West Finchley, Finchley Church End, Garden Suburb, Golders Green, Childs Hill and East Finchley Wards</p>		
<p>Local Strategic Partnership (Barnet Partnership Board)</p>	<p>A Local Strategic Partnership is an advisory committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet's local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies</p>	<p>Leader of the Council</p> <p>Council representatives to be appointed by Annual Council</p> <p>Senior representatives from:</p> <ul style="list-style-type: none"> • Met Police • Middlesex University • Barnet Clinical Commissioning Group • Community Barnet • Brent Cross Shopping Centre • Barnet and Southgate College • Job Centre Plus
<p>Children's Partnership Board</p>	<p>Barnet's Children's Partnership Board brings together all services for children and young people in the borough, to focus on hearing the voice of children and young people and improving their outcomes.</p> <p>The Children's Partnership Board is accountable for the following:</p> <ul style="list-style-type: none"> • Ensuring the voice of children and young 	<p>The Board will be chaired by the Lead Member for Children's Services as appointed by the Council.</p> <p>Members are able to delegate a deputy of suitable authority if they are unable to attend, by</p>

	<p>people is heard in Barnet</p> <ul style="list-style-type: none"> • Developing and delivering the Children & Young People’s Plan. • Ensuring that the collective resources of the partners are being used to the best effect to meet the priorities in the Children & Young People’s Plan. • Resolving issues that block progress against the priorities. • Signing off all Plans and Strategies relating to Children and Young People in Barnet prior to presentation to executive groups (e.g. CELS, H&WBB) <p>The Board’s 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.</p> <p>These responsibilities include effective transition arrangements, where necessary.</p> <p>The Board will meet as an Annual Children and Young People’s Conference.</p>	<p>agreement with the chairman.</p> <p>Current partners are:</p> <ul style="list-style-type: none"> • LB Barnet • Barnet Clinical Commissioning Group • CommUnity Barnet • Barnet and Southgate College • Metropolitan Police • Primary, Secondary and Special Schools
<p>Safer Communities Partnership Board</p>	<p>The Safer Communities Partnership Board (SCPB) is the inter-agency mechanism in Barnet to reduce crime and anti-social behaviour and reoffending and promote social cohesion. It acts as the Crime and Disorder Reduction Partnership as defined (and required) by the 1998 Crime and Disorder Act and subsequent amendments including the 2006 Police and Justice Act and the 2009 Policing and Crime Act.</p> <p>The SCPB operates within the constitutional requirements of Barnet Council, the Metropolitan Police and other partner agencies, who ensure that the Board’s approaches to policy formulation and resource allocation are consistent with those of the agencies concerned. It is a thematic subgroup of the Barnet Partnership Board which has overall strategic responsibility and has delegated to the SCPB the responsibility for delivering the Strong</p>	<p>Meetings will be quarterly and a quorum will comprise four members provided this consists of:</p> <p>The Chairman (Barnet Councillor) and Vice Chairman (Metropolitan Police)</p> <p>At least one other representative each of the Council and the Metropolitan Police.</p> <p>Other current partners are:</p> <ul style="list-style-type: none"> • London Probation Trust • National Probation Service • London Fire Brigade • Barnet Clinical

	<p>Safe Communities for Everyone theme of the Sustainable Community Strategy.</p> <p>It is taking forward one of the objectives in the strategy to develop an Integrated Offender Management system that brings together the different agencies involved in managing the punishment and rehabilitation of offenders in a much more efficient and joined up way, reducing the risks of reoffending and ensuring far more offenders complete their drug rehabilitation successfully.</p> <p>Barnet Safer Communities Partnership is an unincorporated body and therefore it does not have a legal personality. Its members work collectively within their own individual legal frameworks.</p>	<p>Commissioning Group</p> <ul style="list-style-type: none"> • MOPAC (Mayor’s Office Policing/Crime • Barnet Safer Neighbourhood Board • Middlesex University • North West London Magistrates’ Court • Community Barnet • Victim Support, North London Division • Department for Work and Pensions
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Substitute Members – Rules

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

Quorum – Rules

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

Chairman of Meetings

- 7.10 If the Chairman is absent from a meeting the Vice-Chairman will take the Chair. If both are absent, the Head of Governance (or their representative) will open the meeting and he/she will seek nominations for the position of

Chairman. A Chairman must be elected for the business of the meeting to be transacted.

- 7.11 Any procedural issues or challenges to the conduct of the meeting that arise during the course of a meeting shall be determined by the person presiding at the meeting.

Minutes

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

Urgent Business

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

Performance and Contract Management Committee / Sub-Committee Call-in Procedure

- 7.18 The following procedure applies after a decision has been made by the West London Economic Prosperity Board (a Joint Committee in accordance with section 102 of the Local Government Act 2000).
- 7.19 Paragraph 24.4 of the Function and Procedure rules of the West London Economic Prosperity Board read as follows
- “Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Borough concerned have been concluded.”
- 7.20 Where a decision is made by the Board the decision shall be published. Once the decision is published then it may be implemented on the expiry of 7 working days after publication unless 10 members of the Council wish to call it in.
- 7.21 The notice seeking to invoke the call-in procedure must be communicated to the Head of Governance who will then notify the West London Economic Prosperity Board.
- 7.22 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:
- (a) Inadequate consultation with stakeholders prior to the decision;
 - (b) The absence of adequate evidence on which to base the decision;
 - (c) The action is not proportionate to the desired outcome;
 - (d) A potential human rights challenge;
 - (e) Insufficient consideration of legal and financial advice;
 - (f) The decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework of the Council;
- 7.23 A meeting of the Performance and Contract Management Committee (or Sub-Committee of the Committee created for this purpose), will be convened within 7 clear working days of the request for call-in.
- 7.24 The call-in procedure set out above shall not apply where the decision being taken by the West London Economic Prosperity Board is urgent. For the purposes of this call-in procedure a decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the West London Economic Prosperity Board and the interests of Barnet. Reports to the West London Economic Prosperity Board must state that the report is urgent and provide the reasons for urgency.
- 7.25 The Chairman of the Performance and Contract Management Committee must agree that the decision proposed should be treated as a matter of urgency

Suspension of business at Committee and Sub-Committee meetings

- 7.26 No business at any meeting of a Committee or Sub-Committee shall be transacted after 10pm and any business transacted after that time shall be null and void. At 10pm and without further debate the Chairman shall immediately put to the vote any motion or amendment, which has been formally moved and seconded.
- 7.27 At any meeting of the Council, Planning Committee and Area Planning Committees, the Mayor or Chairman at their sole discretion may extend the period for the transaction of business to 10.30pm. This will be recorded in the Committee's decisions.

Voting and Recording of Votes

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

Filming and Recording of Meetings

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

Article 8 - Joint Arrangements

8.1 Joint Arrangements

The Council may establish joint arrangements with one or more Local Authorities. Such arrangements may involve the appointment of a Joint Committee with these other Local Authorities.

8.2 Access to information

Access to Information legislation will apply to Members of joint committees.

8.3 Delegation to and from other local authorities

- (a) The Council may delegate functions to another Local Authority or, in certain circumstances, the Executive of another Local Authority.
- (b) The decision whether or not to accept such a delegation from another Local Authority shall be reserved to the Council meeting.

8.4 Contracting out

The Council may contract out to another body or organisation functions which may be exercised by an Officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

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Article 9 – Chief Officers

9.1 Management Structure

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions. Apart from those officers referred to in (b) immediately below, all officers are appointed by the Chief Executive.
- (b) **Chief Officers.** Members will appoint staff for the following posts, who will be designated Chief Officers:

Chief Executive (Head of Paid Service)
Deputy Chief Executive
Assistant Chief Executive
Strategic Director, Children and Young People
Strategic Director, Adults, Communities and Health
Strategic Director, Environment
Director of Public Health

Delegated Authority to Chief Executive and Chief Officers

(i) Chief Officers (Deputy Chief Executive, Assistant Chief Executive, Strategic Directors for Adults, Children and Environment) have the following delegated powers in respect of all matters which are not key decisions (as defined in Article 2) and not reserved for decision by the Council or by a Committee of the Council:

(a) to make decisions and approve expenditure relating to their functions and the functions of their Department, where necessary in accordance with (b) and (c) below, and providing (1) that the sum expended is within the approved budget for the Department and/or relevant portfolio, and (2) the amount in relation to any single matter does not exceed £165,000.

(b) to determine employment matters relating to staff including all changes to staffing structures. This power will not include changes to terms and conditions of employment or additional payments to any individual member of staff above £100k.

(c) to approve tender strategies and award contracts in accordance with the Council's Contract Procedure Rules within Part 2 of the Constitution.

(d) the Chief Executive has all the above delegated authority and as may be necessary, determine which Department discharges any particular Council function if this is not clear.

(ii) These powers may be delegated further under a Scheme of Delegation and powers are also delegated to all officers in accordance with their job description and department budget.

(iii) Officers should ensure that delegated powers are exercised in accordance with relevant Council policies and procedures and all decisions with a value of £50,000 or more made by officers under delegated powers should be listed in writing and a copy of the list for each Department produced to the Chief Executive and the Leader on the 30th September and 31st March of each year.

(iv) The Chief Executive and Chief Officers may exercise voting rights at general meetings of companies of which the Council is a member or by written resolution and may take any necessary action to protect, safeguard and effectively manage the Council's interest in such companies.

(c) Statutory Officers

The Council will designate the following posts as shown:

Post	Statutory Designation
Chief Executive	Head of Paid Service
Chief Legal Advisor	Monitoring Officer
Director of Finance	Chief Finance Officer / Section 151 Officer
Strategic Director, Children and Young People	Director of Children's Services
Strategic Director, Adults Communities and Health	Director for Adult Social Services
Director of Public Health	Director of Public Health

9.2 Functions of Head of Paid Service

- (a) **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) **Restriction of functions.** The Head of Paid Service may not be the Monitoring Officer, but may hold the post of Chief Finance Officer if a qualified accountant.
- (c) The Head of Paid Service has authority over all other chief officers so far as is necessary for efficient management and for carrying out the Council's functions.

9.3 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer, in consultation with the Head of Governance, will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision-making.** After consulting with the Head of Paid Service and the Assistant Chief Executive, the Monitoring Officer will report to the full council if s/he considers that any proposal, decision or omission which is referred by Harrow and Barnet Public Law or which is otherwise notified to him/her, would give rise to unlawfulness or if any decision or omission so referred would give rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Ensuring lawfulness and fairness of council operating procedures.** After consulting with the Head of Governance and the relevant senior line manager the Monitoring Officer will report to the Head of Paid Service and the Assistant Chief Executive any council process or procedure which s/he considers would give rise to unlawfulness or if any such process or procedure would give rise to maladministration.
- (d) **Managing the relationship with Harrow & Barnet Public Law.** As Chief Legal Advisor within the council, responsibility to manage the strategic relationship with Harrow & Barnet Public Law to ensure the council continues to be provided with a legal service which meets its needs and to advise the Head of Paid Service and Assistant Chief Executive where any risks are identified.
- (e) **Supporting the Constitution, Ethics and Probity Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution, Ethics and Probity Committee.
- (f) **Conducting investigations.** The Monitoring Officer will conduct or appoint Officers or others to conduct investigations into allegations of breach of the Member Code of Conduct. Then s/he or they will make reports and recommendations in respect of such allegations in accordance with the procedure for handling complaints against Members.
- (g) **Providing legal advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (h) **Register of Members Interests.** The Monitoring Officer will keep and maintain the Register of Members Interests and ensure its availability to the public.

9.4 Functions of the Chief Finance Officer / Section 151 Officer

- (a) **Ensuring lawfulness and financial prudence of decision-making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council and the council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the council is about to enter an item of account unlawfully.
- (b) **Estimates and resources.** In accordance with the Local Government Act 2003 to advise on robustness of estimates and level of resources.
- (c) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the council.
- (d) **Providing financial advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Give financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

9.5 Functions of the Director of Children's Services

- (a) The Council as a children's services authority is required by the Children Act 2004 to appoint an officer to be known as the Director of Children's Services. The Strategic Director, Children and Young People will fulfil the role of the Director of Children's Services.
- (b) The Director of Children's Services is responsible for the delivery of the Council's education and social services functions for children, and any health functions for children delegated to the Council by an NHS body and as required by the Children Act 2004.

9.6 Functions of the Director of Adult Social Services

- (a) The Strategic Director, Adults Communities and Health will fulfil the role of the Director for Adult Social Services as required by the Local Authority Health Social Services Act 1970, as amended by the Children Act 2004.
- (b) The Strategic Director, Adults Communities and Health is responsible for the delivery of the Council's social services functions, other than those for which the Council's Director of Children's Services is responsible under the Children Act 2004.

9.7 Functions of the Director of Public Health (DPH)

- (a) The DPH is responsible for writing the Annual Report on the health of the local population.
- (b) The DPH is responsible for all of the local authority's duties to take steps to improve public health.
- (c) The DPH is responsible for exercising the local authority's functions in planning for, and responding to, emergencies that present a risk to public health.
- (d) The DPH is responsible for exercising the local authority's role in co-operating with the Police, the Probation Service and the Prison Service to assess the risks posed by violent or sexual offenders.
- (e) The DPH is responsible for the local authority's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications.
- (f) The DPH is responsible for exercising the local authority's duties to ensure plans are in place to protect their population including through screening and immunisation.

9.8 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their reasonable opinion sufficient to allow their duties to be performed.

9.9 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in this Constitution.

9.10 Employment

The recruitment, selection and dismissal of officers will comply with the Human Resources (HR) Regulations..

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Article 10 - Decision Making

10.1 Principles of decision making

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

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

10.2 Decision making by Full Council

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

10.3 Decision making by Committees

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

10.4 Decision making by Chairmen of Theme Committees jointly with Chief Officers

Chairmen of Theme Committees (Policy & Resources, Children, Adults, Environment, Assets, Housing, Community Leadership) jointly with Chief Officers have delegated authority to make decisions which are not key decisions and which have a value between £165k and £500k. A written report will be prepared for every decision.

10.5 Decision making by Chief Officers

Chief Officers have delegated authority to make decisions in accordance with the powers delegated (see Article 9) and other Officers under the Schemes of Delegation maintained by Chief Officers and published on the council's website. A written report is not necessary but the Chief Officer will maintain a list of all decisions over £50,000 as required under Article 9.

10.6 Decision making by Council bodies acting as tribunals

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

10.7 Urgent Decisions

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

10.8 Decisions relating to Property

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

10.9 Decisions relating to Procurement

(See Table B below)

TABLE A – Land and Property Transactions Authorisation Delegated Powers

	Authorisation Level¹	Acquisitions	Lease in	Lease out for Rent or Consideration	Licences, Easements and Consents	Compensations, Settlements and Covenants	Disposals	Compulsory transaction
A	<i>Less than £165,000</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Full DPR – Director of Resources (unless a Less Than Best transaction, which must be reported to Assets, Regeneration and Growth Committee (ARG))</i>	<i>A No authority or decision is required provided the Council has been advised that the price is as required or justified by the relevant legislation</i>
B	<i>£165,000 to £500,000</i>	<i>Full DPR – Chairman of the appropriate Committee jointly with Director of Resources</i>	<i>Full DPR – Chairman of the appropriate Committee jointly with Director of Resources</i>	<i>Full DPR – Chairman of the appropriate Committee jointly with Director of Resources</i>	<i>Full DPR – Chairman of the appropriate Committee jointly with Director of Resources</i>	<i>Full DPR – Chairman of the appropriate Committee jointly with Director of Resources</i>	<i>Full DPR – Chairman of the appropriate Committee jointly with Director of Resources</i>	<i>As A above</i>
C	<i>More than £500,000 (Key Decision)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>As A above</i>
D	<i>'Non-Value' Variations post Authorisation</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR – Director of Resources Report to next Asset Regeneration and Growth Committee (ARG)</i>	<i>As A above</i>

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

These values may be either Capital or Annualised Income/Expenditure

Definitions:

***“Acquisition”** is the process by which the Council acquires an interest in property (whether freehold or a lease);*

***“Approved Officer”** means any Director, Assistant Director, Lead Commissioner or Head of Service in accordance with the Scheme of Delegation who has responsibility for client management of the Estates function.*

***“Best Value Disposal”** is a Disposal in respect of which the Council is required by law to be paid not less than a specified amount, subject to exceptions;*

***“Compulsory Transaction”** means a disposal of an interest in property which the Council is required by law to do;*

***“Disposal”** is the sale or grant by the Council of an interest in property belonging to the Council (freehold or lease);*

***“Lease”** is a transaction in which the Council gives the right to a third party to exclusively use land or property belonging to the Council, or the Council is given the right exclusively to use the land or property of a third party in either case for a specified time;*

***“Less Than Best Transaction”** is a Best Value Disposal where the Council proposes to dispose of land for less than the sum required by law;*

***“Licence”** is a personal and non exclusive right to occupy and/or use land or a property for a defined period of time.*

TABLE B – Procurement Authorisation and Acceptance Thresholds

	Procurement value	Authorisation to commence a procurement process	Authorisation Documentation	Procurement method	Acceptance process	Acceptance Documentation	Variation or extension Acceptance	Supplier Notification method and contract
A	Under £9,999 (Purchase Order)	Head of Service Council Officer as designated by approved Scheme of Delegation	Audit trail	Reasonable means of selection* and evidence of having sourced and considered the local Barnet supplier market	Head of Service Council Officer as designated by approved Scheme of Delegation	Audit Trail	Must move to next threshold if above £10,000	Purchase Order
B	£10,000 to £50,000	Audit Trail	Procurement Forward Plan Summary DPR	Minimum 2 written Competitive Quotations received**	Head of Service Council Officer as designated by approved Scheme of Delegation	Audit Trail	Audit Trail	Purchase Order
C	£50,001 - £165,000	Director/Assistant Director	Chief Officer List of Decisions	Minimum 2 written Competitive Quotations received No PQQ - Suitability Assessment Questions only	Council Officer as designated by approved Scheme of Delegation	Chief Officer List of Decisions	Chief Officer List of Decisions	Notification letter Signed low value contract up to £50k value Signed contract £50,001 to £165,000

D	£165,000 and £500,000	Committee Chairman jointly Chief Officer	Full DPR	<p>Works and Concession Contracts: Full OJEU Tender above £4,104,394</p> <p>Beneath threshold above £100k minimum 5 competitive quotations</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social care related services: Light Touch Regime Tender above. £589,148</p>	<p>If within Budget- Council Officer in consultation with Chairman of relevant theme</p> <p>Policy and Resources Committee</p>	<p>If within Budget and agreed savings target on forward plan Officer Full DPR</p> <p>If not within Budget or on Forward Plan Relevant Thematic Committee Report</p>	<p>If within Budget -Relevant Thematic Committee</p>	<p>Standstill Notification letter released following statutory officer report review Publication of report post standstill period</p> <p>Signed and sealed contract</p>
	£500,000 and above	Relevant Thematic Committee Procurement Forward Plan	Theme Committee Report Procurement Forward Plan					

Article 11 – Finance, Contracts, and Legal Matters

11.1 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in the Constitution.

11.2 Contracts

Every contract made by the Council will comply with the Contract Procedure Rules set out in the Constitution.

11.3 Legal Proceedings

The Assistant Chief Executive is authorised to institute, defend or participate in any legal proceedings and take all necessary steps in any case where such action is necessary to give effect to decisions of the Council or in any case where the Monitoring Officer considers that such action is necessary to protect the Council's interests.

The Assistant Chief Executive has delegated powers to authorise officers to appear in court on the Council's behalf.

11.4 Authentication of Documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Assistant Chief Executive or Monitoring Officer or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract with a value exceeding £75,000, entered into on behalf of the local authority shall be made in writing and signed by two senior officers being the relevant chief officer and authorised deputies.

Any contract with a value exceeding £165,000 and made under the Common Seal of the Council shall be attested by at least two duly authorised officers in accordance with paragraph 11.05.

11.5 Common Seal of the Council

The Common Seal of the Corporation shall be kept in a safe place by the Records Officer.

Sealing and Execution of Documents

The Chief Executive, Assistant Chief Executive, Monitoring Officer or the Head of Governance or another officer authorised in writing by any of the aforesaid shall have authority:-

1. To affix the Common Seal and execute under Seal any deed or document subject to at least two of the above named Officers of the Council (or their duly authorised deputies) being present and being signatories.
2. The Officers of the Council referred to above (or their duly authorised deputies) shall have authority to execute any deed or document not required by law to be under seal which is necessary to effect the decisions of the Council.

Officer Interests

Where it becomes apparent to an Officer involved in the sealing or execution of documents, that they have a personal interest in a matter to which the document relates, a declaration of the existence and nature of that interest should be made as soon as possible.

Record of Sealing of Documents

An entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the Head of Governance (or duly authorised deputy) in a book or electronic record to be provided for the purpose.

Article 12 – Review and Revision of the Constitution

12.1 Committee System of Governance

The Localism Act 2011 contains provisions that allow local authorities to change from operating executive arrangements to a committee system.

12.2 Procedure to be followed to change governance arrangements

In order to change governance arrangements local authorities must:

- pass a resolution to change their governance arrangements;
- as soon as practicable after passing the resolution, make the provisions of the new arrangements available for inspection;
- publish in one or more newspapers circulating in the area a notice which describes the features of the new system and timescales for implementation.

Having passed a resolution and complied with these publicity arrangements, authorities are required to cease operating their old form of governance arrangements and start operating their new arrangements. This must take place “at the relevant change time” which is defined as:

The first annual meeting of the local authority to be held after the resolution to make the change in governance arrangements is passed, or a later annual meeting of the local authority specified in that resolution.

If the Council passes a resolution under the Act to change governance arrangements, it may not pass another resolution to change from one form of governance to another (e.g. from a committee system back to a leader and cabinet system) for 5 years unless a referendum is held on the issue. Subject to the result of the referendum, the relevant provisions of the Localism Act 2011 would then require to be followed in order to bring the new system into effect.

12.2 Duty to monitor and review the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. The Constitution, Ethics and Probity Committee will continue to monitor the effectiveness of the Constitution and decision-making structure.

12.3 Changes to the Constitution

(a) **Approval:**

- i) Changes to the Constitution will only be approved by the Full Council, other than the changes in (iii) below. The Council may if it considers necessary appoint a special committee to make recommendations for that purpose.
- ii) Where the Table of Chief Officers in the Constitution needs to be updated, the Head of Governance may make the necessary changes upon receipt of notification from the Chief Executive that he/she has made changes to these structures following Council or General Functions Committee approval of such changes.
- iii) Where minor amendments to the Constitution are required, the Monitoring Officer is authorised to make the necessary changes following consultation with the Chairman of the Constitution, Ethics and Probity Committee.

(b) **Change to a mayoral form of Executive.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals and must hold a binding referendum.

(c) **Change to a Leader and Cabinet form of governance.** If the Council intends to change the form of governance to a Leader and Cabinet form of governance within 5 years of 21st January 2014, then it must have held a referendum before passing the necessary resolution.

Full Council Procedure Rules

Types of meetings

1. ANNUAL MEETINGS OF THE COUNCIL

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

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

2. ORDINARY MEETINGS

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

Part 1 - Statutory formalities/Announcements (15 minutes)

- 1. Apologies for absence
- 2. Elect a member to preside if the Mayor and Deputy Mayor are absent

3. Prayer
4. Declaration of interest
5. Minutes of last meeting
6. Official announcements
7. Any business remaining from last meeting
8. Agree the Council Calendar of meetings including for ordinary meetings of the Council

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

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

Part 3 - Statutory Council Business (60 minutes)

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

Break (15 minutes)

Part 4 – Business for Debate (45 minutes)

15. Motions (45 minutes)

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

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

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

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

3. EXTRAORDINARY MEETINGS

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

4. BUDGET COUNCIL MEETINGS

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

5. ROLE OF MAYOR.

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

6. VARIATION

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

7. SUSPENSION OF PROCEDURE RULES

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

8. VALIDITY OF MOTIONS, AMENDMENTS AND QUESTIONS

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

9. GENERAL PROVISIONS FOR MOTIONS AND AMENDMENTS

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

10. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

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

- 10.1 appoint a Chairman of the meeting;
- 10.2 question the accuracy of the minutes;
- 10.3 move that an item of business in the summons takes precedence;
- 10.4 appoint a committee (including its members, a Chairman and Vice-Chairman and members having related specified duties);
- 10.5 receive reports or adoption of recommendations of committees and officers and any resolutions following on from them;
- 10.6 agree to hear oral representations;

- 10.7 give leave to withdraw a Motion;
- 10.8 extend the time limit for speeches;
- 10.9 move that "the question be now put" (to the vote);
- 10.10 move that "the debate be now adjourned";
- 10.11 move that "the Council do now adjourn";
- 10.12 exclude or to re-admit the press and public under section 100A(4) of the Local Government Act 1972;
- 10.13 move that a Member be not further heard or exclude them from the meeting;

11 DIVISION AND VOTING

11.1 Division bell

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

12. VOTING

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

13. VOTE TO BE RECORDED

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

14. DIVISION

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

15. VOTING ON APPOINTMENTS

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

16. QUESTION TIME

- 16.1 In part 2 of the meeting the Leader of the Council will answer questions from any member of the Council. The Leader may delegate the responsibility for answering to any Chairman of a relevant committee.
- 16.2 Questions will be put to the Leader in the order in which they are received by the Head of Governance, except that questions shall be ordered so that a question from one political group is followed by a question from another group until all groups have placed one question each. This sequence shall be maintained until all questions have been dealt with or the time limit for question time is reached.
- 16.3 Any Member wishing to ask a question must deliver by e-mail, to be received by the Head of Governance by 10.30am ten clear working days before the day of the meeting.
- 16.4 The Head of Governance shall keep a register recording the date and time the question was received. Any member of the Council may inspect the record.
- 16.5 The Leader may agree to answer a question of which notice has not been given, if it relates to urgent business and has been discussed with him/her before the meeting.
- 16.6 All questions must relate to the Council's powers or duties or matters that affect the borough or its residents.
- 16.7 Every question shall be put and answered without discussion.
- 16.8 An answer will take the form of a written reply circulated two working days before the meeting but the Mayor may allow further comment from the Leader or appropriate Committee Chairman. In the absence of the appropriate Chairman further comment may be allowed from the relevant Vice-Chairman.

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

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

Rules of Debate

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

Time for Debate

- 17.7 Each of the first speakers from each Group under Rule 20.2 may speak for a maximum of 5 minutes. All subsequent speakers will be limited to a maximum of 4 minutes. At the end of that period of time the Mayor will bring that part of the meeting to a close, whether or not every member wishing or entitled to speak is speaking or has spoken, and whether or not all the business for that part of the meeting has been dealt with. The Mayor will then put the remaining items of business for that part of the meeting to the meeting in turn, and the Council will decide and if necessary vote on each of them without debate.

- 17.8 For all other items of business (e.g. reports of Committees or from Officers), each of the first two speakers may speak for a maximum of three minutes and all other speakers a maximum of two minutes.
- 17.9 The Mayor may at any time move that more time be allowed for a debate than is shown on the timetable, that an amendment, Motion or recommendation be put to the vote without further debate, or that the order of business be varied. This motion from the Mayor need not be seconded, and will be immediately put to the vote without debate.
- 17.10 The mover of an original Motion shall have a right of reply at the close of the debate on the Motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original Motion has the right to respond or to accept the amendment.

Motions

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

Members Motions

- 17.13 Any Member may put a Motion on the agenda for an ordinary meeting of the Council, except the meeting that deals with the Budget and Council Tax. The Motion must be delivered by e-mail, and received by the Head of Governance by 10.30am at least six clear working days before the day of the meeting. Any Motion delivered after 10:30am will be recorded as received on the next working day.
- 17.14 The Head of Governance shall keep a record of the date the notice was received and any member of the Council may inspect the record.
- 17.15 The Head of Governance shall set out in the summons for the meeting all Motions in order of receipt.
- 17.16 Once the Motion is on the agenda, any Member may move the Motion at the meeting. If the Motion is not moved it shall be treated as withdrawn, unless the Council agrees to postpone it.
- 17.17 If the proposer has specifically asked in his or her notice for the Motion to be voted on at that Council meeting it will be voted on without discussion.

18 RULES THAT APPLY TO PART 2 OF THE MEETING

Questions on Committee reports

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

Questions to Council representatives on Outside Bodies

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

Public Questions to the Leader of the Council

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

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Full Council Procedure Rules

Types of meetings

1. ANNUAL MEETINGS OF THE COUNCIL

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

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

2. ORDINARY MEETINGS

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

Part 1 - Statutory formalities/Announcements (15 minutes)

1. Apologies for absence
2. Elect a member to preside if the Mayor and Deputy Mayor are ~~is~~ absent
3. Prayer

4. Declaration of interest
5. Minutes of last meeting
6. Official announcements
7. Any business remaining from last meeting
8. Agree the Council Calendar of meetings including for ordinary meetings of the Council

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

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

Part 3 - Statutory Council Business (60 minutes)

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

Break (15 minutes)

Part 4 – Business for Debate (45 minutes)

15. Motions (45 minutes)

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

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

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

16. Motions for Adjournment

~~If time permits at the end of a meeting further motions may be debated. The selection of motions to be debated will be decided following a member moving a particular motion and the Mayor putting this to a vote by members present. Voting will be by a show of hands. If agreement is not reached in relation to the first proposed motion, further motions may be proposed until agreement on the motion to be debated is reached. The other Rules of debate in relation to motions set currently within the Constitution will apply to Motions for Adjournment.~~

~~The process can be repeated, but no motions shall be transacted after 10pm. At 10pm without further debate, the Mayor shall immediately put to the vote the motion under debate and end the meeting.~~

2.2 ~~The provisions in Meeting Procedure Rules 14.1 and 14.2 also apply to Council, namely that n~~No business shall be transacted after 10 pm and any business transacted after that time shall be null and void, but that at any meeting of Full Council, the Mayor or person presiding as Chairman may with the agreement of Council extend the period for the transaction of business to 10.30 pm.

3. EXTRAORDINARY MEETINGS

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

4. BUDGET COUNCIL MEETINGS

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

5. ROLE OF MAYOR.

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

or application of these procedure rules shall not be challenged at any meeting of the Council.

6. VARIATION

~~The following order of business may not be changed:~~

~~6.1 To deal with any business required by statute to be done before any other business~~

~~The order of any *other* business may be varied:~~

~~6.2 By the Mayor at his or her discretion either at or before the meeting with the consent of Council; or~~

~~6.3 By a Business Item put forward, seconded, and carried without discussion, by a majority of members at the meeting. No written notice of the Business Item is required.~~

7. SUSPENSION OF PROCEDURE RULES

The Council at any of its meetings may suspend any procedure rule ~~provided that:~~

~~7.1 Either due notice has been given, or Council agrees that it is a case of urgency, and~~

~~7.2 The Business Item to suspend a procedure rule is moved, seconded and carried without discussion by a majority of the members of the Council present and voting.~~

~~RULES THAT APPLY TO THE WHOLE OF ALL COUNCIL MEETINGS~~

8. VALIDITY OF MOTIONS, AMENDMENTS AND QUESTIONS

8.1 Every motion, amendment and question shall be relevant to matters within the Council's powers or duties or which affect the borough. The Mayor shall, if need be, give a ruling as to whether the Motion is relevant.

8.2 If the Head of Governance has any doubts about any motion, amendment or question for the agenda for reasons of propriety, he or she may refer it to the Mayor.

8.3 If the Mayor considers the motion, amendment or question to be vexatious, irrelevant, or otherwise improper, the Head of Governance will return it to the Member who submitted it. The Head of Governance will explain to the Member in writing why it will not be included on the agenda circulated for the meeting.

9. GENERAL PROVISIONS FOR MOTIONS AND AMENDMENTS

9.1 An amendment must be relevant to a Motion on the agenda and shall be to ~~either:~~

~~9.1 refer a subject of debate to a committee for consideration or reconsideration;~~

~~or~~

~~9.2~~ change the words (including deleting or adding words) but such changes must not merely have the effect of negating the Motion before the Council.

~~9.23~~ No member may submit more than one amendment to a particular Motion or report on the agenda.

~~9.4~~ If requested by the Mayor, the mover of a Motion or amendment shall put it in writing and hand it to the Mayor before it is discussed or put to the vote. This procedure rule does not apply to Motions or amendments where notice has been given in accordance with these procedure rules.

~~10. ALTERATIONS TO MOTIONS OR AMENDMENTS~~

~~9.310.1~~ A Member may amend a Motion in their name by submitting the amendment in writing to the Head of Governance by 10.30am the working day before the meeting.

~~9.410.2~~ Amendments to items on the agenda will be e-mailed to Members and hard copies placed in the Group Rooms by midday of the day of the meeting.

~~10.3~~ After the deadline referred to at 10.1 above, a Member may only move an amendment to a Motion in their name orally from the floor.

~~11. WITHDRAWAL OF BUSINESS ITEMS AND AMENDMENTS~~

~~11.1~~ The Member who has submitted a Motion can withdraw the item prior to its consideration.

12. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

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

12.1 appoint a Chairman of the meeting;

12.2 question the accuracy of the minutes;

12.3 move that an item of business in the summons takes precedence;

12.4 appoint a committee (including its members, a Chairman and Vice-Chairman and members having related specified duties);

12.5 receive reports or adoption of recommendations of committees and officers and any resolutions following on from them;

12.6 agree to hear oral representations;

12.7 give leave to withdraw a Motion;

- 12.8 extend the time limit for speeches;
- 12.9 move that "the question be now put" (to the vote);
- 12.10 move that "the debate be now adjourned";
- 12.11 move that "the Council do now adjourn";
- 12.12 exclude or to re-admit the press and public under section 100A(4) of the Local Government Act 1972;
- 12.13 move that a Member be not further heard or exclude them from the meeting;

~~12.14 deal in public with a staff matter;~~

~~12.15 give consent of the Council where consent is required by these procedure rules;~~

~~12.16 grant urgent action powers.~~

~~13 MOTIONS WHICH MAY BE MOVED DURING DEBATE AND CLOSURE MOTIONS~~

~~When a Motion is under debate no other motion shall be moved except:~~

~~13.1 To withdraw or amend the Motion;~~

~~13.2 Motion moved by the Mayor or another member that a member:~~

- ~~(a) "be not further heard";~~
- ~~(b) "must leave the meeting";~~

~~13.3 Motion to exclude the press and public;~~

~~13.4 Closure Motions as follows:~~

~~A member may move without comment, at the conclusion of a speech of another member;~~

- ~~(c) "That the question be now put";~~
- ~~(d) "That the debate be now adjourned"; or~~
- ~~(e) "That the Council do now adjourn".~~

~~If the motion is seconded, the Mayor shall put the motion to the vote without further discussion.~~

~~13.5 If the Council agree "that the question be now put", the mover of the Motion will retain his or her right of reply before the motion is put to the vote.~~

14 DIVISION AND VOTING

14.1 Division bell

When the mover of an original Motion is called by the Mayor to speak in response to any debate or amendment, but not on the adoption of a committee report, the Head of

Governance shall arrange for a bell to be rung.

15. VOTING

- 15.1 All motions and amendments shall be determined by a show of hands ~~except where otherwise provided by law or in these procedure rules. However, the Mayor may use his/her discretion if the feeling of the meeting is clear, subject to any Member of the Council being able to request a formal vote.~~ In the event of an equality of voting the Mayor shall have the right to exercise a casting vote, in accordance with the provisions of the Local Government Act 1972.
- 15.2 Decisions shall be taken by a majority of those members present and voting except where specific provisions in this Constitution provide otherwise. Members must be seated in the Chamber when voting and while the vote is being recorded.
- 15.3 In cases where a vote is taken, the minutes of the meeting should record the number of votes for and against the matter together with the number of abstentions.
- 15.4 For the Council budget meeting the minutes shall reflect on how each Member present voted, on any decision relating to the budget or Council tax.

16. VOTE TO BE RECORDED

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

17. DIVISION

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

18. VOTING ON APPOINTMENTS

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

19. QUESTION TIME

- 19.1 In part 2 of the meeting the Leader of the Council will answer questions from any member of the Council. The Leader may delegate the responsibility for answering to any Chairman of a relevant committee.
- 19.2 Questions will be put to the Leader in the order in which they are received by the Head of Governance, except that questions shall be ordered so that a question from one political group is followed by a question from another group until all groups have placed one question each. This sequence shall be maintained until all questions have been dealt with or the time limit for question time is reached.
- 19.3 Any Member wishing to ask a question must deliver by e-mail, to be received by the Head of Governance by 10.30am ten clear working days before the day of the meeting.
- 19.4 The Head of Governance shall keep a register recording the date and time the question was received. Any member of the Council may inspect the record.
- 19.5 The Leader may agree to answer a question of which notice has not been given, if it relates to urgent business and has been discussed with him/her before the meeting.
- 19.6 All questions must relate to the Council's powers or duties or matters that affect the borough or its residents.
- 19.7 Every question shall be put and answered without discussion.
- 19.8 An answer will take the form of a written reply circulated two working days before the meeting but the Mayor may allow further comment from the Leader or appropriate Committee Chairman. In the absence of the appropriate Chairman further comment may be allowed from the relevant Vice-Chairman.
- 19.9 One supplementary question and answer will be allowed on the same subject from the same members.
- 19.10 The time allowed for questions will be 30 minutes. At the end of that time the Mayor will allow an oral reply to a supplementary question commenced before the expiry of the time limit and then bring this part of the meeting to a close. The Mayor has the right to prevent any member asking or giving a protracted supplementary question or answer.

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

20. Rules of Debate

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

- 20.3 For reports of Committees ~~(including Overview and Scrutiny Committees)~~, the Chairman of the relevant committee, or the Vice-Chairman in their absence, will move reception of the report and adoption of the recommendations. This report need not be seconded. The leader of each of the other groups, or another member of their group, will then have an opportunity to comment on the recommendation, and at the end of the time allowed the Mayor will bring this part of the debate to an end, whether or not all those entitled have spoken or completed their speeches.
- 20.4 ~~Notified a~~ Amendments may be moved by those speaking in the first part of the debate. ~~The Mayor will then invite other Members to move amendments.~~ After all the amendments have been debated the Motion will be debated. Then the Member, who opened the debate, or his / her nominee, has the right to respond.
- 20.5 At the end of debate the Mayor will put each amendment to the vote in turn. If an amendment is carried it alters the substantive Business Item.

20.6 The Mayor will then put the item to the vote.

21. Time for Debate

- 21.1 Each of the first speakers from each Group under Rule 20.2 may speak for a maximum of 5 minutes. All subsequent speakers will be limited to a maximum of 4 minutes. At the end of that period of time the Mayor will bring that part of the meeting to a close, whether or not every member wishing or entitled to speak is speaking or has spoken, and whether or not all the business for that part of the meeting has been dealt with. The Mayor will then put the remaining items of business for that part of the meeting to the meeting in turn, and the Council will decide and if necessary vote on each of them without debate.
- 21.2 For all other items of business (e.g. reports of Committees or from Officers), each of the first two speakers may speak for a maximum of three minutes and all other speakers a maximum of two minutes.
- 21.3 The Mayor may at any time move that more time be allowed for a debate than is shown on the timetable, that an amendment, Motion or recommendation be put to the vote without further debate, or that the order of business be varied. This motion from the Mayor need not be seconded, and will be immediately put to the vote without debate.
- 21.4 The mover of an original Motion shall have a right of reply at the close of the debate on the Motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original Motion has the right to respond or to accept the amendment.

22. Motions

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

initiative that has been agreed by Council or its committees in the six months before the meeting.

23. Members Motions

- 23.1 Any Member may put a Motion on the agenda for an ordinary meeting of the Council, except the meeting that deals with the Budget and Council Tax. The Motion must be delivered by e-mail, and received by the Head of Governance by 10.30am at least six clear working days before the day of the meeting. Any Motion delivered after 10:30am will be recorded as received on the next working day.
- 23.2 The Head of Governance shall keep a record of the date the notice was received and any member of the Council may inspect the record.
- 23.3 The Head of Governance shall set out in the summons for the meeting all Motions in order of receipt.
- 23.4 Once the Motion is on the agenda, any Member may move the Motion at the meeting. If the Motion is not moved it shall be treated as withdrawn, unless the Council agrees to postpone it.
- 23.5 ~~If the Member's Motion is not dealt with by the end of the meeting, it will be referred to the appropriate Council Committee or sub-Committee for consideration and any necessary action. However, if the proposer has specifically asked in his or her notice for the Motion to be voted on at that Council meeting it will be voted on without discussion. Members should advise the Head of Governance by 10.30am on the second working day before the meeting if they wish their Motion to be voted on at the meeting.~~
- 23.6 ~~A Member who has a Motion on the agenda may submit a further Motion by 10.30am on the last working day before the meeting asking for the Motion to be withdrawn and referred to the appropriate council committee. The member must sign the Motion Item and deliver it to the Head of Governance by hand, post, or e-mail.~~

RULES THAT APPLY TO PART 2 OF THE MEETING

24. Questions on Committee reports

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

25. Questions to Council representatives on Outside Bodies

- 25.1 At an ordinary meeting, a member, who has given 10 clear working days written notice to the Head of Governance, may ask any question about the activities of a company or outside body to any member or officer who has been appointed or nominated to the outside body.

- 25.2 The member or officer may decline to answer if the question would disclose information about the outside body that has been communicated to him or her in confidence.
- 25.3 An answer may take the form of:
- (a) an oral or written answer (officers will invariably give written answers); or
 - (b) a reference to a Council publication; or
 - (c) a holding reply where it is not possible to give an immediate response. A written response must be circulated to members when the information is available.
- 25.4 No discussion shall be permitted about any question or the reply to it.
- 25.5 Questions and answers will be recorded.

~~26. Procedure for Policy and Resources budget report~~

- ~~26.1 The Chairman of Policy and Resources, or in his/her absence the Vice-Chairman, must move a motion for the report to be received. The mover may speak for five minutes.~~
- ~~26.2 If the motion is approved, the recommendations in the report shall be moved for reception by each page number being called out.~~
- ~~26.3 If a member has submitted notice of an amendment on a particular item, the Mayor will invite him or her, or another member, to move the amendment. If the amendment is seconded, the mover of the amendment may speak for five minutes when moving the amendment. His or her seconder may also speak for four minutes or, on request, later in the debate. If the amendment is not moved, it shall be treated as having been withdrawn.~~
- ~~26.4 Only one amendment may be moved, discussed and voted on at any one time.~~
- ~~26.5 After all the amendments to the report have been dealt with in this way; the whole report shall be moved for adoption, subject to any amendments agreed at the meeting. The Business Item must be seconded and voted on without further discussion.~~

27 Public Questions to the Leader of the Council

- 27.1 Members of the public are permitted to submit written questions to the Leader in accordance with the following provisions:
- Any question must be delivered in writing, including by e-mail, to be received by the Head of Governance by 10.30am ten clear working days before the day of the meeting. Any questions submitted after that time will not be considered,
 - The question should not relate to a matter previously considered by a committee and subject to the six month rule,

- The question should not relate to a matter that is within the remit of a committee, or be a matter best addressed by a committee. If this is the case, then the question should be directed to the appropriate committee.
- The question must not be in substance a question that has already been considered by the Leader in the preceding 6 months.

Every question will be answered in writing. The Leader may decline to answer a question in exceptional circumstances and should include the reason for not answering the question. Any questions not answered will be directed to the next relevant meeting of the themed committee.

	<p>Full Council 31 October 2017</p>
<p style="text-align: right;">Title</p>	<p>Waste Regulations</p>
<p style="text-align: right;">Report of</p>	<p>Strategic Director Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>Yes</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A: Barnet Waste Regulations 2017 Appendix B: Waste Regulations Consultation Report Appendix C: Waste Regulations EIA Appendix D: Time Banding location maps</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Kitran Eastman Street Scene Director Kitran.Eastman@barnet.gov.uk</p>

Summary

The report seeks approval to implement the Barnet Waste Regulations 2017. These regulations aim to i) Create a cleaner and tidier borough so that our town centres are a more attractive place to live, work and visit ii) A cleaner and tidier borough so that our residential areas are a more attractive place to live, work and visit. iii) Reduce the number of obstructions on the footways from recycling and waste containers.

Adoption of these regulations would;

- in town centre/shopping areas restrict businesses and residents from putting out BINS for collection on the public highway and footpaths outside of specified times
- in town centre/shopping areas restrict the time BAGGED waste can be put out for collection
- in all of Barnet require residents and business not to consistently leave bins out before and after collection for an excessive time.

Following approval to consult on the draft Waste Regulations by Environment Committee in

March 2017, public consultation aimed at residents, businesses and visitors was undertaken for six weeks (4th May to 14th June 2017). The results of the consultation have informed the final Barnet Waste Regulations and shall be taken into consideration when implementing and communicating the Waste Regulations.

Recommendations

1. That Full Council approve the adoption and implementation of Barnet Waste Regulations 2017

1. WHY THIS REPORT IS NEEDED

- 1.1 A number of Local Authorities within London have adopted waste regulations. It is seen as an appropriate time to implement Barnet's own waste regulations which aims to improve the quality of the local environment by making Barnet's streets cleaner and tidier, and in turn help make our town centres a more attractive place to live, work and visit.
- 1.2 Barnet's waste regulations will also help to support Barnet's Recycling and Waste Strategy 2016 to 2030 and the Environment Committee's Commissioning Plan 2015/16. The implementation of the Waste Regulations will help to reach our 50% recycling target as noted in the Recycling and Waste Strategy, through increased recycling from residents and tackling and reducing fly tipping in town centres.
- 1.3 In March 2016 Environment Committee approved the investigation and drafting of Local Waste Regulations to enable time banded waste collection and to ensure waste and recycling was not left out on the street.
- 1.4 In March 2017 Environment Committee reviewed and noted the draft Waste Regulations and approved the commencement of a six week consultation. The consultation was undertaken on the draft regulations from 4th May to 14th June 2017. Analysis of the consultation has been used to inform the final waste regulations.
- 1.5 Appendix A is the Barnet Waste Regulations 2017. These set out the regulations for both Household Waste and Business waste. This includes the kinds and numbers of receptacle for waste, the placing of receptacle to facilitate emptying, what may or may not be place in receptacle, and steps to be taken to ensure the collection of waste.
- 1.6 Once the regulations are adopted, an implementation plan will be produced including the communication and information to be provided to the public. Roll out of the regulations in town centres/shopping areas will be carried out in stages to allow, pre-communication, monitoring of the changes, and adaptations to the next stage of roll out.

- 1.7 The enforcement of the regulations once adopted and rolled out, would be in line with the Council's wider enforcement policy and its Environment Enforcement Policy. There will be a graduated approach to enforcement as the Waste regulations are implemented, for example we will start with educating and warning residents as a first resort. The enforcement of these regulations will form part of the new Environment Enforcement Contract approved by Environment committee in May 2017.

Consultation

- 1.8 In March 2017 Environment Committee approved the draft Waste Regulations for consultation. The consultation took place between 4 May 2017 and 14 June 2017 and was aimed at residents, businesses and visitors. The online consultation was held on Engage Barnet and was publicised on the website, a press release, social media channels and an email was sent to businesses registered on the business engagement database. A summary of the consultation results can be seen below and the full report can be found in Appendix B. Responses to the draft waste regulations were received through the formal consultation process, using an on-line questionnaire and a paper based questionnaire was available upon request. In addition to the formal online questionnaire a number of written responses on the consultation were also received.
- 1.9 A total of 258 responses were received; 256 via the online questionnaire and 2 responses on paper copies of the questionnaire. An additional 17 emails were received providing extra comments on the consultation. 94.6% of respondents identified themselves as Barnet Residents, while a further 3.1% identified themselves as a Barnet Resident and Business Owner.
- 1.10 Those who responded to the consultation and provided equalities data, the respondents do not closely match Barnet's population profile. In terms of gender there is a slight under representation in females and slight over representation in males. In terms of age, respondents aged 16 – 34 are unrepresented and those aged 34 and above are over represented. There is also a significant over representation of white respondents, and a significant under representation of Asian respondents and a slight under representation of Black respondents. Disabled respondents are also slightly under represented.
- 1.11 The consultation focused questions in three key areas;
- What we want to achieve and the aims for the waste regulations
 - Views on residents and businesses responsibility for their recycling and waste, including views on consequences for different situations.
 - Views on the introduction of Time Banded collections; including who would benefit from the change and initial views on proposed collection times and locations.
- 1.12 **The consultation showed:** that there was support for each of the aims of the waste regulations with between 88% and 94% of respondents agreeing (strongly agreeing or tended to agree) with each of the aims.

To what extent do you agree or disagree with each of these aims?	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know	Total number of Respondents
A cleaner and tidier borough so that our town centres are a more attractive place to live, work and visit.	72%	21%	5%	0%	2%	0%	234
A cleaner and tidier borough so that our residential areas are a more attractive place to live, work and visit.	74%	20%	5%	0%	1%	0%	233
Reduce the number of obstructions on the footways	66%	22%	9%	2%	1%	0%	233

We will: keep the aims of the waste regulations and refer back to the aims when planning the implementation, monitoring and reviewing the success and benefits of the implementation of the waste regulations.

1.13 **The consultation showed:** The consultation sought views on about how residents and businesses should take responsibility for their recycling and waste. Respondents were asked for their views on six statements regarding residents and businesses responsibility for the storage of recycling and waste, responsibility for ensuring the use of the correct recycling and waste containers and responsibility for ensuring the recycling and waste containers are secured.

Overall, there was support for each of the six statements with between 88% and 95% of respondents agreeing (strongly agreeing or tended to agree) with each of the statements. The most supported statements, with 95% of respondents agreeing (strongly agreeing or tended to agree) were “Businesses should take responsibility for their recycling and waste and ensure that their waste is properly stored on their premises and not on the public highway” and “Businesses should take responsibility for ensuring that their recycling and waste is put into the correct container (bin or sack)”.

We will: continue to keep a strong focus for the waste regulations on businesses and residents taking responsibility for their recycling and waste and provide support to ensure successful implementation.

1.14 **The consultation showed:** Respondents were asked if they agreed or disagreed with statements regarding whether Businesses and Residents should be fined in a number of situations regarding storage, recycling of materials and putting non-recyclable items into their recycling container. Overall respondents generally agreed with concept of fining in these situations; on the whole there was more agreement (strongly agree and tend to agree) with fining businesses. Overall, there was support for each of the statements with between 88% and 62% of respondents agreeing (strongly agreeing or tended to agree) and between 6% and 26% disagreeing (strongly disagreeing or tend to disagree) with each of the statements. There

was more agreement for fines after the Council had made contact and communicated the breach to the regulations, especially with regard to residents.

To what extent do you agree or disagree with whether residents and businesses should be fined in the following situations?	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know	Total number of Respondents
Business who leave bags of waste on a high street all day should be fined	55%	33%	7%	3%	3%	0%	209
Business who leave bags of recycling and waste on a high street all night leaving them vulnerable to foxes and rats should be fined	58%	30%	6%	3%	3%	0%	209
Residents who leave wheeled bins of recycling and rubbish on the pavement all the time, when they have room to store them on their property should be fined	41%	27%	11%	10%	11%	0%	213
Residents who leave wheeled bins of recycling and rubbish on the pavement all the time, when they have room to store them on their property - AND have ignored a request to remove them by the Council should be fined	54%	26%	7%	7%	7%	0%	213
Residents who leave extra bags of waste by their black waste bin and do not recycle should be fined	34%	28%	11%	13%	13%	1%	208
Residents who leave extra bags waste by their black waste bin and do not recycle – AND have been asked to start recycling by the Council should be fined	50%	25%	8%	9%	7%	0%	212
Residents who put non-recyclable items such as nappies or garden waste in their blue recycling bin should be fined	38%	29%	13%	10%	10%	0%	211

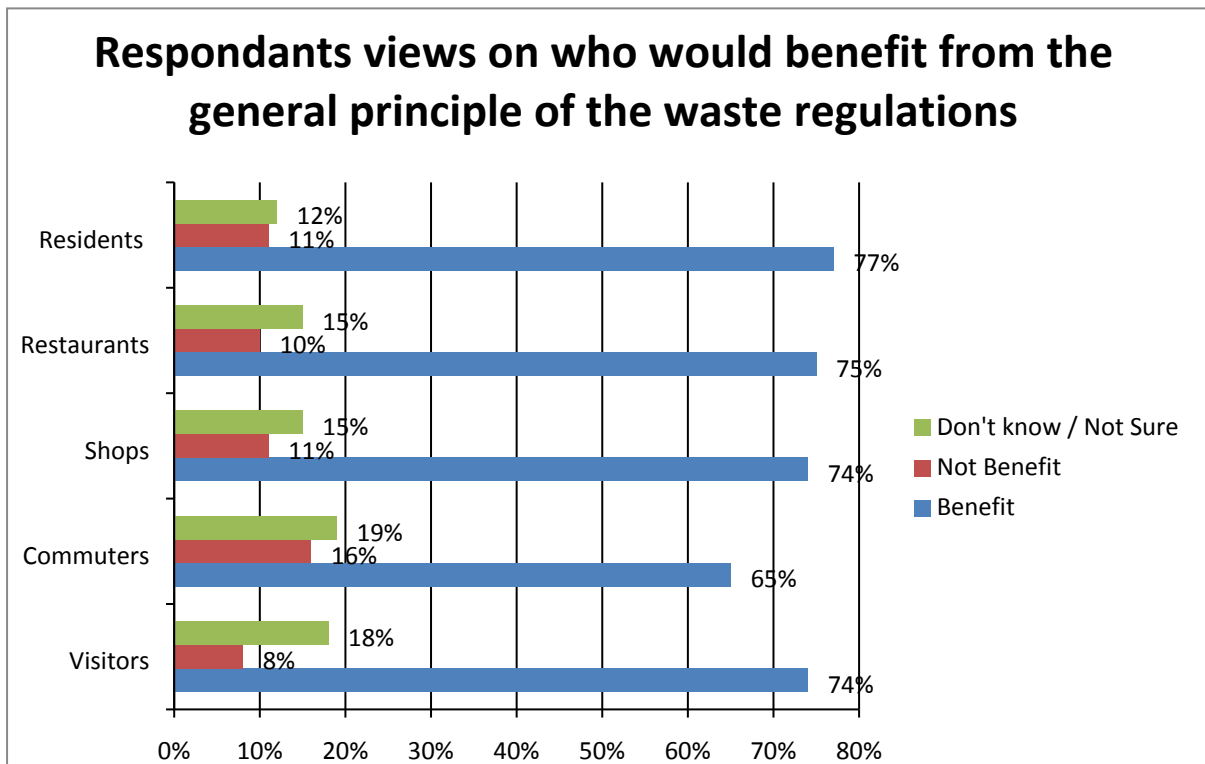
We will: ensure that the Council has a graduated approach to enforcement, following the Councils enforcement protocols, meaning that any enforcement activity (including fines) is clearly communicated to residents / businesses prior to commencement. In residential area investigation into breaches of the regulations would be complaint lead and

as a first resort involve a request to residents to change behaviour. I.e. If a complaint was received about a resident storing bins on the pavement all the times, initially the Council would request the that resident removes the bins outside of collection time. Enforcement though fines would only be used if the bins continued to be stored on the pavement.

1.15 **The consultation showed:** Respondents were asked who they thought would benefit and not benefit from the general principle of time banded collections.

“The general principle for the Time Banded Collections is that there will be three recycling and waste collections per day for our town centres and two collections per day for high streets and smaller shopping locations, this will help to reduce litter and obstructions of bags and bins on the street when the high streets are busy”.

Those that responded thought that each of the groups would benefit from the principle of Waste Regulations, with between 65% and 77% of respondents stating it would benefit each of the groups. The group which were seen to benefit the most from the principle of time banded collections, with 77% were residents. However 11% of respondents disagreed and thought this group would not benefit and 12% stated that they did not know or were not sure.

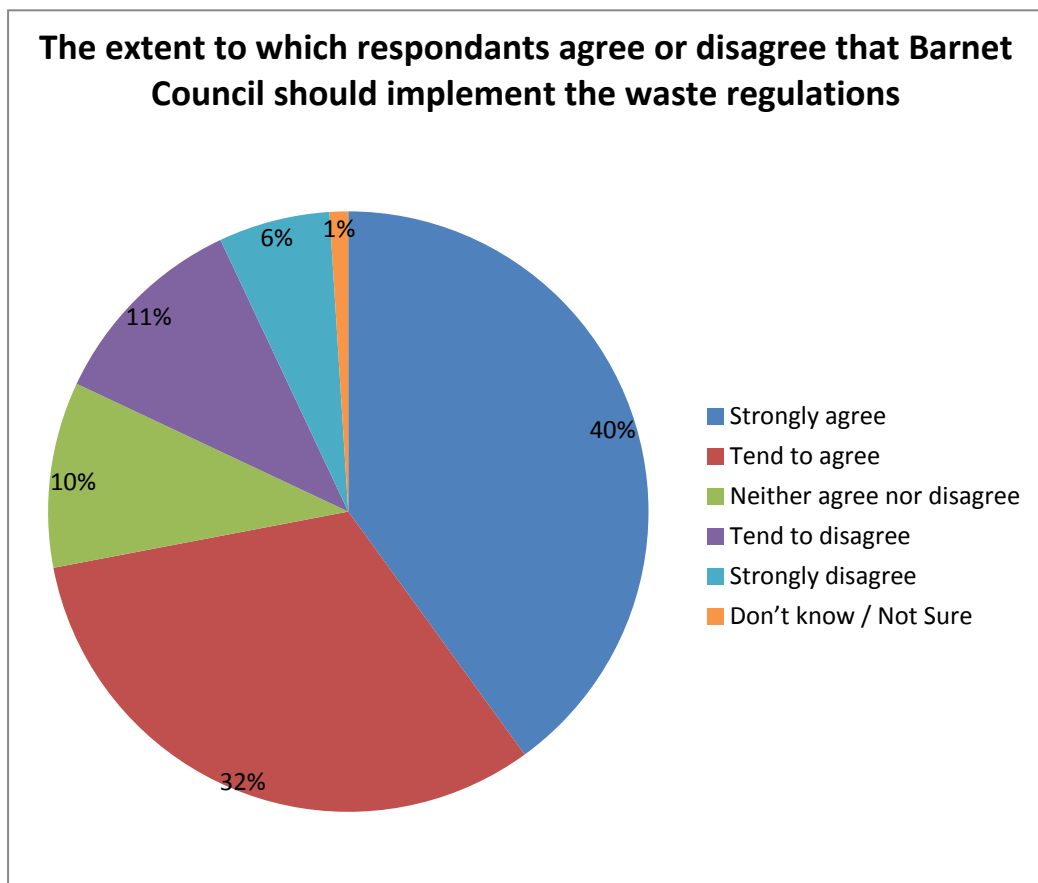


We will: Ensure that that there will be three periods of time where recycling and waste collections can take place per day for our town centres and two collection times per day for high streets and smaller shopping locations.

1.16 **The consultation showed:** 65 respondents provided a number of additional comments regarding the implementation of time banding. The responses are spread across 37 headline subjects. The area of highest commonality was 13 responses saying that the Time Banded collections would affect those with other obligations, most prominently those who work and the suggested times are not practical. Additionally, 10 respondents noted that collection times would be better outside of rush hour / peak commuting times.

We will: Amend the time banding to make the collection times more accessible for some groups such as those with long commutes.

1.17 **The consultation showed:** There was strong support for the implementation of the waste regulations - with 72% of respondents agree (strongly agree and tend to agree) that the regulations should be implemented.



We will: As noted in this report, it is recommended that Full Council approve the adoption and implementation of Barnet Waste Regulations 2017.

1.18 **The consultation showed:** In addition to the questionnaire 17 written responses were received. There was commonality between the responses

and the area of highest commonality was 5 respondents who all noted that Paragraph 10 of draft regulations regarding collections from unadopted roads should not be enforced for those roads who currently receive the service. In addition, other comments noted that clarification was required as to where the Time Banding will be implemented and whether it would be included in residential areas, that the waste collectors should take more care in returning bins to the location in which they were left (off the footway) and that clarification was sought for implication for those households that have their bins permanently on the pavement because the configuration / space of their front garden.

We will: The additional comments indicated that additional information and communication is required when implementing the regulations to ensure that it is clear which properties are included within the time banding and that residents will be provided with waste bags rather than bins. The waste regulations have been updated to include the exact locations which will be included within a time banding. For unadopted roads, the Waste Regulations will not change any current practice and those roads who currently receive a collection service will continue to do unless new issues are raised.

- 1.19 Overall, the waste regulations have been updated to reflect the responses to the consultation and will be reflected within the implementation plan. Especially in regard to the emphasis put on clarifying the time banding, ensuring bespoke communication is provided to all with regards to the regulations as a whole and the time banding and the importance of clean and clear streets for all.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is recommended that Full Council approve the adoption and implementation of Barnet Waste Regulations 2017. This will enable the council to provide guidance and as a last resort where applicable use enforcement to make Barnet's streets cleaner and tidier, and in turn help make our town centres a more attractive place to live, work and visit.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Consideration was given to not adopting Barnet Waste Regulations 2017; however, this would mean that no enforcement action could be taken against business and residents who leave waste containers out on our high streets and contribute to the clutter and litter on the streets.

4. POST DECISION IMPLEMENTATION

- 4.1 If the recommendation is approved, the Barnet Waste Regulations 2017 will be adopted and implementation of the regulations will commence. We will implement the regulations in stages with a clear plan including communications to residents, businesses and councillors in the town centre / shopping centres, monitor the implementation and gather lessons learned.

Enforcement of the Waste Regulations will be undertaken in a graduated approach, communications would also ways be used first and enforcement would only be used as last resort if issue was not resolved.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Corporate Plan 2015-2020 is based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place:

- Of opportunity, where people can further their quality of life
- Where people are helped to help themselves, recognising that prevention is better than cure
- Where responsibility is shared, fairly
- Where services are delivered efficiently to get value for money for the taxpayer

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

5.2.1 For the implementation of the regulations, the authorisation for spend and reporting of spend will be undertaken in line with the council budget monitoring and reporting process. In addition, current contracts will be used and at this stage no additional procurements are required. The cost of implementing the Waste Regulations will be met within existing budgets

5.2.2 At this stage there are no implications on property, staffing or IT.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This report does not relate to the procurement of services contracts.

5.4 Legal and Constitutional References

5.4.1 There is no statutory duty for the council to produce waste regulations.

5.4.2 The Council's Constitution (Part 15 Responsibility for Functions) gives Full Council specific responsibilities for approving matters which require a decision that represents a significant departure from any existing strategy, policy or budget previously agreed by the Council. Therefore this matter is allocated to Full Council rather than Environment Committee.

5.5 Risk Management

5.5.1 All project risks are managed using the risk management procedure, as set out by the Corporate Risk Management Framework. The current key

risk areas include the implementation of the waste regulations and ensuring that communications are effective and easy to understand by all who are affected.

5.6 Equalities and Diversity

5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people from different groups.
- Foster good relations between people from different groups.

5.6.2 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies, and the delivery of services. The nine protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Ethnicity
- Religion or belief
- Gender
- Sexual orientation
- Marriage or civil partnership

5.6.3 The Corporate Plan 2015-2020 sets the Strategic Equalities Objective, which is: that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer. Changes to policies and services are analysed in order to assess the potential equalities impacts and risks and identify any mitigating action possible before final decisions are made.

5.6.4 Equalities information on the respondents of the online questionnaire can be found in section 1.10 above and in the full consultation report (appendix B).

5.6.5 The strategy has been reviewed against the protected characteristics under the 2010 Equality Act. An Equalities impact Assessment can be found in Appendix C. At this time no specific impacts have been identified and support such as Assisted Collections for eligible residents will continue to be provided as is currently.

5.7 Consultation and Engagement

5.7.1 In May 2017 Environment Committee approved the draft waste regulations for consultation. Public consultation was undertaken between 4 May 2017 and 14 June 2017. A high level overview can be found in section 1.8 above and the consultation report can be found in appendix B

5.8 **Insight**

- 5.8.1 No specific insight has been undertaken in order to inform the decision, except for the consultation above.

6. **BACKGROUND PAPERS**

- 6.1 [March Environment Committee 2017 Papers](#)
6.2 [Environment Committee March 2016 Papers](#)

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**London Borough Barnet
Waste Receptacle
Regulations**

**Made under section 20 and 22 of the
London Local Authorities Act 2007**

July 2017

Waste Receptacle Regulations 2017

INTERPRETATION

In these Regulations: -

- (a) "The Council" means the London Borough of Barnet
- (b) "The Act" means the Environmental Protection Act 1990.
- (c) "Waste", "Commercial Waste", "Industrial Waste" and "Hazardous Waste" have the meanings given to them by section 75 of the Act.
- (d) "The 2012 Regulations" means the Controlled Waste (England and Wales) Regulations 2012.
- (e) "Household Waste" has the meaning given to it by section 75 of the Act but excluding waste listed in the table in Schedule 1, Paragraph 4 of The 2012 Regulations.
- (f) "Trade Waste" means any Commercial or Industrial Waste or waste listed in paragraph 3 of Schedule 1 of The 2012 Regulations.
- (g) "Notice" means a notice issued under section 46 of the Act for household waste and waste listed in the table in Schedule 1, Paragraph 4 of The 2012 Regulations or issued under section 47 of the Act for commercial and industrial waste.
- (h) "Clinical Waste" has the meaning given to it by The 2012 Regulations.
- (i) "Clinical Trade Waste" means clinical waste and offensive waste as specified in the table at Schedule 1, Paragraph 3, Point 12 of The 2012 Regulations and other than household waste.
- (j) "Clinical Household Waste" means Clinical Waste and Offensive waste produced at domestic property, a residential home, a caravan or a vehicle or vessel used wholly for the purposes of living accommodation which is to be treated as household waste, except that where such a vehicle or vessel is used in the course of a business for the provision of self-catering accommodation, such waste is to be treated as commercial waste and "Offensive Waste" has the meaning given to it by The 2012 Regulations.
- (k) "Recyclate" means any waste segregated from household waste or trade waste receptacles and sent for treatment other than disposal by land filling or incineration.
- (l) "Commingled Recyclate" means all or any of:
 - (i) clean paper;
 - (ii) clean cardboard;
 - (iii) metal containers for food or drink;
 - (iv) glass containers for food or drink;
 - (v) household plastic packaging; and
 - (vi) cartons for food or drink.
- (m) "Organic Waste" Food waste and Garden waste. It excludes all soil, stones, rubble and also branches over 7 centimetres diameter.
- (n) "Food Waste" means cooked and uncooked food including meat, bones, dairy products, fruit vegetables and left food suitable for composting. It excludes all garden waste, soil, stones, rubble and also branches over 7 centimetres diameter.
- (o) "Garden Waste" means flowers, plants, shrubs, branches and other vegetation suitable for composting. It excludes all food waste soil, stones, rubble and also branches over 7 centimetres diameter.
- (p) "Contamination" shall mean the placement of items within recyclate or organic waste containers which are not a part of that waste streams
- (q) "Bulky Waste" means household waste as defined in the table at Schedule 1, Paragraph 4, points 1 or 2 or 4 or 7 of The 2012 Regulations. That is to say:

Waste Receptacle Regulations 2017

- (i) any article which exceeds 25 kilograms in weight;
 - (ii) Any article of waste which does not fit or cannot be fitted into—
 - (a) a receptacle for household waste provided in accordance with section 46 of the Act;
 - (b) or there no such receptacle is provided, a cylindrical container 750mm in diameter and 1m in length
 - (iii) waste which may not be put into a receptacle provided under section 46 of the Act because of a notice served under that section
- (r) “General Refuse” means household waste or trade waste other than separately stored clinical waste, recycle, organic waste or bulky waste.
- (s) “Receptacle” has the meaning given to it by section 46 of the Act for household waste, and Schedule 1, Paragraph 4 of The 2012 Regulations, or section 47 of the Act, for commercial and industrial waste.
- (t) “British Standard” or “BS” means a standard for the United Kingdom set by BSI British Standards.
- (u) “European Standard” or “EN” means a standard for the European Community set by the European Committee for Standardization (CEN).
- (v) “Wheeled Bin” means a receptacle constructed in accordance with BS EN 840-1:2004 of capacity up to four hundred litres.
- (w) “Eurobin” means a metal receptacle constructed in accordance with BS EN 840-2:2004 of capacity over four hundred litres and under thirteen hundred litres.
- (x) “Bulk Bins” means eurobins and/or paladins and will be referred to by the waste being collected Bulk Bin General Refuse or Bulk Bin for Commingled recycle.
- (y) “Waste Sack” shall mean a plastic sack made in accordance with BS EN 13592:2003 with a base colour of purple for Household Waste and red for Trade Waste
- (z) “Wheeled Bin” shall mean a two wheeled plastic bin of capacity under four hundred litres and and will be referred to by the waste being collected for General Refuse or Bulk Bin for Recyclate
- (aa) “Reuseable Bag” shall mean and bag given out by the Council for the collection or Recyclate which is deigned to be used for of more than one collection
- (bb) “Clinical Waste Sack” and “Sharps Box” shall mean any waste sack or box of yellow base colour.
- (cc) “Recycling Sack” shall mean a plastic sack made in accordance with BS EN 13592:2003, with a base colour of Clear for Household Waste and blue for Trade Waste
- (dd) “Collection Point” shall mean any agreed point where waste is placed by the originator for collection by the Council or a waste carrier.
- (ee) “Storage Point” shall mean any other point where waste is stored prior to placement at the collection point.
- (ff) “Street” has the meaning given to it by section 343 of the Public Health Act 1936.
- (gg) “Public highway” means any street maintainable at the public expense for the purposes of the Highways Act 1980.
- (hh) “Responsible Person” means someone who can advise about the status and schedule for the waste collection by that company in that area
- (ii) “Registered waste company” means a company who is a licensed or permitted waste carrier by the Environment Agency

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HOUSEHOLD WASTE

KIND AND NUMBERS OF RECEPTACLES FOR HOUSEHOLD WASTE

1. The council will sell, provide or hire to occupiers of premises producing Household Waste sufficient and suitable Wheeled Bins, Bulk Bins, Waste Sacks and/or Recycling Sacks or Reusable Bags to contain the expected arising's of Household Waste or Household Recyclate from their premises.
2. Where the occupiers of premises producing Household Waste jointly provide suitable Bulk Bins for General Refuse they shall be in accordance with the Council policy for minimum and maximum capacity for each premise. Such receptacles shall be placed at points on the premises so that sufficient Bulk Bins are reasonably accessible to all residents.
3. Where the occupiers of premises producing Household Waste jointly provide suitable Bulk Bins for Recyclate, such receptacles shall be placed at points on the premises so that sufficient Bulk Bins are reasonably accessible to all residents and reduce contamination of recyclate.
4. The occupiers of premises producing Household Waste shall only use provided Wheeled Bins, Bulk Bins, Reusable Bags or Recycling Sacks, for the storage of Recyclate prior to collection.
5. The occupiers of premises producing Household Food Waste, will be provided with a container(s) in line with the Councils policy on food waste collection.
6. For the purposes of these Regulations where Bulk Bins are provided to domestic premises by a managing agent, landlord or other such person, then they will be treated as having been jointly provided by the occupiers.
7. A Household Waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
8. Household Waste receptacles shall be maintained by the occupiers of the relevant premises in a reasonable state for storage of waste without sharp edges or holes and with all handles in good condition.
9. All receptacles to be emptied or collected by the Council should be hired or provided by the Council or sourced privately to the agreed BS EN 840 standard.

PLACING OF RECEPTACLES FOR HOUSEHOLD WASTE FOR THE PURPOSE OF FACILITATING THE EMPTYING OF THEM

10. Where premises produce Household Waste all Waste and Recyclate containers should be presented for collection at the edge of a resident's property, at the point where the premises meet the adopted highway unless otherwise stated in section 11, 12, 13 or 14. If properties are located down a private driveway/access road then the containers must be presented where the private driveway/access road meets the adopted highway unless otherwise agreed/directed by an officer of the Council.
11. Where Recyclate Sacks are provided by the Council from premises producing Household Waste they shall be placed at a Collection Point adjacent to, but not mixed with, the General Refuse waste sacks from those premises. The Collection Point will be set by the Council
12. Unless otherwise agreed by the Council when a request for collection of Bulky Waste is made, the Bulky Waste from premises producing Household Waste shall be placed for

Waste Receptacle Regulations 2017

collection either on the footway immediately adjacent to the front door/gate or entrance way of the premises or visible and readily accessible within the door/gate or entrance way.

13. The occupier of any premises producing Household Waste shall provide safe and secure Storage Points and Collection Points within the originating premises for any Clinical Household Waste or Hazardous Household waste.
14. Where General Refuse from domestic premises is stored in Bulk Bins or Recyclate is stored in Bulk Bins, these receptacles shall be presented for collection at a point which is reasonably accessible to the Council other than on a Public Highway.

THE SUBSTANCES OR ARTICLES WHICH MAY OR MAY NOT BE PUT INTO HOUSHOLD WATE RECEPTACLES

15. No more than 5kg of Household Waste shall be placed in any General Refuse Sack, unless agreed by an officer of the Council.
16. No more than 5kg of household Recyclate shall be placed in Recycling Sack.
17. General Refuse and Recyclate Sacks shall only be used for the storage of Household Waste prior to its collection by the Council acting in pursuance of the Council's duties under section 45 of the Act.
18. The occupier of any premises provided with Bulk Bins for the storage of Household Waste shall place all General Refuse in the Bulk Bins for collection. This shall include any General Refuse, whether in Waste Sacks or not, at that Collection Point.
19. All General Refuse or Recyclate must be placed within Wheeled Bins or Council provided Sacks. Any waste outside of these containers will not be collected.
20. Those Households who may not use Wheeled Bins must place Recyclate in clear sacks provide by the Council prior to its collection by the Council and its contractors acting in pursuance of the Council's duties under section 45 of the Act.
21. The occupier of any premises provided with Bulk Bins for the storage of Recyclate shall place all Recyclate in the agreed Bins for collection. This shall include any Recyclate at that Collection Point.
22. Waste Sacks with a base colour of yellow shall only be used for the storage of Clinical Waste as defined by the 2012 Regulations.
23. The occupier of any premises producing Household Waste shall not use Waste Sacks with a base colour of yellow for the storage of any waste other than as specified in Regulations 22
24. Occupiers of premises producing Household Waste may use sacks which are not Waste Sacks for any purpose, provided that such sacks are not placed at any Storage or Collection Point for Household Waste or Trade Waste other than within suitable and appropriate receptacles.

THE STEPS TO BE TAKEN TO FACILITATE THE COLLECTION OF HOUSEHOLD WASTE FROM RECEPTACLES

25. All collection points for household waste shall be reasonably accessible to the Council.
26. Where General Refuse or Recyclate from premises producing Household Waste is stored in Wheeled Bins, that Collection Point shall be considered reasonably accessible unless the Council issues an instruction or Notice to require a different Collection Point.

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27. Where General Refuse or Recyclate from premises producing Household Waste is stored in Wheeled Bins then the Wheeled Bins must be presented for collection with the bin lid completely closed and all content contained within the Wheeled Bin. It shall not be permitted to place General Refuse and Recyclate out for collection outside of the Wheeled Bin.
28. A Collection Point for Household Waste in Bulk Bins shall be considered as reasonably accessible if the location has been pre-agreed with a Council officer.
29. In all cases the Storage Point or Collection Point for any Household Waste must be physically separated from any Storage Point or Collection Point for Trade Waste.
30. When a request is made to the Council to collect Bulky Waste that waste must be readily removable by two operatives without the use of mechanical handling aids.
31. Where the Council agrees to collect Bulky Waste from a Collection Point not on the Street immediately adjacent to the front door/gate or entranceway of the premises or readily accessible within the front door/gate or entranceway then the occupier shall take such steps as are required to facilitate collection. Such steps may include the removal of obstructions and protecting fixed and mobile property from accidental damage.
32. Where the Council agrees to collect Bulky Waste from premises, the Bulky Waste shall not be placed on the street more than 12 hours before the day of collection which has been provided by the Council.
33. Premises producing Household Waste, other than the premises in the areas listed at Schedule 1, shall not place Household Waste receptacles on the Street except as authorised by Regulation 10 and 11. In such cases receptacles shall not be placed on the Street earlier than 16:30 pm the day before the scheduled collection or later than 06:00 am on the day scheduled for collection by the Council. Receptacles on the highway must be removed from the highway by the end of the day after the collection day. The day scheduled for collection can be ascertained from the Council's website at: www.Barnet.gov.uk
34. Where a sign specifying periods during which receptacles should be placed on the public highway is displayed on the same side of a Public Highway as any premises producing Household Waste then the occupier of that premise shall only place receptacles on that Public Highway during the periods prescribed by the sign. Any exception to this such as a festive changes will be advertised in advanced on the Council's website
35. For premises in the areas listed in at Schedule 1 it shall not be permitted to leave Wheeled Bins or Bulk Bins on the public highway for collection or storage.
36. For premises in the areas in at Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except in sacks issued by the Council, and which are clearly marked to show:
 - (a) the Council Logo
 - (b) the words "Household Waste" and
 - (c) a telephone number, or email or website where the Council can be contacted.
37. For premises in the areas listed in at Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except for times stated in Schedule 1 for Household Waste.

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NOTICES UNDER SECTION 46 THE ACT

38. Where on or after 26 July 2017 the Council serves a Notice on the occupier of any premises, then the specific requirements in such a Notice shall take precedence over any conflicting provision in the Regulations.
39. Where the occupier of a domestic property, a caravan or a moored vessel used wholly for the purposes of living accommodation is of the opinion that because of age or disability it is not possible to comply with any Regulation then that person or his agent may apply to the Council for exemption from specified requirements imposed by the Regulations. The applicant or his agent shall produce any evidence required by the Council to support the application for an assisted collection.
40. For the purposes of section 23(4) (c) of the London Local Authorities Act 2007 (penalty charges) an application under Regulation 3-8 shall be treated as a reasonable excuse until the Council either rejects the application in writing or issues a Notice to take precedence over any or all of the specified provisions in these Regulations for such period as the Council considers to be reasonable.

Compliance with these Regulations shall not be taken to constitute compliance with other legislative provisions including those legislative provisions which relate to the licenced storage, treatment and disposal of controlled waste. In the event of conflict between these Regulations and any statutory provision, the statutory provision shall take precedence.

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TRADE WASTE

KIND AND NUMBERS OF RECEPTACLES FOR TRADE WASTE

41. The occupiers of premises producing Trade Waste shall provide sufficient and suitable receptacles to contain the expected arising of Trade Waste from their premises. Such containers may be provided via a registered waste company.
42. A Trade Waste receptacle shall be maintained in a good, sound and safe condition without sharp edges or holes and with all handles in good condition.
43. A Trade Waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
44. Receptacles for Trade Waste must be constructed to BS EN 840 standard.
45. Where cardboard is separated from other trade waste items this can be placed out for collection with the cardboard Sticker that has been provided for Trade Waste recycling purposes by the council or registered contractor. Such stickers should be clearly marked to show:
 - (a) the name of either the waste producer or the waste carrier;
 - (b) the words "Trade Waste" or "Commercial Waste"; and
 - (c) a telephone number where a responsible person can be contacted at all reasonable times.
46. Wheeled Bins and Bulk Bins shall not be allowed to be presented, stored or left on the Street or Public Highway at anytime.

PLACING OF RECEPTACLES FOR TRADE WASTE FOR THE PURPOSE OF FACILITATING THE EMPTYING OF THEM

47. The occupier of any premises producing Trade Waste shall provide suitable Storage Points within those premises for all Trade Waste originating from those premises. The Storage Point for such waste shall not be on any public land or public Highway.
48. Wherever possible the occupier of any premises producing Trade Waste shall provide suitable Collection Point within their premises for all Trade Waste originating from those premises.
49. If a suitable Collection Point is not available within the premises as set out in regulation 48, then the public highway may be used as a Collection Point for General Refuse or Recyclate from premises producing Trade Waste.
50. If the public highway is used as a Collection Point then only Recyclate Sacks or General Refuse Sacks may be used. Cardboard may also be placed out as set out in regulation 45. No Wheeled bins shall be permitted on the public highway.
51. The Collection Point for Bulk Bins, or Wheeled Bins must be on private property and not the public highway or public land.
52. The Collection Point for Recyclate Sacks or General Refuse Sacks when on the public highway should be on the Street immediately adjacent to an entrance to the originating premises on the day of collection.
53. The occupier of any premises producing Trade Waste shall provide safe and secure Storage Points and Collection Points within the originating premises for any Clinical Trade Waste or Hazardous Trade Waste. Such points shall be kept secure at all times with no access for the general public.

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54. Storage and Collection Points provided for Clinical Trade Waste or for Hazardous Trade Waste shall be separate from Storage or Collection points for any other waste.

THE SUBSTANCES OR ARTICLES WHICH MAY OR MAY NOT BE PUT INTO TRADE WASTE RECEPTACLES

55. Waste Sacks with a base colour of yellow shall only be used for the storage of Clinical Waste as defined by the 2012 Regulations.
56. The occupiers of premises producing Trade Waste shall not use General Refuse or Recyclate Sacks with a base colour of yellow, grey, black, clear or purple, if the Storage Point or Collection Point for such sacks is:
- (a) on any public highway, street or open area off a street; or
 - (b) in the same room or area as any sacks used for Household Waste or Trade Waste which the Council has a duty to collect under section 45 of the Act.
57. Occupiers of premises producing Trade Waste may use sacks which are not Waste Sacks for any purpose provided that such sacks are not placed at any Storage or Collection Point for Trade Waste other than within suitable and appropriate receptacles.

THE STEPS TO BE TAKEN TO FACILITATE THE COLLECTION OF TRADE WASTE FROM RECEPTACLES

58. All Collection Points for Trade Waste shall be reasonably accessible to Registered Waste Carriers. Registered Waste Carriers are licensed by the Environment Agency to transport 'controlled waste' as defined by 'The 2012 Regulations'.
59. All receptacles for trade waste shall be clearly marked to show:
- (a) the name of either the waste producer or the waste carrier;
 - (b) the words "Trade Waste" or "Commercial Waste"; and
 - (c) a telephone number where a responsible person can be contacted at all reasonable times.
60. Where a sign specifying periods during which receptacles should be placed on the highway is displayed on the same side of a Public Highway as any premises producing Trade Waste then the occupier of that premises shall only place receptacles on that Public Highway during the periods prescribed by the sign.
61. A Collection Point for Trade Waste shall be considered as reasonably accessible if it has been pre-agreed as such by an officer of the Council when the Council Trade Waste service is used.
62. In all cases the Storage or Collection Point for any Trade Waste must be physically separated from any Storage or Collection point for Household Waste.
63. For those premises in areas listed in Schedule 1 it shall not be permitted to leave Wheeled Bins or Bulk Bins on the public highway or public land for collection or storage
64. For those premises in areas listed in Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except for times stated in Schedule 1 for Trade Waste.
65. For those premises in areas listed in Schedule 1 it shall not be permitted to leave uncollected Waste and Recyclate out for collection except for times stated in Schedule 1 for Household Waste.

Waste Receptacle Regulations 2017

NOTICES UNDER SECTION 47 OF THE ACT

66. Where on or after 26 July 2017 the Council serves a Notice on the occupier of any premises, then the specific requirements in such a Notice shall take precedence over any conflicting provision in these Regulations.

Compliance with these Regulations shall not be taken to constitute compliance with other legislative provisions including those legislative provisions which relate to the licenced storage, treatment and disposal of controlled waste. In the event of conflict between these Regulations and any statutory provision, the statutory provision shall take precedence.

Waste Receptacle Regulations 2017

SCHEDULE 1 TO WASTE REGULATIONS 2017

The information below is applicable to both Household Waste and Recyclate and Trade Waste and Recyclate. All locations are within the boundary of the London Borough of Barnet.

Town Centres (Primary Shopping Frontages)

#	Location	Time banding times		
1.	Burnt Oak town centre location <ul style="list-style-type: none"> ○ Burnt Oak Broadway, North Rd to Tesco car park (1 side) ○ Watling Avenue, Broadway to Orange Hill Road ○ Back Lane complete and Market Lane complete ○ Barnfield Road between Back and Market Lanes 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
2.	Cricklewood town centre location <ul style="list-style-type: none"> ○ Cricklewood Broadway, Mora Rd to Ash Grove (1 side) ○ Cricklewood Lane Broadway to Claremont Road 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
3.	Edgware town centre location <ul style="list-style-type: none"> ○ Station Road from Edgware Library to A5 ○ A5 from Grove Road to Forumside (1 side) ○ Penshurst Gdns from Station Road to Stream Lane ○ Stream Lane & Rectory Lane both complete ○ Edgwarebury Lane, Station Road to Edgwarebury Gdns ○ Heronsgate from Station Rd to Portsdown ○ Manor Park Crescent, Station Road to Manor Park Gdns 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
4.	Golders Green town centre location <ul style="list-style-type: none"> ○ Golders Green Rd, Ravenscroft Ave to Finchley Road ○ Finchley Road, Hoop Lane to West Heath Avenue ○ Hoop Lane, Golders Green Road to Golders Way ○ Golders Green Crescent, Golders Grn Rd to Golders Way ○ Golders Way complete ○ North End Road, Finchley Road to West Heath Drive 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
5.	Mill Hill town centre location <ul style="list-style-type: none"> ○ Mill Hill Broadway complete ○ Goodwyn Avenue, 50 metres from Mill Hill Broadway ○ Mill Way, 50 metres from Mill Hill Broadway ○ Station Road, Mill Hill Broadway to Brockenhurst Gardens ○ Bunns Lane, Hale Grove Gardens to Langley Park 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
6.	Chipping Barnet town centre location <ul style="list-style-type: none"> ○ High Street, Christ Church Lane to Bedford Avenue ○ St Albans Road, High Street to Stapylton Road ○ Wood Street, High Street to Manor Close ○ Park St. & Moxon St. both 50 metres from High Street 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
7.	Finchley Church End town centre location <ul style="list-style-type: none"> ○ Ballards Lane, Hendon Lane to Gruneisen Road ○ Station Road, Ballards Lane to Wooton Grove ○ Regents Park Road, The Avenue to Ballards Lane 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste

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	<ul style="list-style-type: none"> ○ Hendon Lane, Gravel Hill to Ballards Lane 			only.
8.	<p>North Finchley town centre location</p> <ul style="list-style-type: none"> ○ High Road, Churchfield Avenue to Woodside Grove ○ Ballards Lane, Hutton Grove to High Road ○ Kingsway complete ○ Woodhouse Road, High Road to Lambert Road ○ Castle Road, High Road to Lambert Way ○ Lambert Way complete 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.

High streets (Secondary Shopping Frontages)

#	Street	Time banding times	
9.	<p>Brent Street shopping frontage</p> <ul style="list-style-type: none"> ○ Parson Street, Glebe Crescent to Finchley Lane ○ Finchley Lane, Parson Street to Tenterden Grove ○ Church Road, Parson Street to Church End ○ Brent Street, Finchley Lane to Queens Road ○ Bell Lane, Brent Street to Stratford Road 	06:00 – 09:30	17:00 – 19:30
10.	<p>Colindale, The Hyde shopping frontage</p> <ul style="list-style-type: none"> ○ Edgware Road, Hay Lane to Hillfield Avenue ○ Sheaveshill Avenue, Edgware Road to Colin Close ○ Varley Parade complete ○ Woodfield Avenue, Edgware Road to Varley Parade 	06:00 – 09:30	17:00 – 19:30
11.	<p>Hendon Central shopping frontage</p> <ul style="list-style-type: none"> ○ Watford Way, both sides from Station Road/The Burroughs to Queens Road ○ Hendon Way, both sides from Vivian Avenue/Queens Road to Graham Road ○ Queens Road, Hendon Way to Railway Bridge ○ Vivian Avenue, Hendon Way to Foscombe Road ○ Alderton Crescent, Vivian Avenue to Alderton Way ○ Alderton Way, public highway section 	06:00 – 09:30	17:00 – 19:30
12.	<p>Temple Fortune shopping frontage</p> <ul style="list-style-type: none"> ○ Finchley Road, Hurstwood Road to Portsdown Avenue ○ Ashbourne Avenue, Finchley Road to Ashbourne Way ○ Gibbons Mews complete ○ Bridge Lane, Finchley Road to Bridge Way ○ Bridge Way, public highway section ○ Portsdown Avenue, Finchley Road to Templars Avenue 	06:00 – 09:30	17:00 – 19:30
13.	<p>East Finchley shopping frontage</p> <ul style="list-style-type: none"> ○ High Road, Creighton Avenue to The Bishops Avenue ○ East End Road, from High Road for 50 metres ○ Fortis Green, High Road to Fairlawn Avenue ○ Fairlawn Avenue complete 	06:00 – 09:30	17:00 – 19:30
14.	<p>New Barnet shopping frontage</p> <ul style="list-style-type: none"> ○ East Barnet Road, Lytton Road to Brookhill Road ○ Lytton Road, East Barnet Road to Bulwer Road 	06:00 – 09:30	17:00 – 19:30

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15.	Whetstone shopping frontage <ul style="list-style-type: none"> ○ High Road, Buckingham Avenue to Rasper Road ○ Totteridge Lane, from High Road up to 60 even / 61 odd ○ Oakleigh Road North, High Road to Whetstone Close 	06:00 – 09:30	17:00 – 19:30
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Smaller shopping locations (Local Shopping Frontages)

#	Street	Time banding times	
16.	Apex Corner shopping frontage <ul style="list-style-type: none"> ○ Watford Way, numbers 615 – 665 ○ Selvage Lane, roundabout to Glendor Gardens ○ Northway Crescent, public highway section ○ Scout Way, public highway section 	06:00 – 09:30	17:00 – 19:30
17.	Childs Hill shopping frontage <ul style="list-style-type: none"> ○ Finchley Road, Cricklewood Lane to Briardale Gardens ○ Cricklewood Lane, Finchley Road to Ridge Road ○ Hermitage Lane, Finchley Road to Elm Terrace 	06:00 – 09:30	17:00 – 19:30
18.	Deansbrook Road shopping frontage <ul style="list-style-type: none"> ○ Deansbrook Road, Dryfield Road to Gold Hill (Retail side only) ○ Gold Hill, Deansbrook Road to Gold Lane ○ Gold Lane complete ○ Dryfield Road, Deansbrook Road to Gold Lane 	06:00 – 09:30	17:00 – 19:30
19.	Golders Green Road shopping frontage <ul style="list-style-type: none"> ○ Golders Green Road, Golders Manor Drive to Russell Gardens ○ Highfield Avenue, 50 metres from Golders Green Road 	06:00 – 09:30	17:00 – 19:30
20.	Grahame Park shopping frontage <ul style="list-style-type: none"> ○ 1-21 The Concourse 	06:00 – 09:30	17:00 – 19:30
21.	Hale Lane shopping frontage <ul style="list-style-type: none"> ○ Hale Lane, Hawkins Close to Cloister Gardens ○ Deans Lane, Greencroft to Hale Lane 	06:00 – 09:30	17:00 – 19:30
22.	Holders Hill Circus shopping frontage <ul style="list-style-type: none"> ○ Bittacy Hill, Holders Hill Circus to Frith Lane ○ Holders Hill Circus complete ○ Holders Hill Road, Circus to Mill Close ○ Thornfield Parade complete ○ Dollis Road, 50 metres from Holders Hill Circus 	06:00 – 09:30	17:00 – 19:30
23.	West Hendon shopping frontage <ul style="list-style-type: none"> ○ West Hendon Broadway, numbers 162 – 276 (near Herbert Rd) ○ West Hendon Broadway, Cool Oak Lane to number 211 	06:00 – 09:30	17:00 – 19:30
24.	Colney Hatch Lane shopping frontage <ul style="list-style-type: none"> ○ Colney Hatch Lane, Greenham Road to Halliwick Road 	06:00 – 09:30	17:00 – 19:30

Waste Receptacle Regulations 2017

25.	East Barnet Village shopping frontage <ul style="list-style-type: none"> ○ East Barnet Road, Welbeck Road to Church Hill Road ○ Church Hill Road, Capel Road to East Barnet Road ○ Cat Hill up to number 23 	06:00 – 09:30	17:00 – 19:30
26.	Friern Barnet shopping frontage <ul style="list-style-type: none"> ○ Woodhouse Road, Colney Hatch Lane to Ashurst Road ○ Friern Barnet Road, Woodhouse Road to Holyfield Avenue ○ Friern Barnet Lane, first 50 metres from Friern Barnet Road ○ Colney Hatch Lane, first 60 metres from Friern Barnet Road ○ Lyndhurst Avenue, first 50 metres from Woodhouse Road 	06:00 – 09:30	17:00 – 19:30
27.	Great North Road shopping frontage <ul style="list-style-type: none"> ○ Great North Road, Greenhill Park to Barnet Hill ○ Greenhill Parade complete ○ Western Parade complete ○ Station Road, first 100 metres from Barnet Hill 	06:00 – 09:30	17:00 – 19:30
28.	Market Place shopping frontage <ul style="list-style-type: none"> ○ Falloden Way, from 1 / 2 Market Place to Ossulton Way / Kingsley Way ○ Lyttelton Road, Ossulton Way to Greenhalgh Walk ○ Hill Rise, first 30 metres from Falloden Way ○ Northway, Falloden Way to Capital Ring ○ Kingsley Way, Falloden Way to Capital Ring 	06:00 – 09:30	17:00 – 19:30
29.	New Southgate shopping frontage <ul style="list-style-type: none"> ○ Friern Barnet Road, from number 1 to the railway bridge ○ The Avenue, first 50 metres from Friern Barnet Road ○ Station Road, Friern Barnet Road to Woodland Road 	06:00 – 09:30	17:00 – 19:30

Keeping waste in the right place – Introduction of Barnet’s Regulations 2017

Final Consultation Report

**4 May to
14 June 2017
Consultation**

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1. Consultation Detailed Findings - Respondents

The drafting of Barnet Waste Regulations has been subject to a formal public consultation. This report sets out the full findings from the council's consultation. The findings will be considered by Council on 25 July 2017, where the final decision on the introduction of the Barnet Waste Regulations 2017 will be taken.

1.1 Technical details and method

In summary, the consultation was administered as follows:

- The Consultation was open for six weeks, from 4th May 2017 to 14th June 2017.
- The consultation was published on Engage Barnet <https://engage.barnet.gov.uk/> together with a consultation document and the draft Waste Regulations.
- Respondent's views were gathered via an online survey. Paper copies of the consultation were also made available on request.
- The consultation was widely promoted via the Council's website; local press; Twitter; Facebook and an email to Businesses who were registered on the business engagement database (approximately 300 businesses). The consultation was promoted internally to staff via the council's intranet.

1.2 Questionnaire design

The questionnaire was developed to ascertain residents, businesses and visitors views on the draft Barnet Waste Regulations. In particular the consultation included;

- Views on whether the Council has set the correct aims for the Waste Regulations.
- Views on residents and businesses responsibility for their recycling and waste, including views on consequences for different situations.
- Views on the introduction of Time Banded collections; including who would benefit from the change and initial views on proposed collection times and locations.

In order to enable further understanding and in-depth analysis the questionnaire also included:

- An open ended questions, where respondents were invited to write in any comments on the reason behind some of their answers as well as more general comments
- Key demographic and diversity monitoring questions to help understand the views of different demographic groups.

Throughout the questionnaire and where applicable hyperlinks were provided to the relevant sections of the consultation document. Those respondents who elected to receive a paper copy were also sent the consultation document.

1.3 Response to the consultation

A total of 258 questionnaires and responses have been completed; 256 via the online questionnaire and 2 responses on paper copies of the consultation. An additional 17 emails were received providing extra comments on the consultation.

1.4 Resident, Business and visitor response and profile from questionnaire

The Figure below shows the profile of those who responded to the questionnaire.

Figure 1.1: Questionnaire Respondent Profile

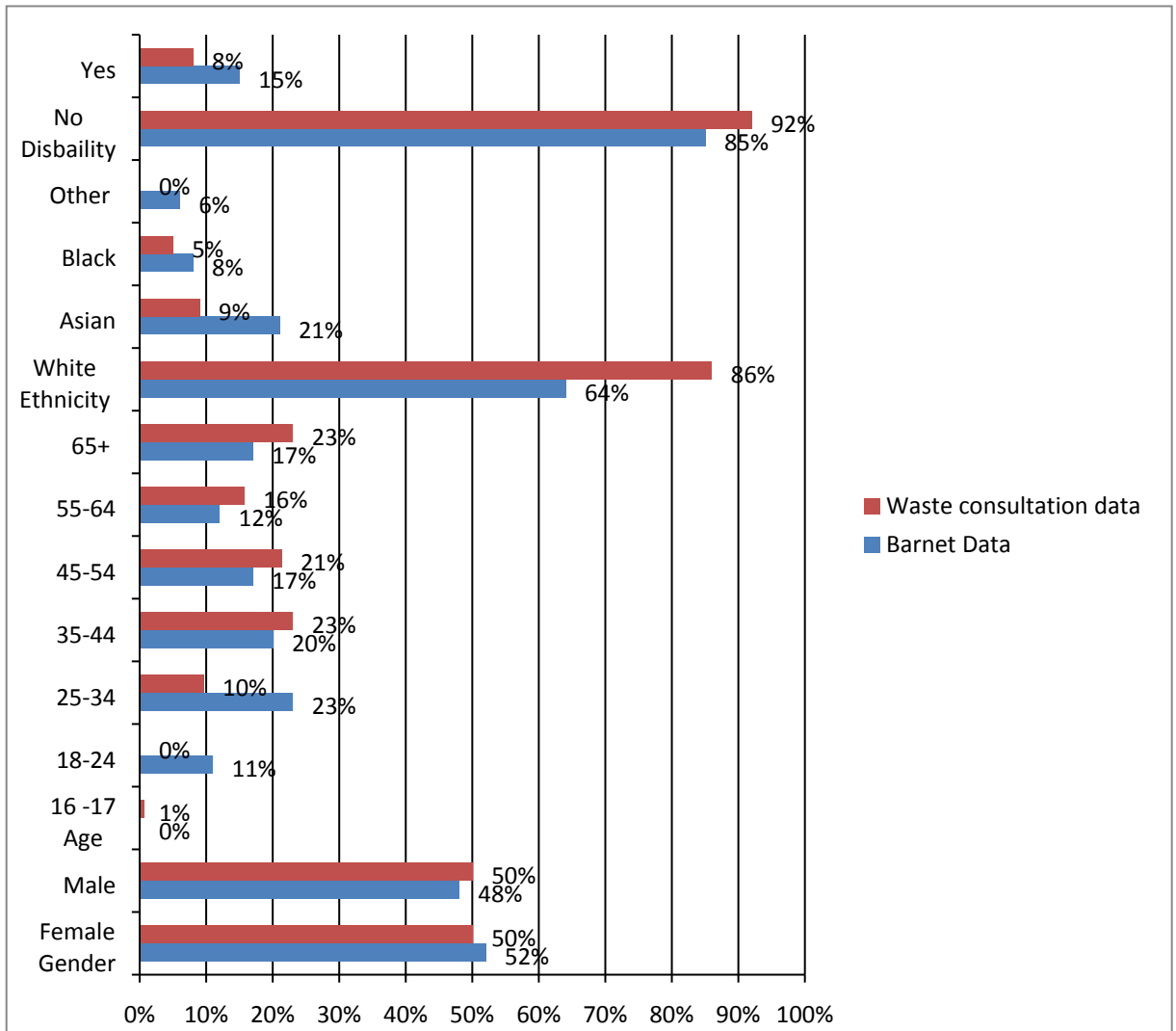
Stakeholder	Number of respondents	%
Barnet resident	244	94.6%
Barnet business owner	0	0.0%
Barnet resident and business owner	8	3.1%
Regular visitor to Barnet	2	0.8%
Representative of the street scene services industry (e.g. Commercial/Business Waste company)	2	0.8%
Other	2	0.8%
TOTAL	258	100%

Most respondents to the consultation were residents of Barnet – 94.6%.

The charts below shows the demographic profile of those who responded to consultation questionnaire in terms of key demographics compared to the population of Barnet. 1.10 Those who responded to the consultation and provided equalities data, the respondents do not closely match Barnet’s population profile.

In terms of gender there is a slight under representation in females and slight over representation in males. In terms of age, respondents aged 16 – 34 are unrepresented and those aged 34 and above are over represented. There is also a significant over representation of white respondents, and a significant under representation of Asian respondents and a slight under representation of Black respondents. Disabled respondents are also slightly under represented.

Figure 1.2: Key demographic overview of the respondents of the consultation in comparison to the general public consultation sample profile 2016 data



1.5 Protected Characteristics

The council is required by law, 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.

The protected characteristics identified in the Equality Act 2010 are age, disability, ethnicity, gender, gender reassignment, marriage and civil partnership, pregnancy, maternity, religion or belief and sexual orientation.

To assist us in complying with the duty under the Equality Act 2010 we asked the general public consultation 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 personal information provided will be treated in the strictest confidence and will be stored securely in accordance with our responsibilities under the Data Protection Act 1998.

Figure 1.3: Protected characteristic sample profile

Protected Characteristic - Faith	%	Number of respondents
Agnostic	6%	11
Atheist	10%	18
Baha'i	1%	1
Buddhist	0%	0
Christian	32%	57
Hindu	2%	3
Humanist	1%	1
Jain	1%	1
Jewish	11%	20
Muslim	1%	1
Sikh	0%	0
No religion	9%	16
Prefer not to say	24%	43
Other religion/belief (please specify)	2%	4
Total	100%	176

1.6 Interpretation of the results

In terms of the results of the questionnaire it is important to note that:

- The general public consultation is not representative of the overall population of Barnet but provides information, in particular on the opinion of those residents who are more engaged with the council.
- It should be treated with caution as a guide to overall opinion, however because the response profile does not match the Barnet population.
- The responses although not representative of the borough's population, do provide an important indication of where there may be particular strength of feeling in relation to recycling and waste.
- Where percentages do not add up to 100, this may be due to rounding, or the question is multi coded. All open ended questions that invite respondents to write in comments, are multi-coded and therefore add up to more than 100 per cent.
- All open-ended responses to the public consultation have been classified based on the main themes arising from the comment, so that they can be summarised.

1.7 Calculating and reporting on results

The results for each question are based on "valid responses", i.e. all those providing an answer (this may or may not be the same as the total sample) unless otherwise specified. The base size may therefore vary from question to question.

2. Consultation Detailed Findings - Results

The consultation outlined that residents highlight that the quality of the local environment - keeping our high streets free of litter and fly-tipped material - is very important to them. In the past we have educated and raised awareness among our residents, businesses and visitors, and we will continue to do so in the future to ensure everyone is aware of the importance of keeping our streets clean. However, we still

have some problems such as bins and bags of waste can be left on the street by businesses for a number of days, which can impact negatively on visitors, other businesses and the appearance of our town centres. Additionally residents who do not follow the guidance and advice given by the council on what materials can be recycled or disposed of as waste, or on the day recycling and waste will be collected, can cause issues for other residents. Therefore it is proposed to introduce the Barnet Waste Regulations 2017 to deal with some of these problems and further ensure our streets are kept clean and tidy.

The consultation focused questions in three key areas

- What we want to achieve and the aims for the waste regulations
- Views on residents and businesses responsibility for their recycling and waste, including views on consequences for different situations.
- Views on the introduction of Time Banded collections; including who would benefit from the change and initial views on proposed collection times and locations.

2.1 Views on the aims of the Barnet Waste Regulations

The consultation noted the reasons for introducing waste regulations and detailed how the regulations would specifically outline the requirements for waste storage and collection. The new regulations are designed to significantly improve the environment for residents, businesses and visitors.

2.1.1 To what extent respondents agree or disagree with each of the aims?

Respondents were asked if they agree with the council’s aims of the Waste Regulations.

- The Figure below shows that there was support for each of the aims with between 88% and 94% of respondents agreeing (strongly agreeing or tended to agree) with each of the aims.
- The most supported aim, with 94% of respondents agreeing (strongly agreeing or tended to agree) was “A cleaner and tidier borough so that our residential areas are a more attractive place to live, work and visit”. 1% of respondents strongly disagreed with this aim.
- In contrast the least supported with 88% agreement (strongly agreeing or tended to agree) was “Reduce the number of obstructions on the footways”. 3% of respondents strongly disagreed or tended to disagree with this aim.

Figure 2.1: The extent to which respondents agreed or disagreed with the aims of the Waste Regulations

To what extent do you agree or disagree with each of these aims?	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know	Total number of Respondents
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A cleaner and tidier borough so that our town centres are a more attractive place to live, work and visit.	72%	21%	5%	0%	2%	0%	234
A cleaner and tidier borough so that our residential areas are a more attractive place to live, work and visit.	74%	20%	5%	0%	1%	0%	233
Reduce the number of obstructions on the footways	66%	22%	9%	2%	1%	0%	233

2.2 Views on residents and businesses responsibility for their recycling and waste

The Barnet Waste Regulations 2017 have been produced to provide guidance to residents and businesses for example on how, when and where recycling and waste containers should be placed for collection, as well as what containers should be used and what should and should not go in them. The council would help residents and businesses to comply with the new regulations by ensuring good communications about what is required of them as part of the regulations. The consultation sought views on about how residents and businesses should take responsibility for their recycling and waste.

Overall, the views of the respondents were as follows;

- There was support for each of the statements with between 88% and 95% of respondents agreeing (strongly agreeing or tended to agree) with each of the statements.
- The most supported statements, with 95% of respondents agreeing (strongly agreeing or tended to agree) were “Businesses should take responsibility for their recycling and waste and ensure that their waste is properly stored on their premises and not on the public highway” and “Businesses should take responsibility for ensuring that their recycling and waste is put into the correct container (bin or sack)”. 2% of respondents strongly disagreed (strongly disagreed or tended to disagree) with first statement and 0% disagreed with the second statement.
- In contrast the least supported with 88% agreement (strongly agreeing or tended to agree) was “Residents should take responsibility for their recycling and waste and ensure that their waste is properly stored on their premises and not on the public highway”. 7% of respondents strongly disagreed or tended to disagree with this statement.

2.2.1 To what extent respondents agreed and disagreed with the statements regarding the storage of waste and recycling

Respondents were asked if they agreed or disagreed with the following statements regarding Businesses and Residents responsibility for storage of recycling and waste;

“Businesses should take responsibility for their recycling and waste and ensure that their waste is properly stored on their premises and not on the public highway”

- The Figure below shows that for businesses 95% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 2% disagreed (strongly disagreed or tended to disagree)
- 2% either did not know or neither agreed or disagreed with the question.

“Residents should take responsibility for their recycling and waste and ensure that their waste is properly stored on their premises and not on the public highway”

- The Figure below shows that for residents 88% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 7% disagreed (strongly disagreed or tended to disagree)
- 5% either did not know or neither agreed or disagreed with the question.

Figure 2.2: If respondents agreed or disagreed with the two statements regarding Businesses and Residents responsibility for storage of recycling and waste

To what extent do you agree or disagree with the following statements about how residents and businesses should take responsibility for their recycling and waste	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know	Total number of Respondents
Businesses should take responsibility for their recycling and waste and ensure that their waste is properly stored on their premises and not on the public highway	77%	18%	2%	1%	1%	0%	217
Residents should take responsibility for their recycling and waste and ensure that their waste is properly stored on their premises and not on the public highway	65%	23%	5%	4%	3%	0%	221

2.2.2 To what extent respondents agreed and disagreed with the statements regarding the correct recycling and waste containers

Respondents were asked if they agreed or disagreed with the following statements regarding Businesses and Residents responsibility for using the correct container for recycling and waste;

“Businesses should take responsibility for ensuring that their recycling and waste is put into the correct container (bin or sack)”

- The Figure below shows that for businesses 95% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 0% disagreed (strongly disagreed or tended to disagree)
- 3% either did not know or neither agreed or disagreed with the question.

“Residents should take responsibility for ensuring that their recycling and waste is put into the correct container (bin or sack)”

- The Figure below shows that for residents 90% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 4% disagreed (strongly disagreed or tended to disagree)
- 6% either did not know or neither agreed or disagreed with the question.

Figure 2.3: If respondents agreed or disagreed with the two statements regarding Businesses and Residents responsibility for using the correct container for recycling and waste

To what extent do you agree or disagree with the following statements about how residents and businesses should take responsibility for their recycling and waste	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know	Total number of Respondents
Businesses should take responsibility for ensuring that their recycling and waste is put into the correct container (bin or sack)	76%	19%	3%	0%	0%	1%	215
Residents should take responsibility for ensuring that their recycling and waste is put into the correct container (bin or sack)	66%	24%	6%	3%	1%	0%	218

2.2.3 To what extent respondents agreed and disagreed with the statements regarding ensuring the recycling and waste containers are secured

Respondents were asked if they agreed or disagreed with the following statements regarding Businesses and Residents responsibility for ensuring that recycling and waste containers are secured;

“Businesses should take responsibility for ensuring that their container is secured to prevent waste from escaping or causing litter”

- The Figure below shows that for businesses 92% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 2% disagreed (tended to disagree)
- 6% either did not know or neither agreed or disagreed with the question.

“Residents should take responsibility for ensuring that their container is secured to prevent waste from escaping or causing litter”

- The Figure below shows that for residents 87% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 4% disagreed (strongly disagreed or tended to disagree)
- 8% either did not know or neither agreed or disagreed with the question.

Figure 2.4: If respondents agreed or disagreed with the two statements regarding Businesses and Residents responsibility for ensuring the recycling and waste containers are secured

To what extent do you agree or disagree with the following statements about how residents and businesses should take responsibility for their recycling and waste	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know	Total number of Respondents
Businesses should take responsibility for ensuring that their container is secured to prevent waste from escaping or causing litter	79%	13%	6%	2%	0%	0%	215
Residents should take responsibility for ensuring that their container is secured to prevent waste from escaping or causing litter	65%	22%	8%	2%	2%	0%	218

2.3 Views on whether residents and businesses should be fined in a number of situations

Alongside seeking views on residents responsibility, the consultation sought views on whether the council should use enforcement action against those who continue to cause issues in our local neighbourhoods, for example this may include issuing warning letters and guidance about the waste regulations or fixed penalty notices for those who breach the regulations.

Overall, the views of the respondents were as follows;

- There was support for each of the statements with between 62% and 88% of respondents agreeing (strongly agreeing or tended to agree) with each of the statements.
- The two most supported statements, with 88% of respondents agreeing (strongly agreeing or tended to agree) were “Businesses who leave bags of waste on a high street all day should be fined” and “Business who leave bags of recycling and waste on a high street all night leaving them vulnerable to foxes and rats should be fined”. 6% of respondents strongly disagreed (strongly disagreed or tended to disagree) with both statements.
- In contrast the least supported with 62% agreement (strongly agreeing or tended to agree) was “Residents who leave extra bags of waste by their black waste bin and do not recycle should be fined”. 26% of respondents strongly disagreed or tended to disagree with this statement.

2.3.1 To what extent respondents agreed and disagreed with the statements regarding situations in which residents and businesses should be fined

Respondents were asked if they agreed or disagreed with the following statements regarding whether Businesses and Residents should be fined in a number of situations regarding storage, recycling of materials and putting non-recyclable items into their recycling container;

“Businesses who leave bags of waste on a high street all day should be fined”

- The Figure below shows that for businesses 88% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 6% disagreed (strongly disagreed or tended to disagree)
- 7% either did not know or neither agreed or disagreed with the question.

“Business who leave bags of recycling and waste on a high street all night leaving them vulnerable to foxes and rats should be fined”

- The Figure below shows that for residents 88% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 6% disagreed (strongly disagreed or tended to disagree)
- 6% either did not know or neither agreed or disagreed with the question.

“Residents who leave wheeled bins of recycling and rubbish on the pavement all the time, when they have room to store them on their property should be fined”

- The Figure below shows that for residents 68% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 21% disagreed (strongly disagreed or tended to disagree)
- 11% either did not know or neither agreed or disagreed with the question.

“Residents who leave wheeled bins of recycling and rubbish on the pavement all the time, when they have room to store them on their property - AND have ignored a request to remove them by the Council should be fined”

- The Figure below shows that for residents 80% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 14% disagreed (strongly disagreed or tended to disagree)
- 7% either did not know or neither agreed or disagreed with the question.

“Residents who leave extra bags of waste by their black waste bin and do not recycle should be fined”

- The Figure below shows that for residents 62% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 26% disagreed (strongly disagreed or tended to disagree)
- 12% either did not know or neither agreed or disagreed with the question.

“Residents who leave extra bags waste by their black waste bin and do not recycle – AND have been asked to start recycling by the Council should be fined”

- The Figure below shows that for residents 75% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 16% disagreed (strongly disagreed or tended to disagree)
- 8% either did not know or neither agreed or disagreed with the question.

Residents who put non-recyclable items such as nappies or garden waste in their blue recycling bin should be fined”

- The Figure below shows that for residents 67% (strongly agreeing or tended to agree) of respondents agreed with the statement and only 20% disagreed (strongly disagreed or tended to disagree)
- 13% either did not know or neither agreed or disagreed with the question.

Figure 2.5: If respondents agreed or disagreed with the statements regarding whether Businesses and Residents should be fined in a number of situations

To what extent do you agree or disagree with whether residents and businesses should be fined in the following situations?	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know	Total number of Respondents
Business who leave bags of waste on a high street all day	55%	33%	7%	3%	3%	0%	209

should be fined							
Business who leave bags of recycling and waste on a high street all night leaving them vulnerable to foxes and rats should be fined	58%	30%	6%	3%	3%	0%	209
Residents who leave wheeled bins of recycling and rubbish on the pavement all the time, when they have room to store them on their property should be fined	41%	27%	11%	10%	11%	0%	213
Residents who leave wheeled bins of recycling and rubbish on the pavement all the time, when they have room to store them on their property - AND have ignored a request to remove them by the Council should be fined	54%	26%	7%	7%	7%	0%	213
Residents who leave extra bags of waste by their black waste bin and do not recycle should be fined	34%	28%	11%	13%	13%	1%	208
Residents who leave extra bags waste by their black waste bin and do not recycle – AND have been asked to start recycling by the Council should be fined	50%	25%	8%	9%	7%	0%	212
Residents who put non-recyclable items such as nappies or garden waste in their blue recycling bin should be fined	38%	29%	13%	10%	10%	0%	211

2.4 Views on the principles of time banded collections

A key part of the new regulations are the introduction of “Time Banded Collections” for our town centers and high streets. This would mean that both businesses and residents in a “Time Banded Collection” area could only put out recycling and waste on the public highway at specified times. This proposal would help to improve the area to the front of businesses, as well as back alleyways and areas behind shops. Additionally, ensuring all businesses and residents are disposing of their recycling and waste legally, either through the council’s services or a licensed private sector company, reducing the fly-tipping and the cost to the taxpayer of clear clearing the fly-tips.

The general principle for the Time Banded Collections is that there will be three recycling and waste collections per day for our town centres and two collections per day for high streets and smaller shopping locations, this will help to reduce litter and obstructions of bags and bins on the street when the high streets are busy. To ensure we deliver an efficient

service to businesses and residents, it was proposed that a ‘zoned’ approach to collections would be introduced, splitting the borough into two zones – the ‘East’ and ‘West’.

2.4.1 Who respondents thought would benefit from the principle of time banded collections

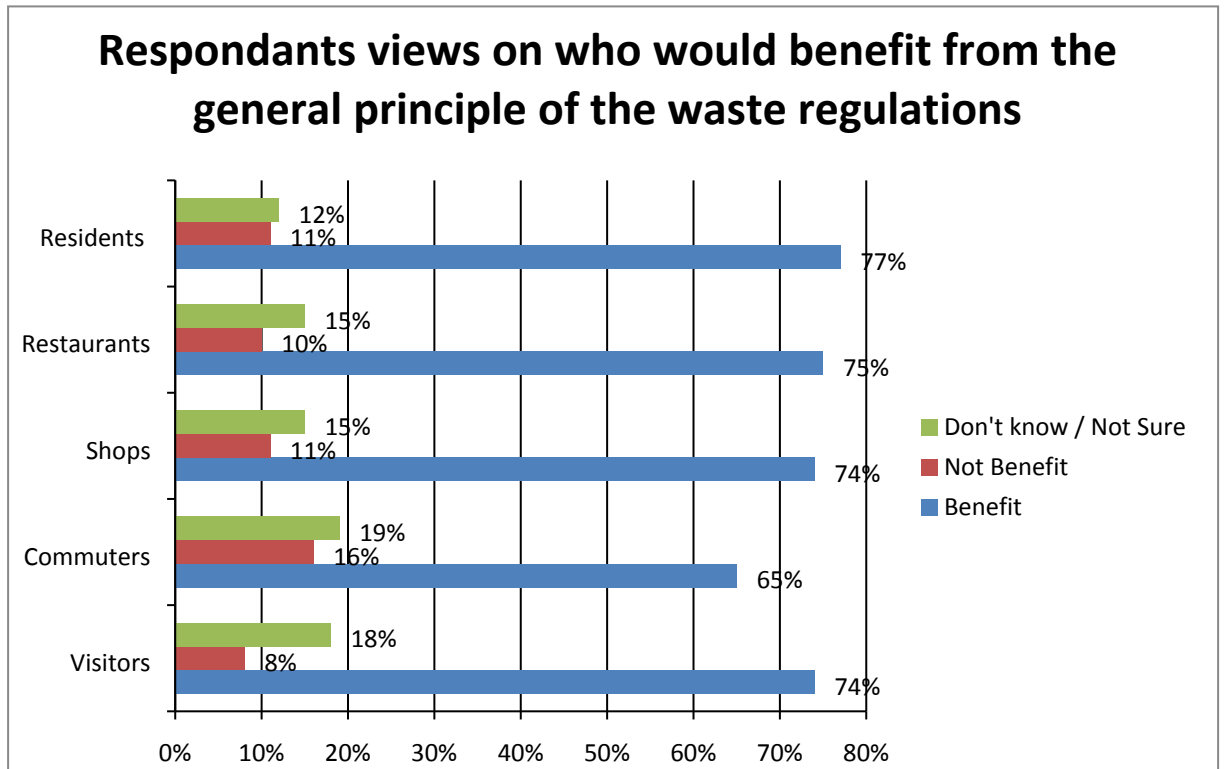
Respondents were asked who they thought would benefit and not benefit from the general principle of time banded collections;

- It was viewed that each of the groups noted below would benefit from the principle of Waste Regulations, with between 65% and 77% of respondents stating it would benefit each of the groups.
- The group which were seen to benefit the most from the principle of time banded collections, with 77% were residents. 11% of respondents disagreed and thought this group would not benefit and 12% stated that they did not know or where not sure.
- In contrast the group stated benefit least were commuters with 65%. 16% of respondents disagreed and thought this group would not benefit and 19% stated that they did not know or where not sure.

Figure 2.6: If respondents thought the general principle of time banding would benefit and not benefit different groups

Who do you think would benefit from this principle?	Benefit	Not benefit	Don't know / Not sure	Total number of Respondents
Visitors	74%	8%	18%	204
Commuters	65%	16%	19%	201
Shops	74%	11%	15%	202
Restaurants	75%	10%	15%	204
Residents	77%	11%	12%	205

Figure 2.7: Pie chart showing respondents views on whether the general principle of time banding would benefit and not benefit different groups



2.4.2 To what extent respondents agreed with the proposed times and locations for 'Time Banded Collections' for businesses and residents

Respondents were asked whether they thought the suggested times of day for recycling and waste collection was appropriate for each location; Town Centre (Primary Shopping Frontage), High streets (Secondary Shopping Frontages) and Smaller shopping locations (Local Shopping Frontages).

Overall, the highest response for all of the locations is 'Do not have a view on this location' and in some cases the response has also been high for 'Don't know / Not sure'. Therefore the analysis below has not taken into account these two options.

Town Centre (Primary Shopping Frontage)

- The Figure below shows that overall for each location the suggested times for collection were viewed by respondents as being about the right times of day with a score of between 19% and 31%.
- Overall for each location between 1% and 3% felt that the times were too early and between 2% and 4% felt the times were too late.
- Between 41% to 55% did not have a view on the location and between 19% and 25% either did not know or were not sure about this question

High streets (Secondary Shopping Frontages)

- The Figure below shows that overall for each location the suggested times for collection were viewed by respondents as being about the right times of day with a score of between 18% and 30%.

- Overall for each location between 2% and 5% felt that the times were too early and between 1% and 4% felt the times were too late.
- Between 40% to 55% did not have a view on the location and between 21% and 24% either did not know or were not sure about this question

Smaller shopping locations (Local Shopping Frontages)

- The Figure below shows that overall for each location the suggested times for collection were viewed by respondents as being about the right times of day with a score of between 16% and 27%.
- Overall for each location between 2% and 4% felt that the times were too early and between 1% and 3% felt the times were too late.
- Between 48% to 58% did not have a view on the location and between 21% and 25% either did not know or were not sure about this question

Figure 2.8: Respondents views on the suggested time of day for collections in a number of locations

Do you think that the suggested time of day for recycling and waste collection is appropriate for each location below		About the right times of day	Too early	Too late	Do not have a view on this location	Don't know / Not sure	Total number of Respondents
Town Centres (Primary Shopping Frontages)							
West	Burnt Oak town centre location	20%	1%	3%	55%	22%	188
	Mill Hill town centre location	28%	1%	2%	48%	21%	188
	Cricklewood town centre location	19%	1%	3%	56%	21%	188
	Edgware town centre location	22%	2%	3%	52%	22%	186
	Golders Green town centre location	30%	1%	4%	43%	21%	187
East	Chipping Barnet town centre location	25%	2%	3%	45%	25%	187
	Finchley Church End town centre location	29%	1%	3%	47%	19%	187
	North Finchley town centre location	31%	3%	3%	41%	22%	188
High streets (Secondary Shopping Frontages)							
West	Brent Street shopping frontage	21%	2%	3%	52%	22%	187
	Colindale, The Hyde shopping frontage	18%	3%	2%	55%	23%	187
	Hendon Central shopping frontage	19%	2%	2%	53%	24%	187
	Temple Fortune shopping frontage	24%	3%	4%	47%	21%	188

East	East Finchley shopping frontage	30%	5%	2%	40%	24%	185
	New Barnet shopping frontage	26%	4%	1%	47%	22%	186
	Whetstone shopping frontage	26%	3%	1%	46%	23%	186
Smaller shopping locations (Local Shopping Frontages)							
West	Apex Corner shopping frontage	21%	2%	2%	54%	21%	183
	Childs Hill shopping frontage	17%	3%	2%	57%	22%	184
	Deansbrook Road shopping frontage	17%	2%	3%	55%	23%	183
	Golders Green Road shopping frontage	27%	2%	3%	48%	21%	183
	Grahame Park shopping frontage	16%	2%	2%	58%	22%	183
	Hale Lane shopping frontage	21%	3%	2%	54%	21%	184
	Holdes Hill Circus shopping frontage	17%	2%	2%	57%	22%	183
	West Hendon shopping frontage	18%	2%	2%	56%	23%	182
East	Colney Hatch Lane shopping frontage	20%	3%	2%	52%	23%	183
	East Barnet Village shopping frontage	24%	4%	1%	48%	23%	183
	Friern Barnet shopping frontage	20%	4%	2%	52%	23%	182
	Great North Road shopping frontage	19%	3%	2%	52%	25%	182
	Hampden Square shopping frontage	18%	3%	1%	55%	24%	181
	Market Place shopping frontage	21%	2%	2%	50%	23%	181
	New Southgate shopping frontage	17%	3%	3%	54%	24%	182

Respondents were also given the opportunity to expand on why they had given these answers to the question above regarding the suggested collection times for time banded collection areas or to provide any further comments. Comments were made by 65 respondents. Figure 2.9 provides an overview of the comments made by respondents.

The responses are spread across 37 headline subjects with 13 areas where there was commonality of response. The area of highest commonality was 13 responses saying that the Time Banded collections would affect those with other obligations, most prominently those who work and the suggested times are not practical. Additionally, 10 respondents noted that collection times would be better outside of rush hour / peak commuting times.

Figure 2.9: Comments made by respondents about the time banded collections

If you have any further comments about the "Time Banded Collections" or if you would like to explain your answer	Number of comments
This would adversely affect those with other obligations such as holidays. In particular impacts on residents who work (and more so for those with long commutes) which would make it difficult for those to put bins out and bring their bins in during the designated times. Not practical and they may need to leave their bin out all day	13
Suggest collecting recycling and waste outside of rush hour / peak commuting times. During rush hour means more noise, traffic congestion and air pollution. Impact on residents, commuters and school children.	10
Need to avoid school drop off / pick up times – issue of congestion and lots of people on the pavements	4
Mill Hill Broadway and Hale Lane shops are full of litter / too dirty – I would support this scheme	3
Good idea – more hygienic and less likely to attract vermin. Residents and Businesses need to take responsibility.	3
Not clear whether this refers to residential collections and if so what times are proposed.	3
Confusing initiative	2
Difficult to implement with houses of multiple occupancy and blocks of flats – often share bins.	2
Bins are not replaced after being collected or are left in the gutter by the waste collectors – if we have to leave on our property boundary the waste collectors should leave the bins in the same place too	2
Difficulty in recycling in Barnet – residents need the facilities to recycle - hope for a reliable and consistent service	2
Best to consult / speak with businesses about what time works for them	2
For residents, it is reasonable to put out a bin the night before your collection	2
Should be reasonable for business to comply but difficult for residents.	2
Shouldn't be allowed to put rubbish out the night before as encourages vermin and waste escapes	1
Golders Green – very dirty. Lots of cigarette ends	1
Burnt Oak area, especially Watling avenue, has been neglected. Let's keep Barnet clean.	1
In Child's Hill the free standing advertisement on the street are dangerous for pedestrians and car users	1
Time to stop rubbish bins being visual pollution on our high street	1

Depends on how the businesses operate	1
Moving wheelie bins and large bins should not be allowed in residential areas between 10pm – 8am.	1
Do not change black and blue bin collection to every 2 weeks as this causes rats and maggots	1
Might be worth trying various times to see which is best	1
Restrictions are not necessary or desirable – education would be better	1
I think it's unacceptable that residents of private roads / closes must wheel their rubbish to the intersection with the public highway. Impractical for residents, especially those who are older or disabled. The current service should continue as is.	1
Time Banded collections are too wide – three times a day means rubbish will be left out more frequently than it is now.	1
This needs to be properly consulted on	1
The problem is that the waste collectors drop waste when emptying the bins	1
Time Banded collections time for East Finchley not appropriate. 6am-8.30am is too early and 4pm-6.30pm is too late – as shop keepers close before 6.30pm. More appropriate times would be 9.30am-12noon and 2.30pm – 5pm.	1
Survey is unprofessional – assume basic premis of adopting a fining system, slanted questions and narrow range of least bad options	1
Food businesses that do not have back alley / rear yard storage will need to store waste inside their premises – this would need to be properly controlled as could be an offence under food hygiene regulations.	1
All waste collection should be done at night (21:00 – 06:00) – it's too disruptive during the day.	1
I suspect businesses are charged high business rates and feel the council should do more to help them.	1
Areas to be added to time banding – shop in Claremont Road (opposite/between The Vale and Pennine Drive (has 2 large orange bins) or shops near the north end of Claremont Road.	1
Residents need a variety of times to put waste out.	1
For residential collections – the problem is with rented accommodation when people don't know / care to find out when collection is. Need to educate and inform these individuals constantly.	1
As a resident, fly tipping, residential waste and general efficiency are more important to me.	1

More restrictions and complications will increase fly tipping	1
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2.5 Views on whether Barnet Council should implement the waste regulations

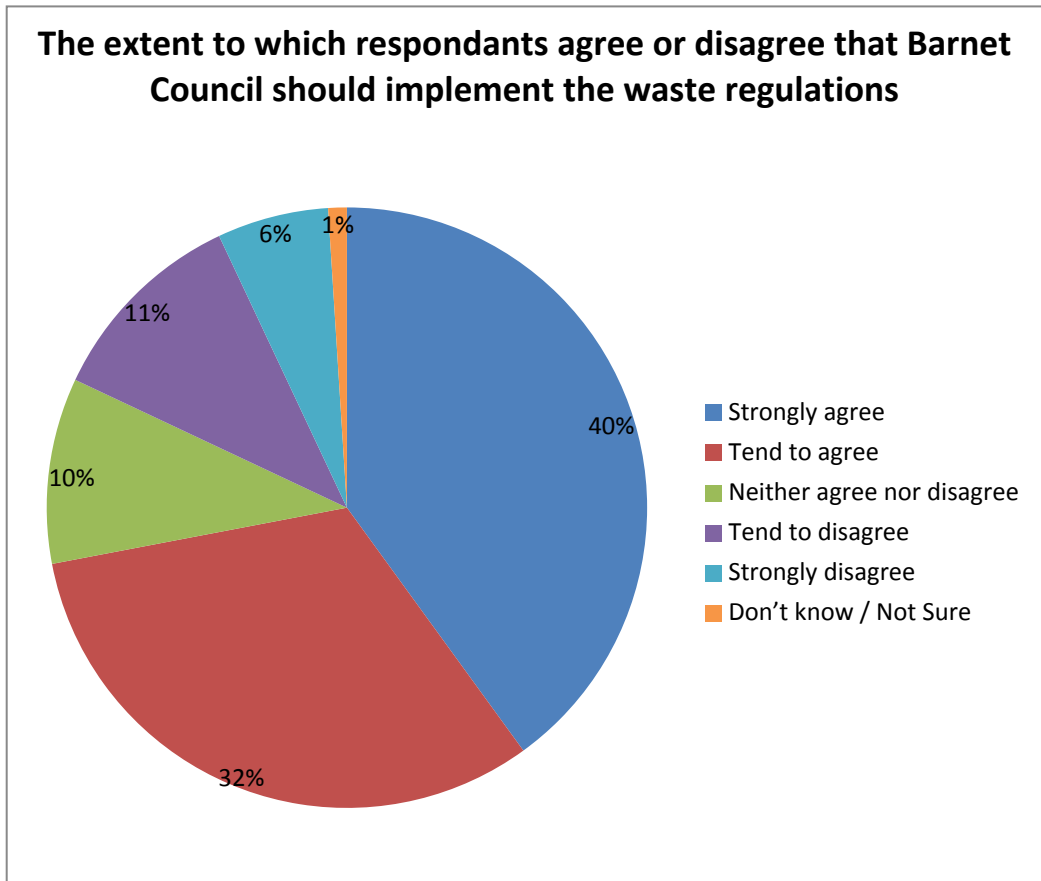
Considering all the information provided, respondents were asked to provide their view on whether they agree or disagree that the Waste Regulations should be implemented.

- The Figure below shows that overall 72% of respondents agree (strongly agree and tend to agree) that the regulations should be implemented.
- 17 % of respondents disagree (tend to disagree and strongly disagree) that the regulations should be implemented. 10% of respondents neither agree or disagree and 1% do not know or are unsure about the answer.

Figure 2.10: If respondents agreed or disagreed that Barnet Council should implement the waste regulations (below)

Overall, to what extent do you agree or disagree that Barnet Council should implement the waste regulations?	Benefit	Total number of Respondents
Strongly agree	40%	75
Tend to agree	32%	61
Neither agree nor disagree	10%	19
Tend to disagree	11%	20
Strongly disagree	6%	11
Don't know / Not Sure	1%	2
TOTAL	100%	188

Figure 2.11: Pie Chart showing the percentage of respondents who agreed or disagreed that Barnet Council should implement the waste regulations (below)



3. Consultation Response – Written Responses

As well on the online questionnaire, 17 written responses were also received from residents (10 respondents provided their road name), 2 Councillors, the Garden Suburb Residents Forum and the general public.

The responses are spread across 36 headline subjects with 9 areas where there was commonality of response. The area of highest commonality was 6 respondents who all noted that Paragraph 10 of draft regulations regarding collections from unadopted roads should not be enforced for those roads who currently receive the service. (To note 5 respondents were from the Garden Suburb area).

Below is an analysis of the comments received which are related to the subject of this consultation.

Figure 3.1: Comments received via email about the consultation

Other Comments	Number of comments
Paragraph 10 of draft regulations – collections from unadopted roads. Objection to the statement / confirmation required that this will not apply to those who currently receive the service and that bins will continue to be collected from the edge of	6

residents properties. There is not enough space at the end of the private roads; the bins would block the footpath and roads would be inaccessible and who would help the elderly residents to do this (especially when icy roads). Although the roads are not adopted, the house owners pay their council tax and should be entitled to proper bin collections like everyone else. Consultation is required for any change.	
Time banding - There has to be some flexibility because many people leave for work early in the morning and do not come home until late. Residents who work and have to leave their bins out the night before and bring them in the evening of bin day should continue to be permitted to do so without being fined.	5
Clarification required as to where the Time Banding will be implemented – collections are for businesses and residents in town centres and high streets only, not residential streets.	4
Waste collectors should take more care in returning bins to their location (off the footway) – ensure they do not cause obstruction to footways or car owners. They should set a good example.	3
Some households have their bins permanently on the pavement because the configuration / space of their front garden does not permit the storage of bins on their property. Will such houses have exemptions / a solution should be found	2
How were residents informed of the consultation – courteous to inform all residents not just via the website	2
There needs to be protection for occupiers whose bins have random items placed in their bins by passers-by.	2
FPN or PCN to residents are not appropriate save perhaps after three written warnings, and the amount of penalty to such residents should be the subject of specific consultation by the Council.	2
Blocks of flats are not appropriate for FPN or PCN to the occupiers. Paragraph 6 should be altered.	2
Commercial Waste bins are too small which results in foxes and wind scattering rubbish on the high street	1
Commercial bins contain both recyclable and non-recyclable waste – this will result in lower recycling levels	1
Insufficient rubbish bins on the high street (particularly around takeaway outlets) which often overflow leaving litter on the highstreet	1
Positive view that there should be some enforcement to ensure that bins are on the street for as little time as possible	1
Brown food recycling bin are not proof against foxes	1

Businesses (particularly restaurants) need to be targeted first – often overflowing bins and the lids are up – as they only have one bin. They need more frequent collections if they are only allowed one bin.	1
Waste collectors should refuse to take recycling in non-disposable black plastic bags which have been placed in the blue recycling bin (they should comply with the guidelines as well as residents).	1
It is right and proper that the council are consulting with the community	1
The prohibition on additional bags or items sticking out of the bins is fine in principle, as long as there is a sufficient service provided.	1
We have a relatively large garden and regularly fill our green bin. As there is only a fortnightly collection, what are we supposed to do with the excess? A weekly collection would be very helpful.	1
The survey didn't cover anything about all the litter that's dropped on the pavements car parks, parks, alleys and the underpass – i.e. coffee cups, drink cans, wet wipes, even soiled nappies.	1
Communications is required if the regulations are implemented – particularly those time band or collection point arrangements are to be changed, those with existing arrangements	1
We need to change the culture of litter and recycling, recently visited Lisbon and there was recycling bins everywhere and no litter on the pavements.	1
Pleased that Barnet are making a start in our clean up of our area	1
The consultation document is complex and lengthy and it is unlikely that you will receive properly informed feedback. This is not a valid consultation.	1
The regulations have not considered hedges, tree trunk suckers and you own Barnet litter bins which are all obstructions on the footway. Issues for car drivers and pedestrians. You should fine those house owners who do not maintain their hedges to the required height and width.	1
Confirmation on frequency of waste and recycling collections – assume 7 days a week for the high street/time banded collections and also stay the same i.e. weekly for residential collections.	1
The public footway in residential streets should never have any bin left on it. Bins must strictly be left on the resident's side of the boundary of their property.	1
There is no point wasting time on proposed regulations that the Council has no intention of enforcing. The funding for	1

Street Enforcement appears to have been cut. No new regulation is required but what is needed is enforcement of existing prohibitions of blocking the footway.	
Draft Regulations section 33 (times for street placement): after "06:00amby the Council" please add "and can be left there until midnight of the day of collection (or later if collection has been omitted)" – as householders at work typically bring in the bins in the evening.	1
Draft Regulations section 39 (re elderly and infirm): at the end please add "Existing arrangements agreed by the Council will be treated as an exemption unless and until altered on reasonable notice."	1
The draft regulations are about enforcement, are focused on shopping streets, and tell us nothing about the scale of the problem re residential streets	1
The draft regulations are almost silent about the existing safeguards for residents	1
There is no confirmation that if the binmen miss a street (or a house), the residents may leave out the bins until they are collected	1
The Council should provide an email address for residents to report if any collection is missed.	1
The regulations reference to provision of bins, either by supply or hire. Confirmation is needed that where a property has several black/blue/green bins they will still be collected if left out at in the allocated time band.	1
If the Regulations put residents at risk of a fine, they should include provision that no offence will be committed if for any reasonable cause bins are occasionally put out earlier or removed later.	1

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Initial Equality Analysis (EIA) Resident/Service User

1. Details of function, policy, procedure or service:	
Title of what is being assessed: Waste Regulations 2017	
Is it a new or revised function, policy, procedure or service? Waste Regulations for the borough, formalising operational practice and expectations for residents and businesses along with some new practice	
Department and Section: Environment Commissioning Group and Street Scene Delivery Unit (services in scope)	
Date assessment completed: 01/07/2017	
2. Names and roles of people completing this assessment:	
Lead officer	Cara Elkins, Commissioning Lead Environment
Other groups	N/A
3. Employee Profile of the Project	<p>Will the proposal affect employees? Yes</p> <p>The proposals will not significantly affect employees as the proposals are focused on resident and household waste. Employees will have a small indirect affect by for example the implementation of the regulations will result in some changes to where the collection crews will be collecting from.</p>

4. How are the following equality strands affected? Please detail the effect on each equality strand, and any mitigating action you have taken / required. Please include any relevant data. If you do not have relevant data please explain why / plans to capture data			
Equality Strand	Affected?	Explain how affected	Indicate what action has been taken / or is planned to mitigate impact?
1. Age	No	Assisted Collections will continue to be provided for those eligible, such as the elderly.	No further action is being taken. Assisted Collections will not be impacted by the implementation of the regulations.
2. Disability	No	Assisted Collections will continue to be provided for those eligible, such as individuals with a disability. In addition the clinical waste service will continue to be provided as it is currently.	No further action is being taken. Assisted Collections will not be impacted by the implementation of the regulations.
3. Gender reassignment	No	No anticipated impact.	No change.

4. Pregnancy and maternity	No	No anticipated impact.	No change.
5. Race / Ethnicity	No	No anticipated impact.	No change.
6. Religion or belief	No	In the past we have taken account of religious events such as Passover and Christmas, and there are no anticipated impacts as a result of these regulations.	In the future we expect our practises to have a greater focus on reducing, reusing and recycling our waste.
7. Gender / sex	No	No anticipated impact.	No change.
8. Sexual orientation	No	No anticipated impact.	No change.
9. Marital Status	No	No anticipated impact.	No change.

5. Please outline what data sources, measures and methods could be designed to monitor the impact of the new policy or service, the achievement of intended outcomes and the identification of any unintended or adverse impact?

Include how frequently monitoring could be conducted and who will be made aware of the analysis and outcomes

For the Waste Regulations the implementation date is 26th July 2017 however some parts of the regulations such as the time banding will be part of a longer term implementation programme with a phased approach. Data will be gathered during this time which can be used to review this equalities impact assessment.

Residents, businesses and visitors across the Borough could offer feedback on the Waste Regulations via the council's website, twitter page etc which will be monitored on a regular basis. As a consequence of this feedback, the recycling and waste web pages will be updated as appropriate to ensure information is provided which is useful, clear and concise.

Enforcement data (on gender, age and ethnicity etc) can be used to inform communications and educational activities which are required to inform residents, businesses or visitors in the borough of the Waste Regulations.

The council to obtain feedback from individuals & businesses during the gradual implementation of the time banding section of the waste regulations. This will help to inform the implementation rollout programme and as appropriate changes will be made to mitigate any adverse impact.

6. Initial Assessment of Overall Impact

Positive Impact	Negative Impact or Impact Not Known¹	No Impact √
7. Scale of Impact		
Positive impact	Negative Impact or Impact Not Known √	

8. Outcome			
No change to decision √	Adjustment needed to decision	Continue with decision <i>(despite adverse impact / missed opportunity)</i>	If significant negative impact - Stop / rethink

9. Please give a full explanation for how the initial assessment and outcome was decided.
<p>The new Barnet Waste Regulations formalise some existing expectations for the service such collection points for waste and recycling and ensuring that the location is reasonably accessible for the council.</p> <p>Within the Waste Regulations there are some new sections such as the Time Banded locations, where residents and businesses in specific locations should only place their recycling and waste out for collection at certain times. Existing arrangements for Assisted Collections will not be impacted by the new Waste Regulations and such arrangements will continue.</p> <p>Through the implementation of the Waste Regulations any impacts will be identified, however it is not anticipated that the impacts will be significant.</p>

¹ 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

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Barnet Waste Regulations 2017

Maps showing the time banding locations applicable to both Household Waste and Recyclate and Trade Waste and Recyclate for the following areas:

- Town Centre (Primary Shopping Frontages)
- High Street (Secondary Shopping Frontages)
- Smaller Shopping locations (Local Shopping Frontages)

Town Centres (Primary Shopping Frontages)

#	Location	Time banding times		
		06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
1.	<p>Burnt Oak town centre location</p> <ul style="list-style-type: none"> o Burnt Oak Broadway, North Rd to Tesco car park (1 side) o Watling Avenue, Broadway to Orange Hill Road o Back Lane complete and Market Lane complete o Barnfield Road between Back and Market Lanes 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
2.	<p>Cricklewood town centre location</p> <ul style="list-style-type: none"> o Cricklewood Broadway, Mora Rd to Ash Grove (1 side) o Cricklewood Lane Broadway to Claremont Road 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
3.	<p>Edgware town centre location</p> <ul style="list-style-type: none"> o Station Road from Edgware Library to A5 o A5 from Grove Road to Forumside (1 side) o Penuhurst Gdns from Station Road to Stream Lane o Stream Lane & Rectory Lane both complete o Edgwarebury Lane, Station Road to Edgwarebury Gdns o Heronsgate from Station Rd to Portsdown o Manor Park Crescent, Station Road to Manor Park Gdns 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
4.	<p>Golders Green town centre location</p> <ul style="list-style-type: none"> o Golders Green Rd, Ravenscroft Ave to Finchley Road o Finchley Road, Hoop Lane to West Heath Avenue o Hoop Lane, Golders Green Road to Golders Way o Golders Green Crescent, Golders Grn Rd to Golders Way o Golders Way complete o North End Road, Finchley Road to West Heath Drive 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
5.	<p>Mill Hill town centre location</p> <ul style="list-style-type: none"> o Mill Hill Broadway complete o Goodwyn Avenue, 50 metres from Mill Hill Broadway o Mill Way, 50 metres from Mill Hill Broadway 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.

	<ul style="list-style-type: none"> o Station Road, Mill Hill Broadway to Brockenhurst Gardens o Bunns Lane, Hale Grove Gardens to Langley Park 			
6.	<p>Chipping Barnet town centre location</p> <ul style="list-style-type: none"> o High Street, Christ Church Lane to Bedford Avenue o St Albans Road, High Street to Stapylton Road o Wood Street, High Street to Manor Close o Park St. & Moxon St. both 50 metres from High Street 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
7.	<p>Finchley Church End town centre location</p> <ul style="list-style-type: none"> o Ballards Lane, Hendon Lane to Grunisen Road o Station Road, Ballards Lane to Wooton Grove o Regents Park Road, The Avenue to Ballards Lane o Hendon Lane, Gravel Hill to Ballards Lane 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.
8.	<p>North Finchley town centre location</p> <ul style="list-style-type: none"> o High Road, Churchfield Avenue to Woodside Grove o Ballards Lane, Hutton Grove to High Road o Kingsway complete o Woodhouse Road, High Road to Lambert Road o Castle Road, High Road to Lambert Way o Lambert Way complete 	06:00 – 09:30	17:00 – 19:30	22:00 – 00:00 (midnight) Trade Waste only.

BURNT OAK TOWN CENTRE

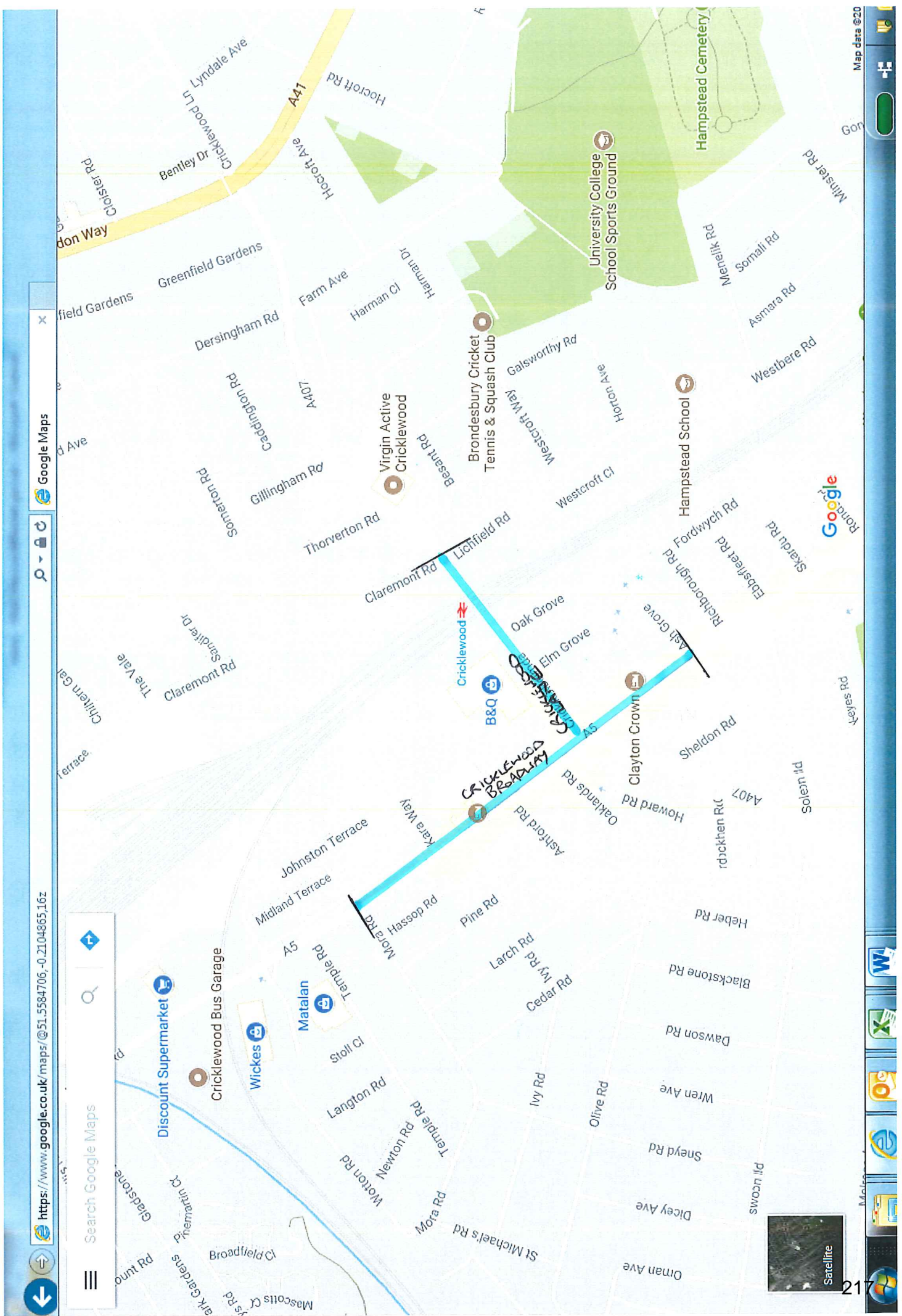
Google recommends using Chrome
Try a fast, secure browser with updates built in

https://www.google.co.uk/maps/place/Burnt+Oak+Broadway,+Edgware/@51.6020767,-0.2660004,17z/data=!4m5!3m4!1. Burnt Oak Broadway - Goo...

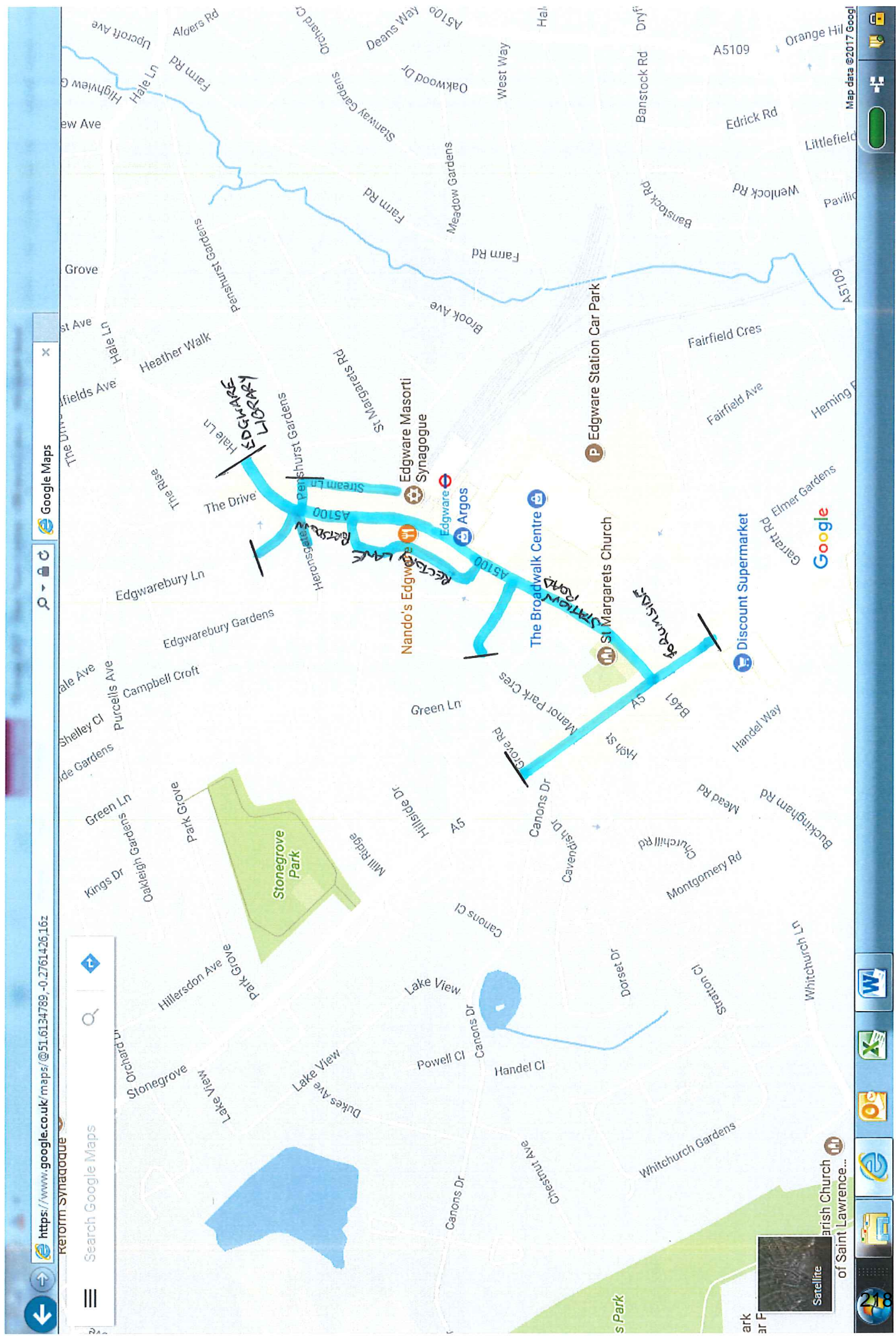
Map Labels: Burnt Oak Broadway, Silkstream, Silkstream Park, Burnt Oak Station, Reggae Spice, Burnt Oak Library, Aran Supermarket, Tesco Metro, TSB Bank, OAKTREE BUILDERS MERCHANTS, Mama Cass Nigerian, Iceland Foods, Poundland, Pepees Piri Piri, Appletree Court Care Home, Sangam Association of Asian Women, The Chase, The Highlands, Good Boy Dog School, Barnfield Children's Centre, Annunciation RC Chur, The Cath, Gervase Rd, Orange Hill Rd, Blessbun Rd, Wating Ave, Gilbert Grove, East Rd, Barnfield Rd, Gaskarth Rd, Park Way, Stag Ln, Back Ln, Market Ln, Gervase Rd, Silkstream Rd, Playfield Rd, Axholme Ave, Grove, Columbia Ave, Vancouver Rd, North Rd, Silkstream, Saint Alphanh, Map data ©2017 Google

Taskbar Icons: Internet Explorer, Outlook, Word, Excel, PowerPoint, Google Chrome, Windows Start

CLICKLEWOOD TOWN CENTRE



EDGWALE TOWN CENTRE



Google Maps

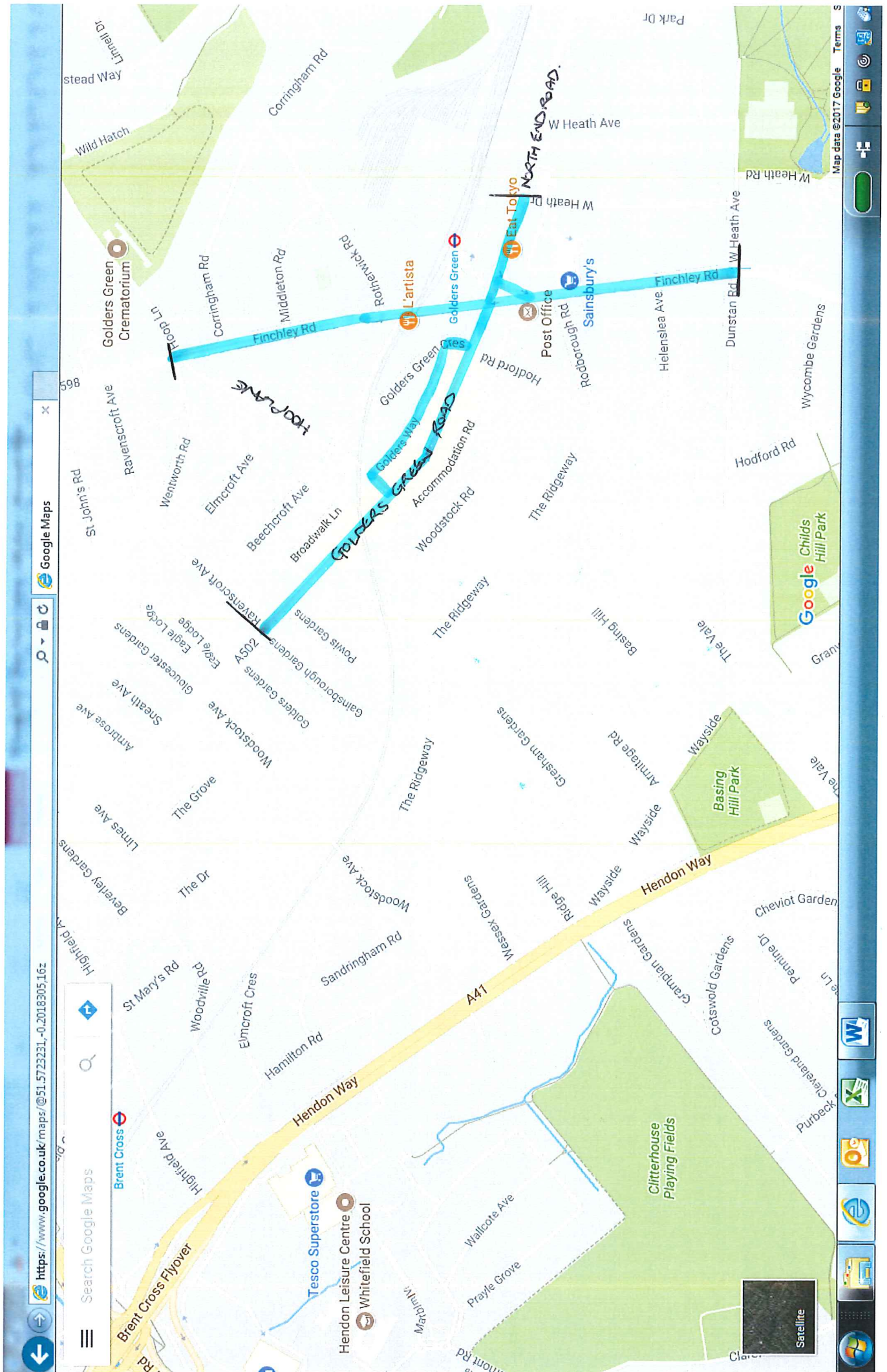
<https://www.google.co.uk/maps/@51.6134789,-0.2761426,16z>

Search Google Maps

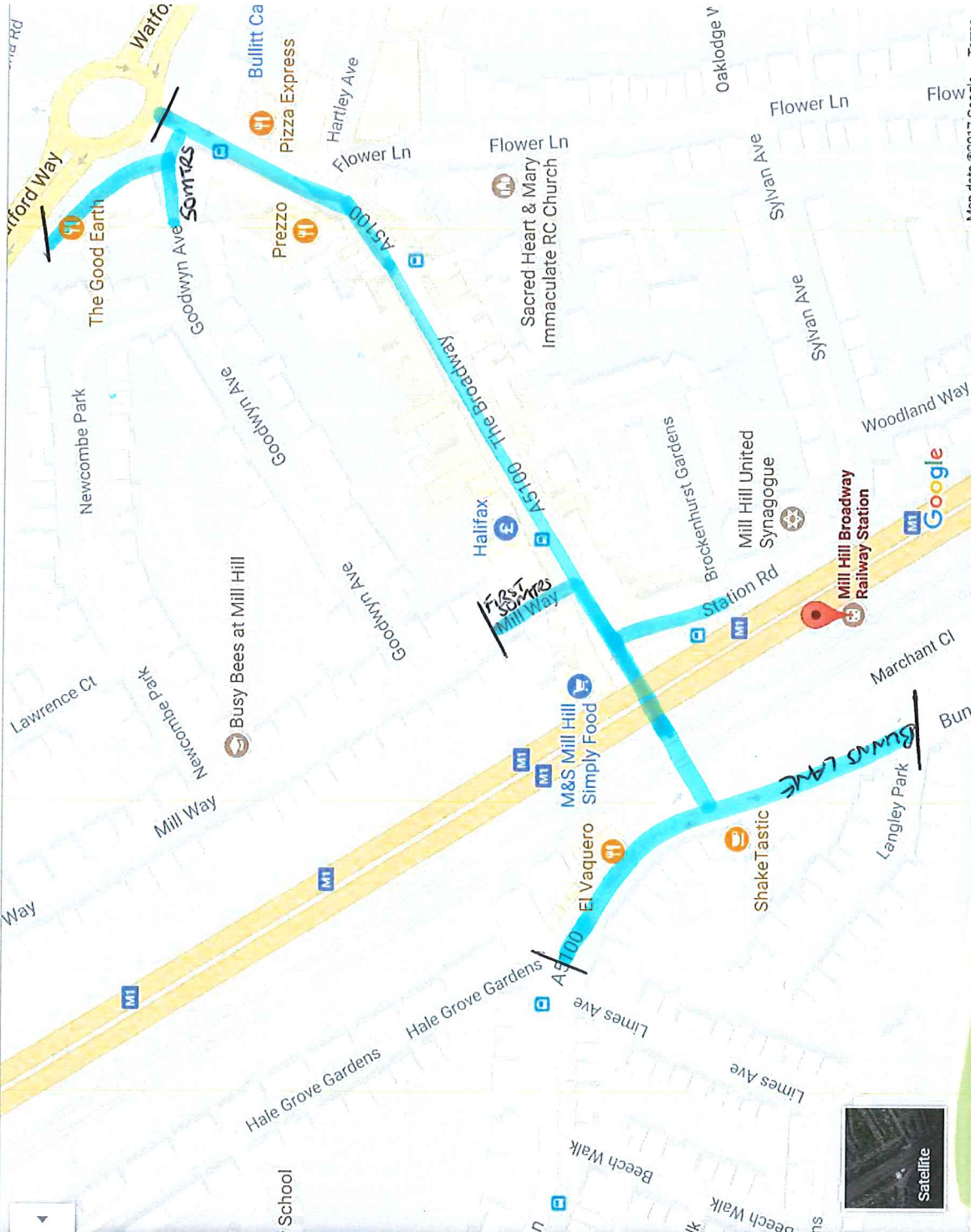
British Church of Saint Lawrence...

Map data ©2017 Google

GOLDERS GREEN TOWN CENTRE



MILL HILL TOWN CENTRE



mill hill roadway

Mill Hill Broadway Railway Station
 5.0 ★★★★★ · 2 reviews
 Public Transport Station

Directions

SAVE NEARBY SEND TO YOUR PHONE SHARE

London Suggest an edit

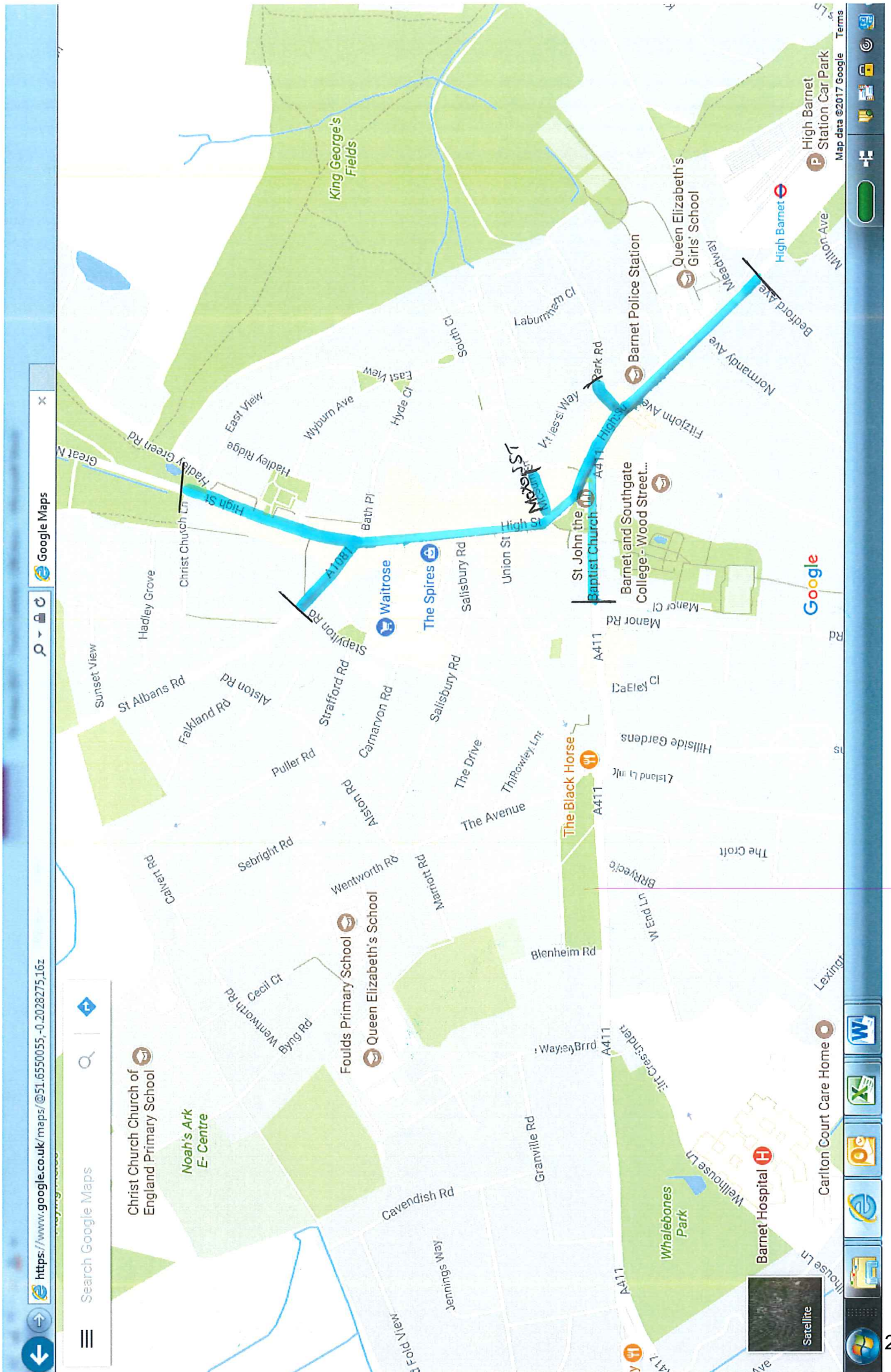
Trains **Thameslink**

Buses	114	186	221	240	251	302
	303	605	618	628	688	

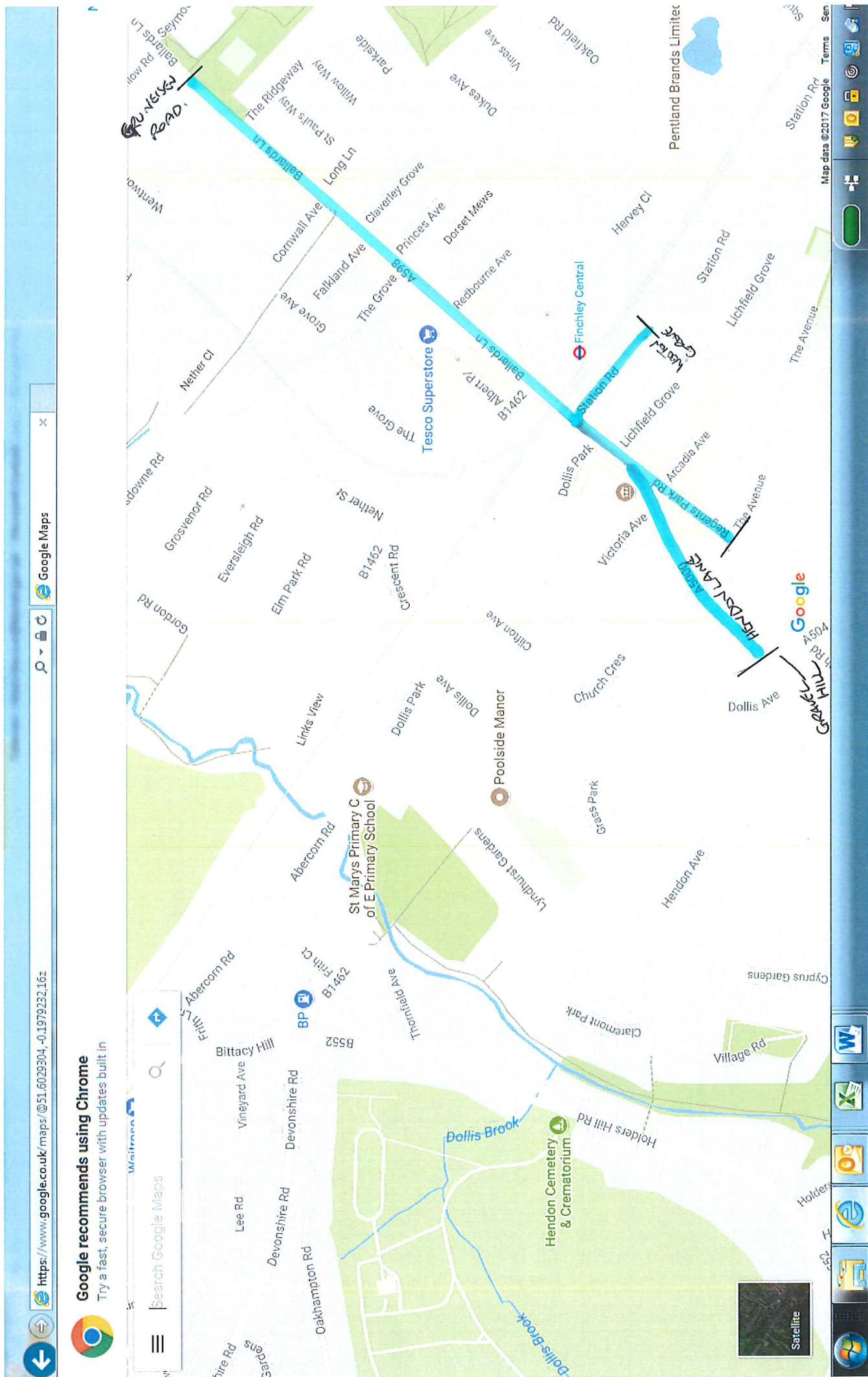
Departure board

sullivanbuses.co.uk - tfl.gov.uk - thameslinkrailway.com

HIGH BARNET TOWN CENTRE (CHIPPING-BARNET)



FINCHLEY CHURCH END TOWN CENTRE



NORTH FINCHLEY TOWN CENTRE

North Finchley - Google x

Secure | <https://www.google.co.uk/maps/place/North+Finchley,+London+N12+9DH/@51.616468,-0.1801129,15.52z/data=!4m5!3m4!1s0x487619f2fee460b3:0x261185c754230892!8m2!3d51.6161616>

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North Finchley, London N12 9DH

North Finchley
London
N12 9DH

Directions

SAVE NEARBY SEND TO YOUR PHONE SHARE

Quick facts

North Finchley is a suburb of London in the London Borough of Barnet, situated 7 miles north-west of Charing Cross. [Wikipedia](#)

Post town: London
Dialling code: 020
Ceremonial county: Greater London

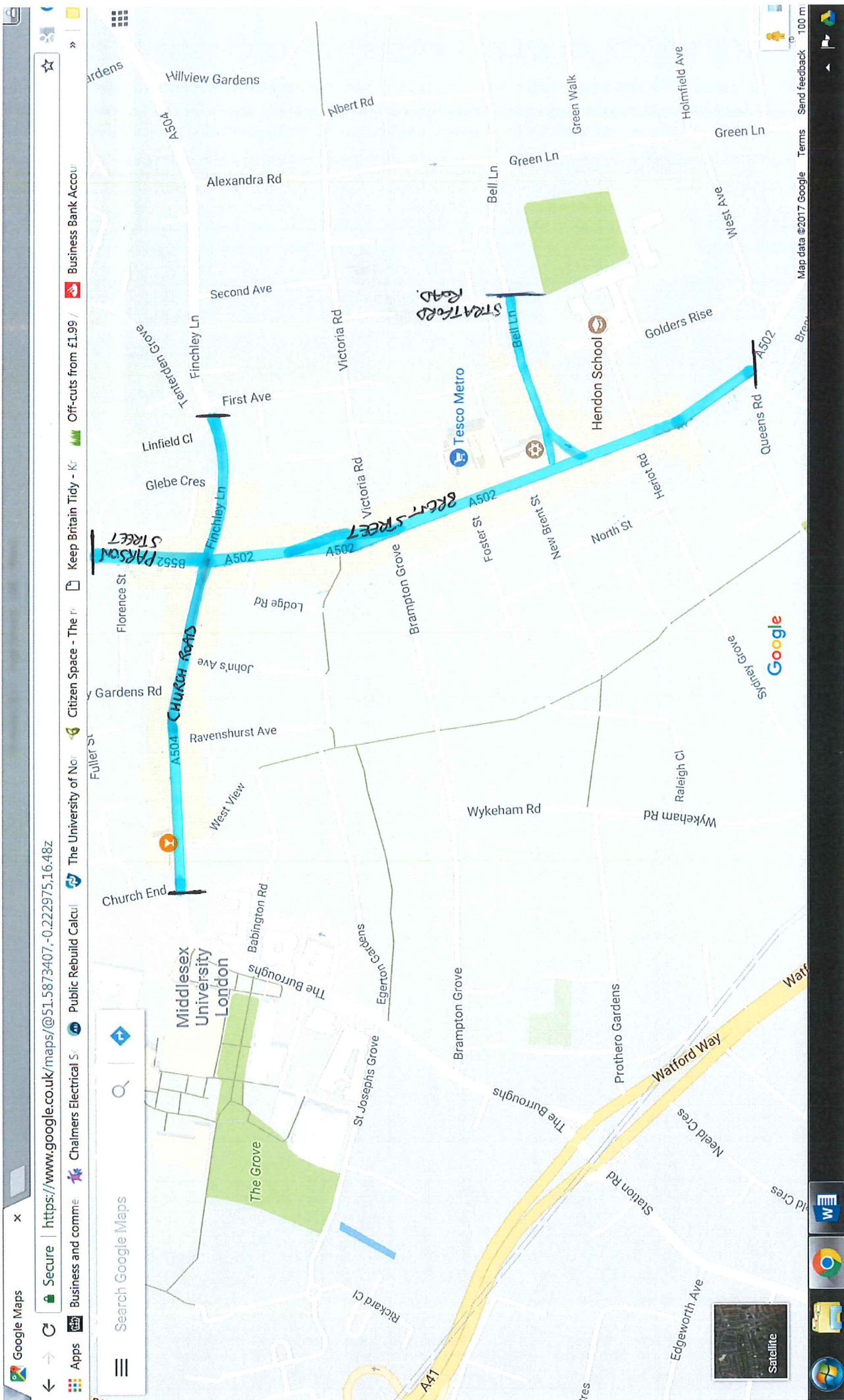
Map data ©2017 Google Terms Send

High streets (Secondary Shopping Frontages)

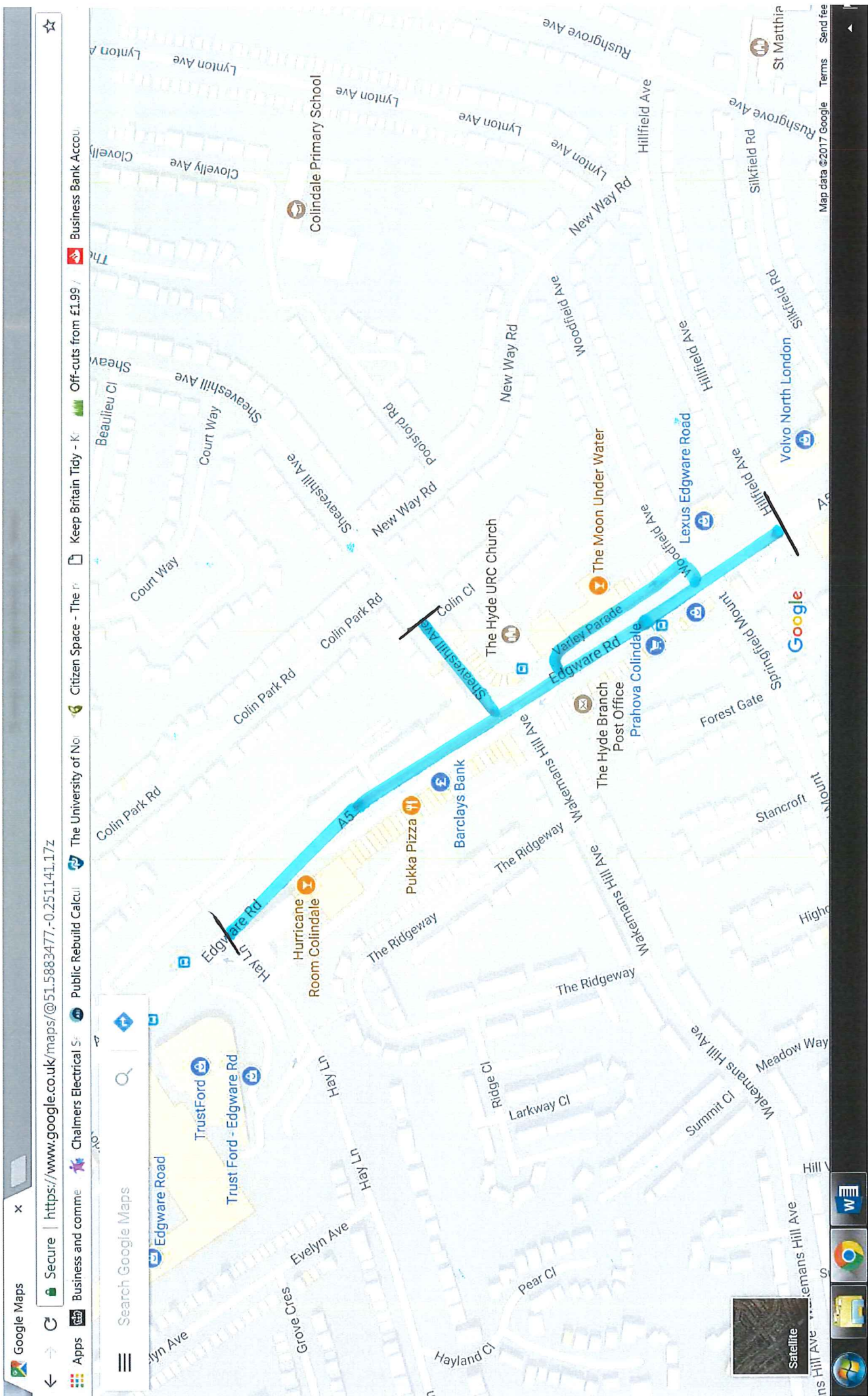
#	Street	Time banding times
9.	<p>Brent Street shopping frontage</p> <ul style="list-style-type: none"> ○ Parson Street, Glebe Crescent to Finchley Lane ○ Finchley Lane, Parson Street to Tenderden Grove ○ Church Road, Parson Street to Church End ○ Brent Street, Finchley Lane to Queens Road ○ Bell Lane, Brent Street to Stratford Road 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
10.	<p>Colindale, The Hyde shopping frontage</p> <ul style="list-style-type: none"> ○ Edgware Road, Hay Lane to Hillfield Avenue ○ Sheaveshill Avenue, Edgware Road to Colin Close ○ Varley Parade complete ○ Woodfield Avenue, Edgware Road to Varley Parade 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
11.	<p>Hendon Central shopping frontage</p> <ul style="list-style-type: none"> ○ Watford Way, both sides from Station Road/The Burroughs to Queens Road ○ Hendon Way, both sides from Vivian Avenue/Queens Road to Graham Road ○ Queens Road, Hendon Way to Railway Bridge ○ Vivian Avenue, Hendon Way to Foscoote Road ○ Alderton Crescent, Vivian Avenue to Alderton Way ○ Alderton Way, public highway section 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
12.	<p>Temple Fortune shopping frontage</p> <ul style="list-style-type: none"> ○ Finchley Road, Hurstwood Road to Portsdown Avenue ○ Ashbourne Avenue, Finchley Road to Ashbourne Way ○ Gibbons Mews complete ○ Bridge Lane, Finchley Road to Bridge Way ○ Bridge Way, public highway section ○ Portsdown Avenue, Finchley Road to Templars Avenue 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
13.	<p>East Finchley shopping frontage</p>	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>

	<ul style="list-style-type: none"> o High Road, Creighton Avenue to The Bishops Avenue o East End Road, from High Road for 50 metres o Fortis Green, High Road to Fairlawn Avenue o Fairlawn Avenue complete 		
14.	<p>New Barnet shopping frontage</p> <ul style="list-style-type: none"> o East Barnet Road, Lytton Road to Brookhill Road o Lytton Road, East Barnet Road to Bulwer Road 	06:00 – 09:30	17:00 – 19:30
15.	<p>Whetstone shopping frontage</p> <ul style="list-style-type: none"> o High Road, Buckingham Avenue to Rasper Road o Totteridge Lane, from High Road up to 60 even / 61 odd o Oakleigh Road North, High Road to Whetstone Close 	06:00 – 09:30	17:00 – 19:30

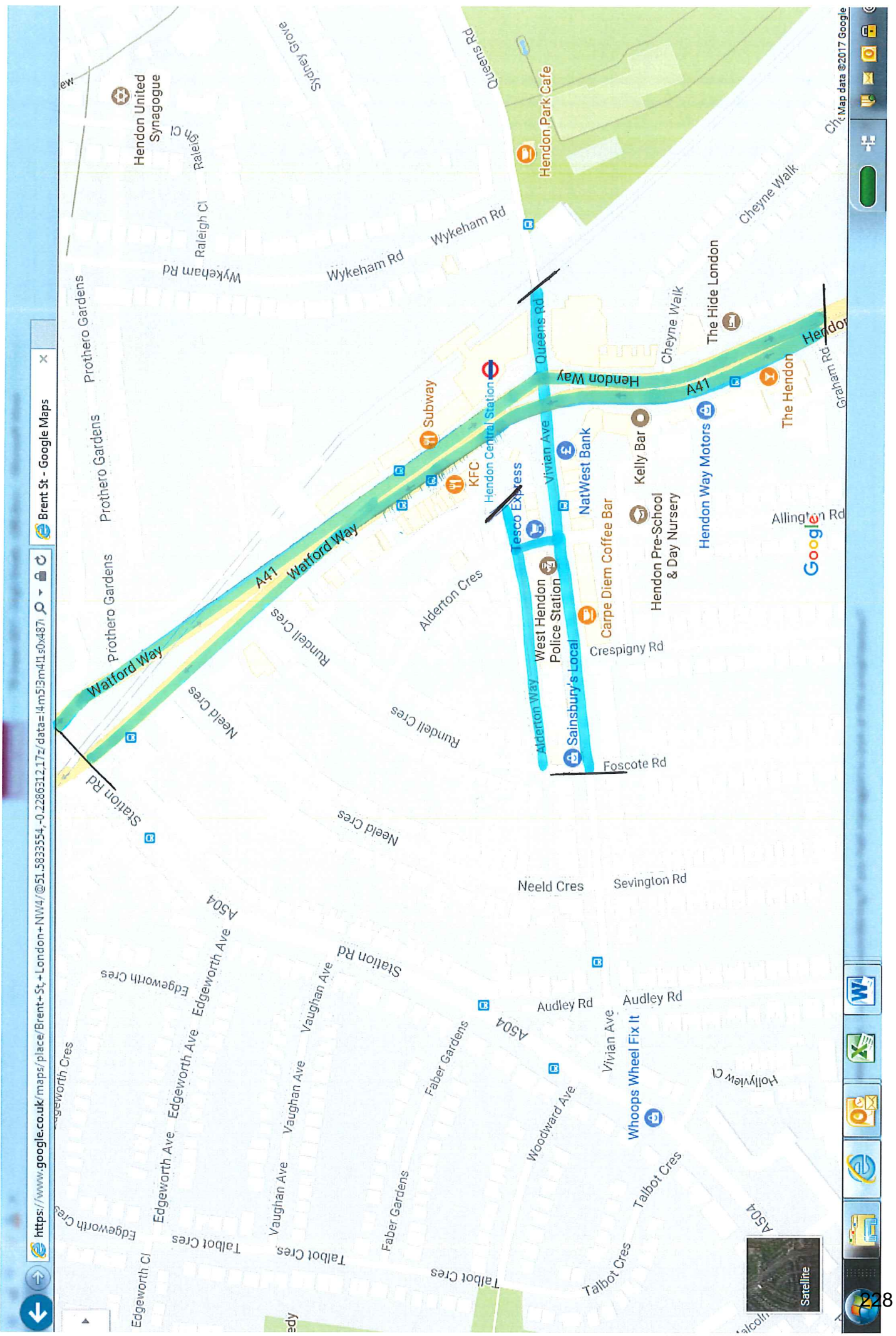
BRENT STREET SHOPPING FRONTAGE



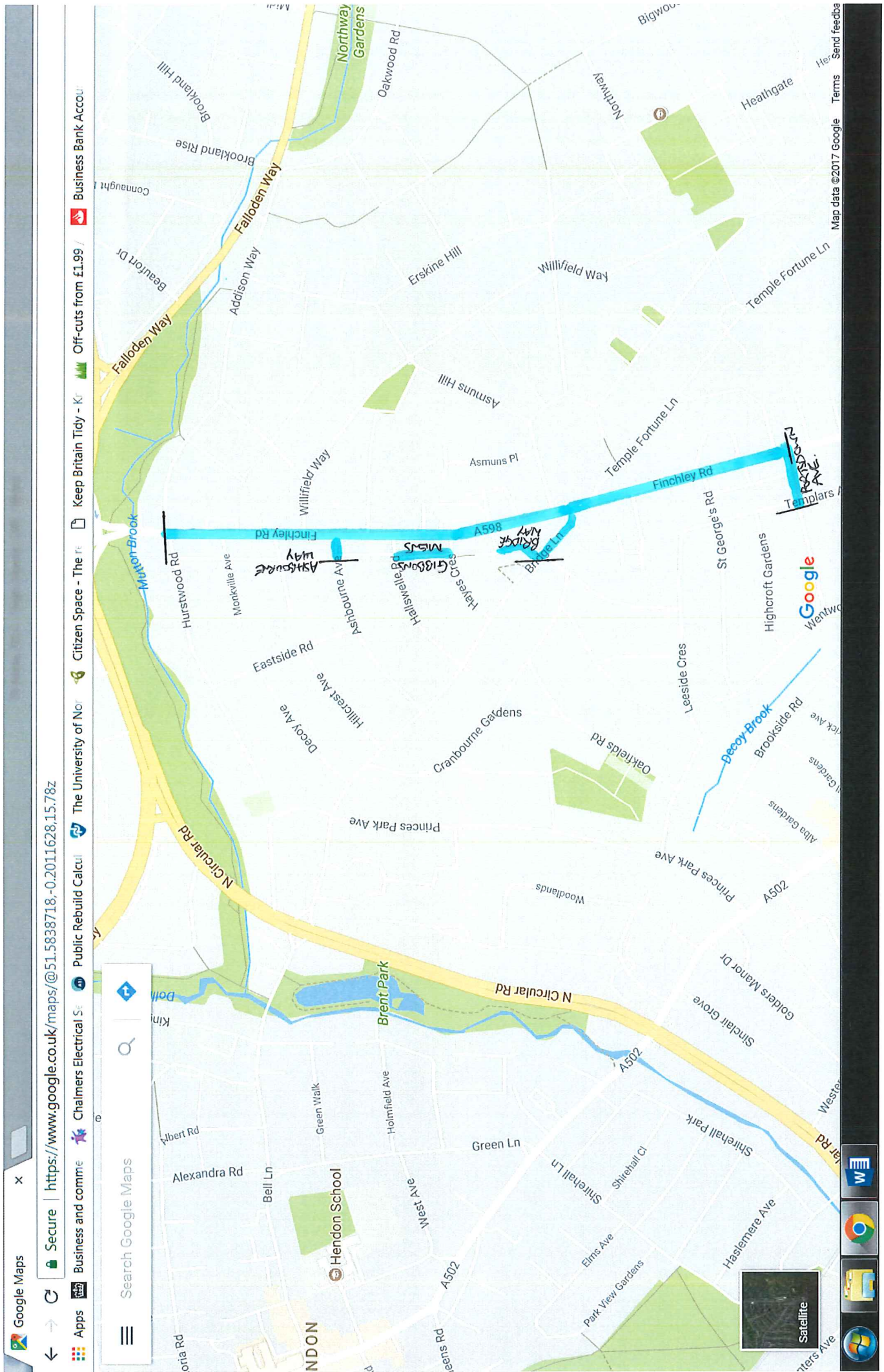
COLINDALE, THE HYDE SHOPPING FRONTAGE



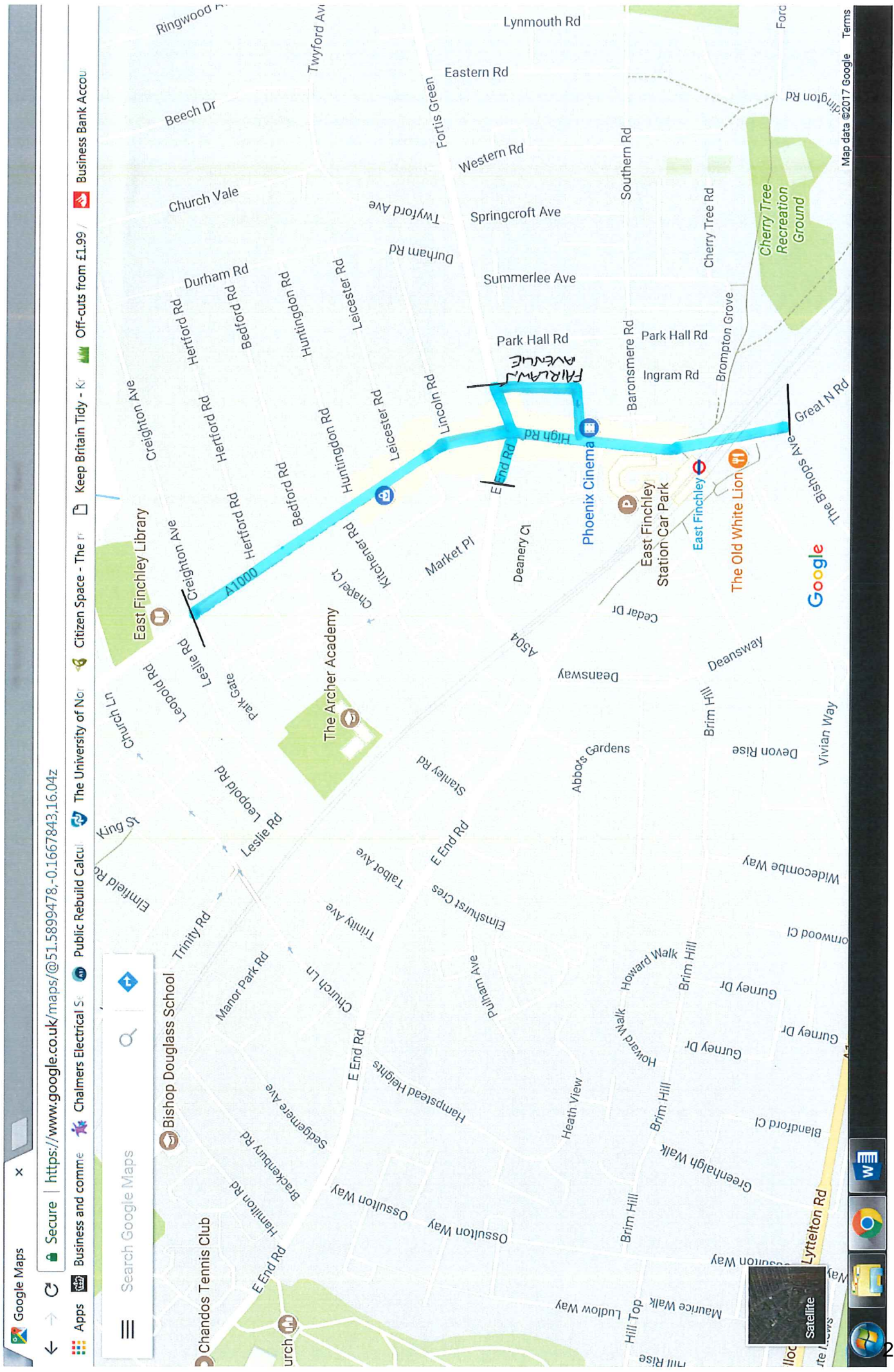
HENDON CENTRAL SHOPPING FRONTAGE



TEMPLE FORTUNE SHOPPING FRONTAGE



EAST FINCHLEY SHOPPING FRONTAGE



NEW BARNET SHOPPING FRONTAGE

The screenshot displays a Google Maps interface with a cyan-colored route highlighted. The route starts at Lytton Rd, passes through Sainsbury's, and continues along East Barnet Road. The map shows a grid of streets including Warwick Rd, Gloucester Rd, Park Rd, and Crescent Rd. Landmarks such as High Barnet Station and Greenhill Park are visible. The browser's address bar shows the URL: <https://www.google.co.uk/maps/@51.6481676,-0.1744883,15.78z>. The browser's taskbar at the bottom includes icons for Google Maps, Microsoft Edge, and other applications.

WHETSTONE SHOPPING FRONTAGE



Smaller shopping locations (Local Shopping Frontages)

#	Street	Time banding times
16.	<p>Apex Corner shopping frontage</p> <ul style="list-style-type: none"> o Watford Way, numbers 615 – 665 o Selvage Lane, roundabout to Glendor Gardens o Northway Crescent, public highway section o Scout Way, public highway section 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
17.	<p>Childs Hill shopping frontage</p> <ul style="list-style-type: none"> o Finchley Road, Cricklewood Lane to Briardale Gardens o Cricklewood Lane, Finchley Road to Ridge Road o Hermitage Lane, Finchley Road to Elm Terrace 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
18.	<p>Deansbrook Road shopping frontage</p> <ul style="list-style-type: none"> o Deansbrook Road, Dryfield Road to Gold Hill (Retail side only) o Gold Hill, Deansbrook Road to Gold Lane o Gold Lane complete o Dryfield Road, Deansbrook Road to Gold Lane 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
19.	<p>Golders Green Road shopping frontage</p> <ul style="list-style-type: none"> o Golders Green Road, Golders Manor Drive to Russell Gardens o Highfield Avenue, 50 metres from Golders Green Road 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
20.	<p>Grahame Park shopping frontage</p> <ul style="list-style-type: none"> o 1-21 The Concourse 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>
21.	<p>Hale Lane shopping frontage</p> <ul style="list-style-type: none"> o Hale Lane, Hawkins Close to Cloister Gardens o Deans Lane, Greencroft to Hale Lane 	<p>06:00 – 09:30</p> <p>17:00 – 19:30</p>

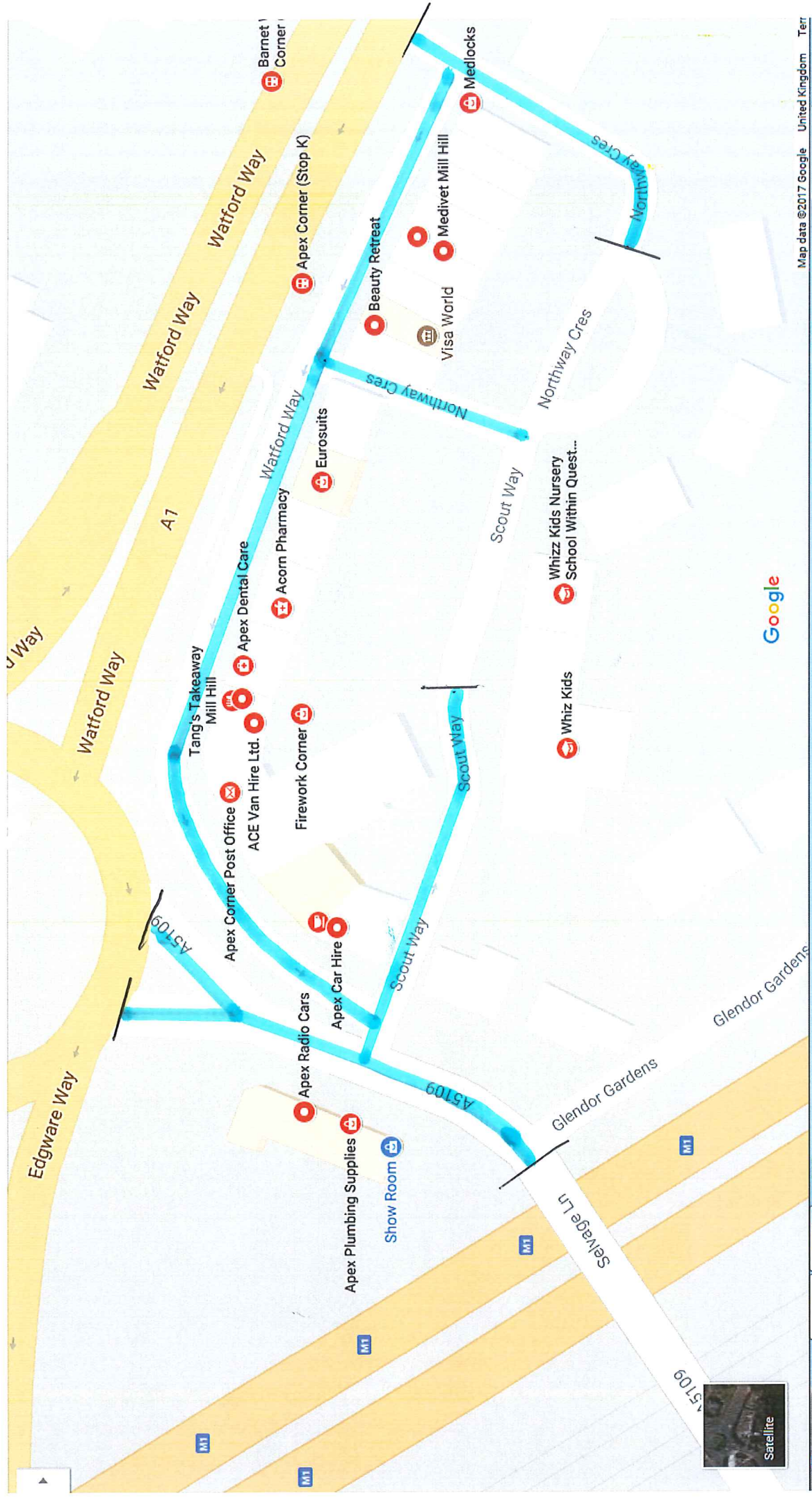
22.	<p>Holders Hill Circus shopping frontage</p> <ul style="list-style-type: none"> o Bittacy Hill, Holders Hill Circus to Frith Lane o Holders Hill Circus complete o Holders Hill Road, Circus to Mill Close o Thornfield Parade complete o Dollis Road, 50 metres from Holders Hill Circus 	06:00 – 09:30	17:00 – 19:30
23.	<p>West Hendon shopping frontage</p> <ul style="list-style-type: none"> o West Hendon Broadway, numbers 162 – 276 (near Herbert Rd) o West Hendon Broadway, Cool Oak Lane to number 211 	06:00 – 09:30	17:00 – 19:30
24.	<p>Colney Hatch Lane shopping frontage</p> <ul style="list-style-type: none"> o Colney Hatch Lane, Greenham Road to Halliwick Road 	06:00 – 09:30	17:00 – 19:30
25.	<p>East Barnet Village shopping frontage</p> <ul style="list-style-type: none"> o East Barnet Road, Welbeck Road to Church Hill Road o Church Hill Road, Chapel Road to East Barnet Road o Cat Hill up to number 23 	06:00 – 09:30	17:00 – 19:30
26.	<p>Friern Barnet shopping frontage</p> <ul style="list-style-type: none"> o Woodhouse Road, Colney Hatch Lane to Ashurst Road o Friern Barnet Road, Woodhouse Road to Holyfield Avenue o Friern Barnet Lane, first 50 metres from Friern Barnet Road o Colney Hatch Lane, first 60 metres from Friern Barnet Road o Lyndhurst Avenue, first 50 metres from Woodhouse Road 	06:00 – 09:30	17:00 – 19:30
27.	<p>Great North Road shopping frontage</p> <ul style="list-style-type: none"> o Great North Road, Greenhill Park to Barnet Hill o Greenhill Parade complete o Western Parade complete o Station Road, first 100 metres from Barnet Hill 	06:00 – 09:30	17:00 – 19:30

28.	<p>Market Place shopping frontage</p> <ul style="list-style-type: none"> o Falloden Way, from 1 / 2 Market Place to Ossulton Way / Kingsley Way o Lyttelton Road, Ossulton Way to Greenhalgh Walk o Hill Rise, first 30 metres from Falloden Way o Northway, Falloden Way to Capital Ring o Kingsley Way, Falloden Way to Capital Ring 	06:00 – 09:30	17:00 – 19:30
29.	<p>New Southgate shopping frontage</p> <ul style="list-style-type: none"> o Friern Barnet Road, from number 1 to the railway bridge o The Avenue, first 50 metres from Friern Barnet Road o Station Road, Friern Barnet Road to Woodland Road 	06:00 – 09:30	17:00 – 19:30

APEX CORNER SHOPPING FRONTAGE

Browser address bar: <https://www.google.co.uk/maps/search/apex+corner/@51.6208625,-0.2543604,19z>
Search bar: apex corner - Google Maps

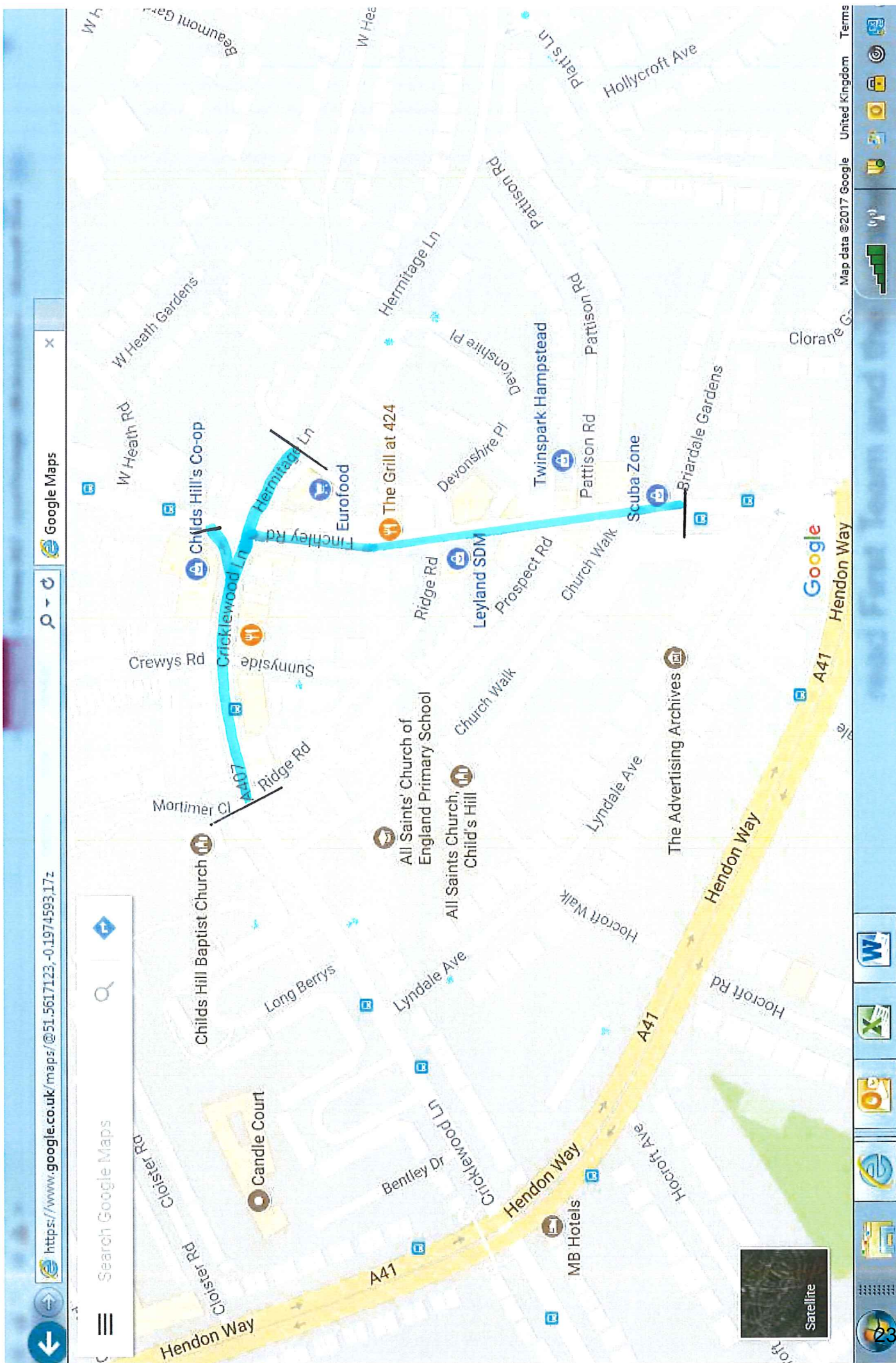
Google recommends using Chrome
Try a fast, secure browser with updates built in



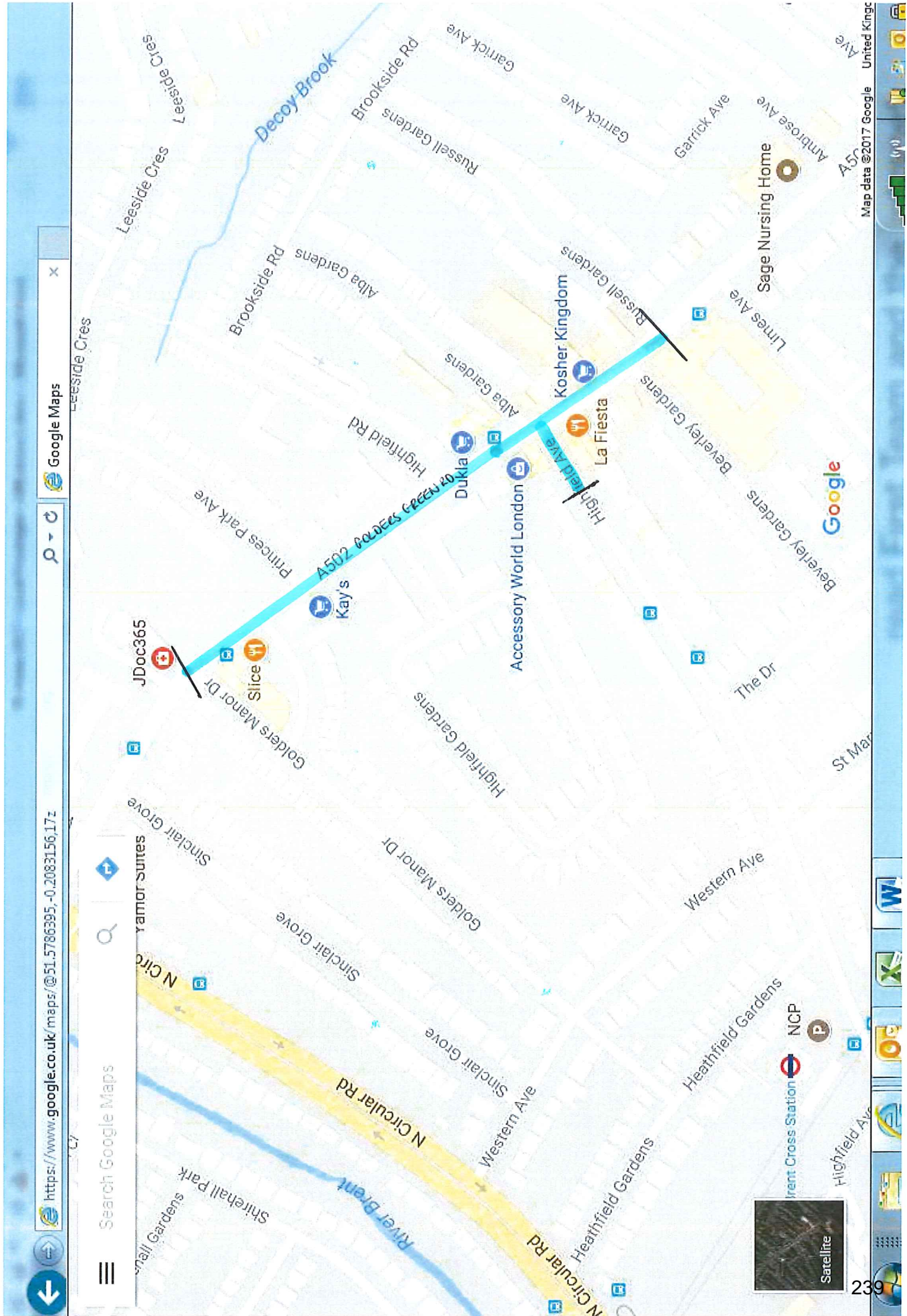
Google

Map data ©2017 Google United Kingdom Ter
Taskbar: 236, File Explorer, Internet Explorer, Google Chrome, Microsoft Word, Task View, Start Menu, Search, Power, Network, Volume, Brightness, System Tray

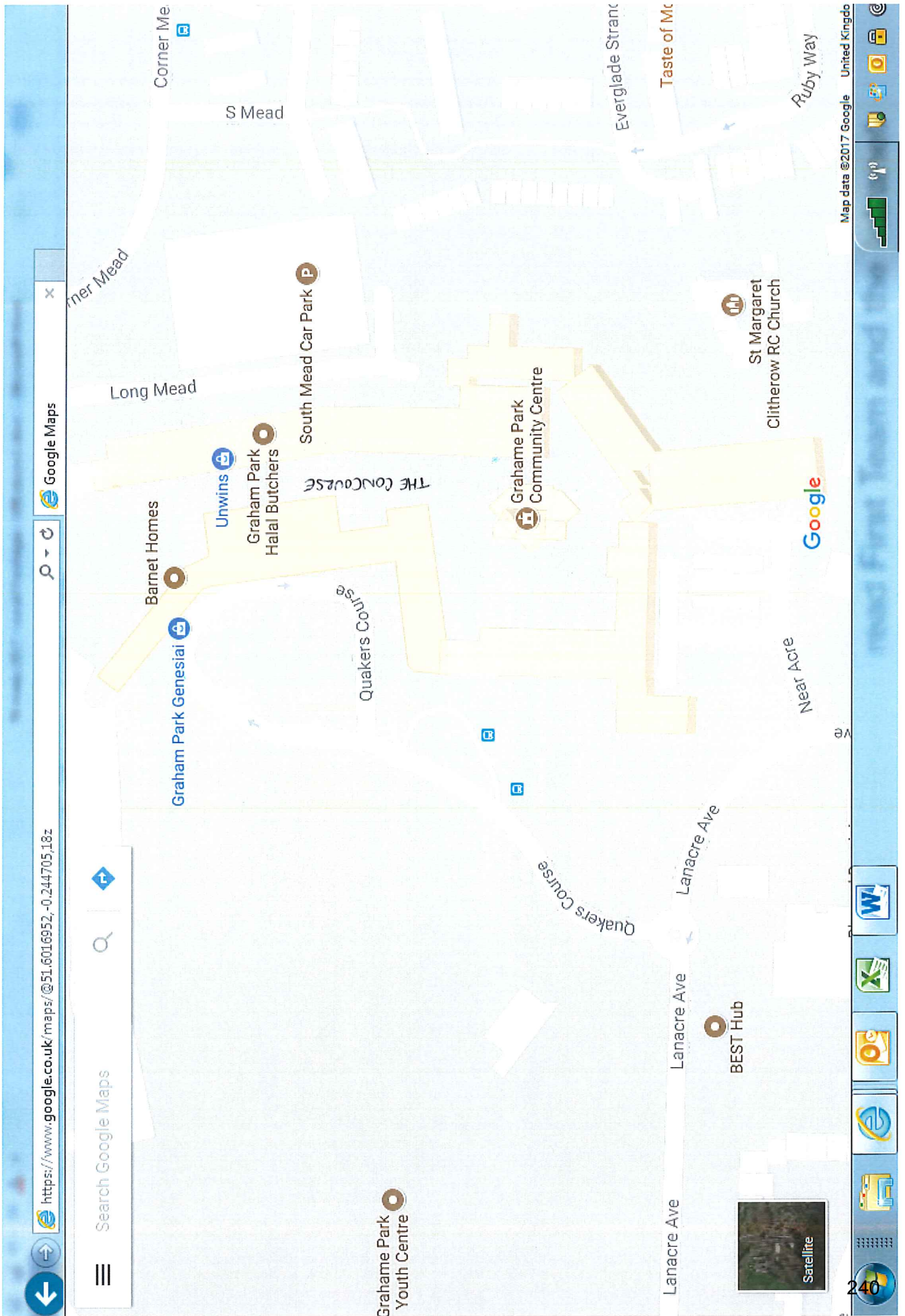
CHILDOS HILL SHOPPING FRONTAGE



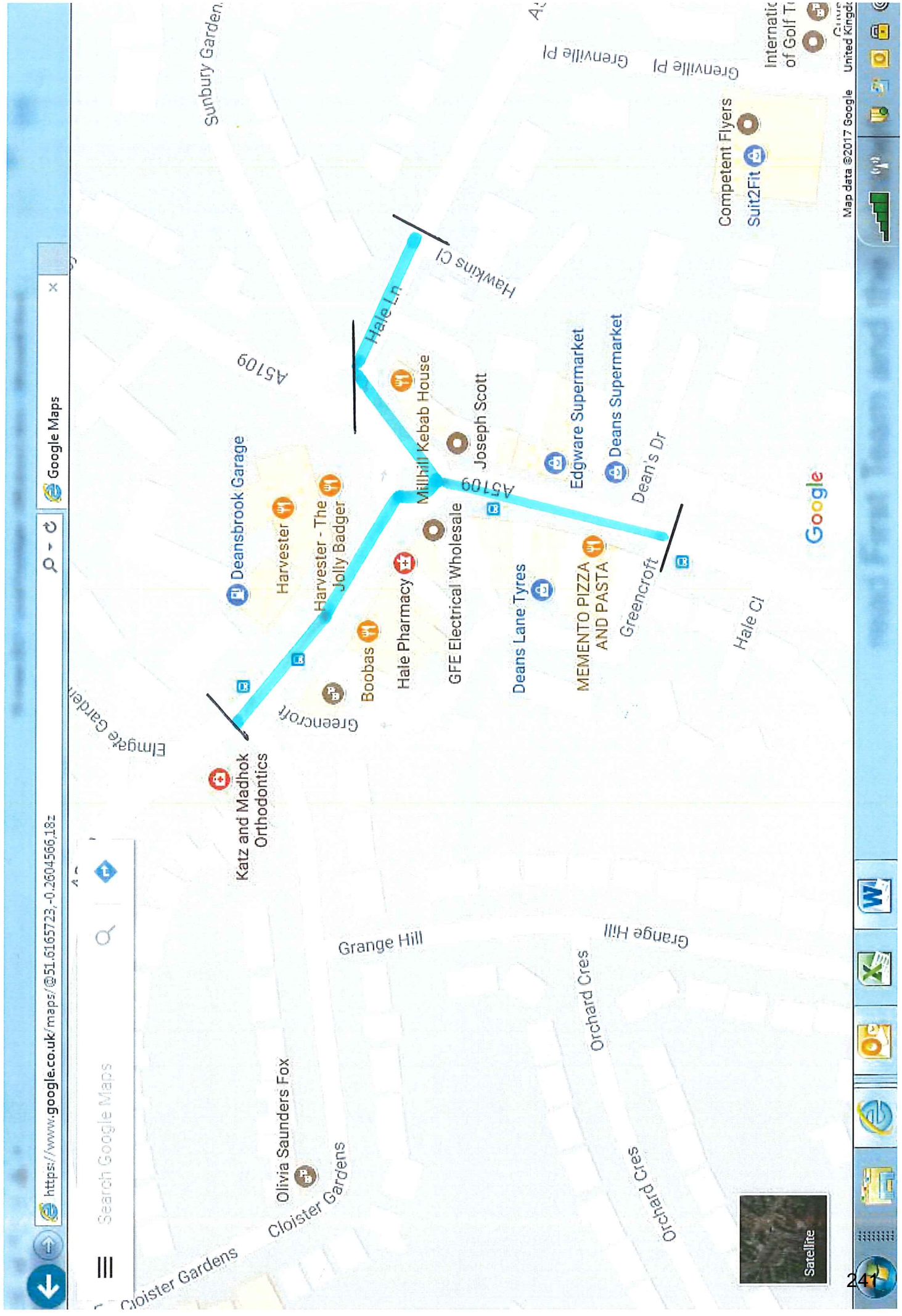
GOLDEES GREEN ROAD SHOPPING FRONTAGE



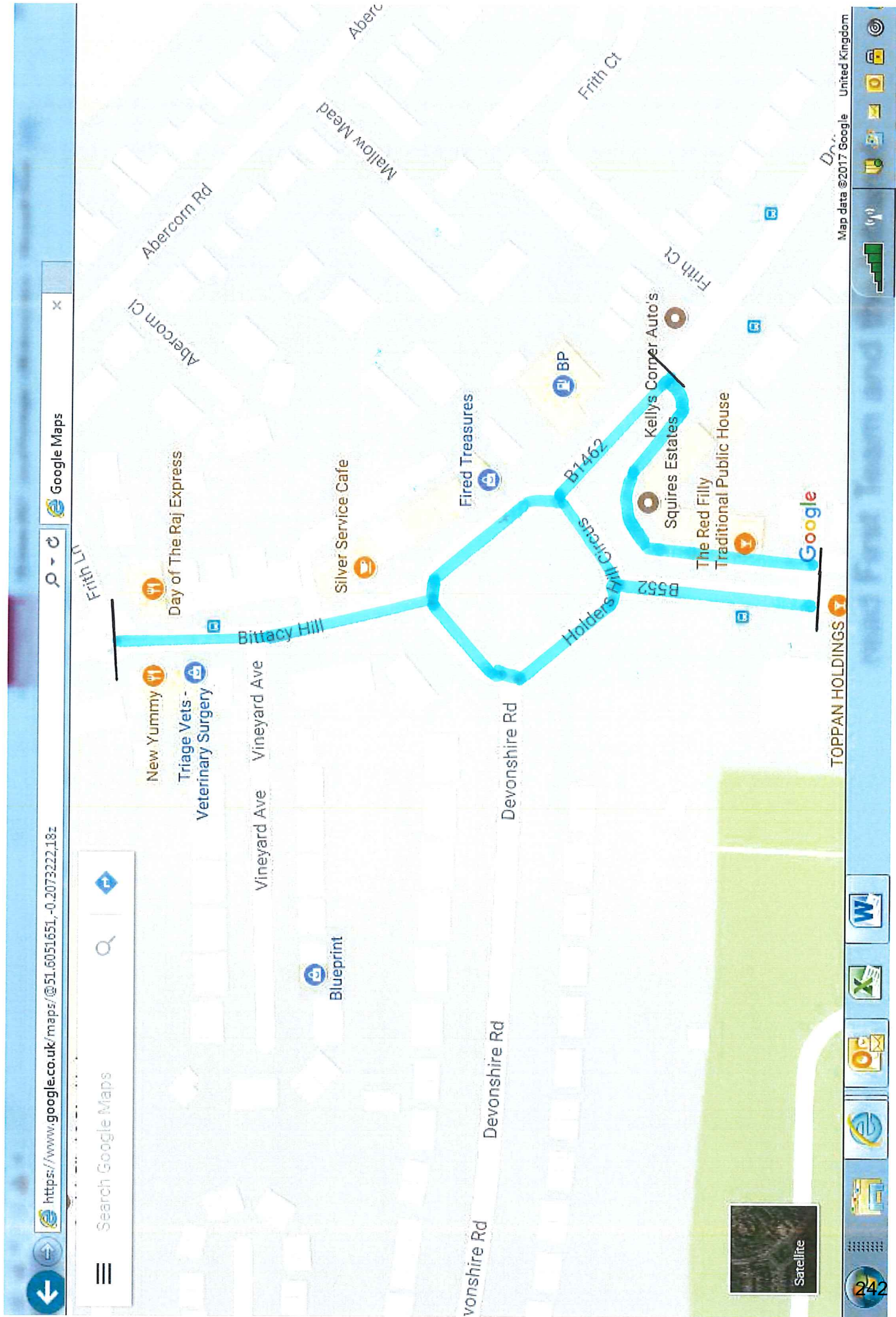
GRAHAME PARK SHOPPING FRONTAGE



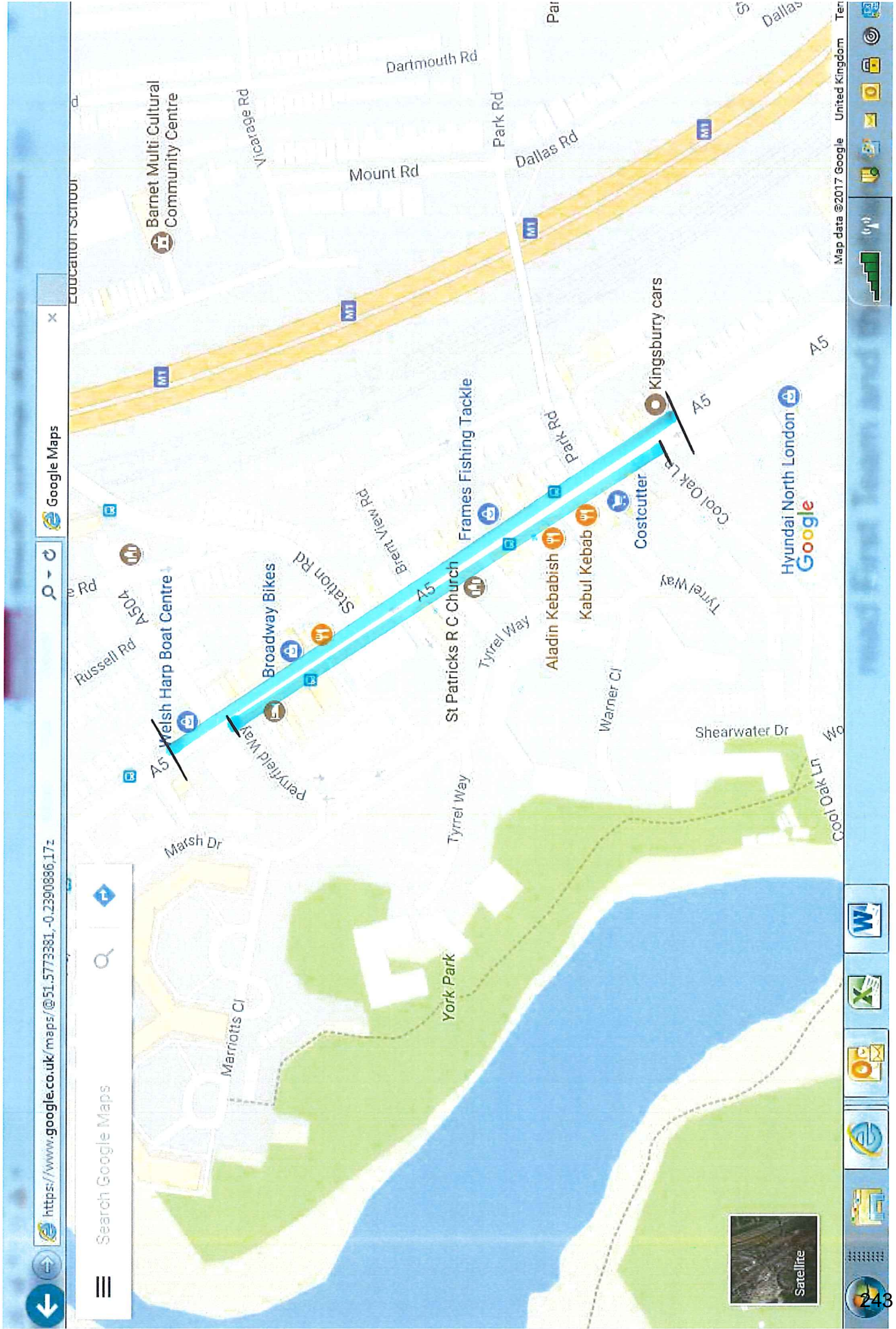
HALE LANE SHOPPING FRONTAGE



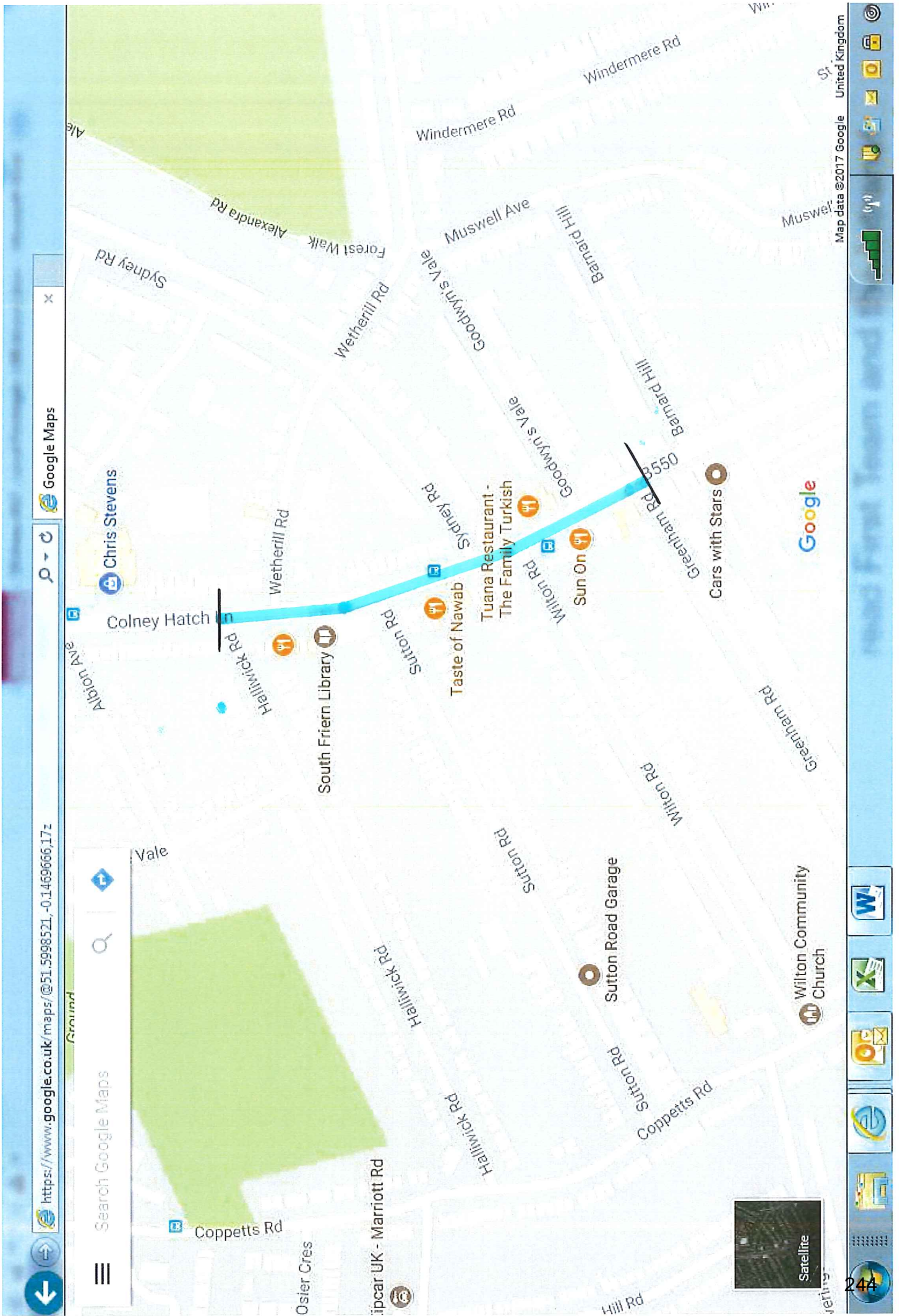
HOLDEES HILL CIRCUS SHOPPING FRONTAGE



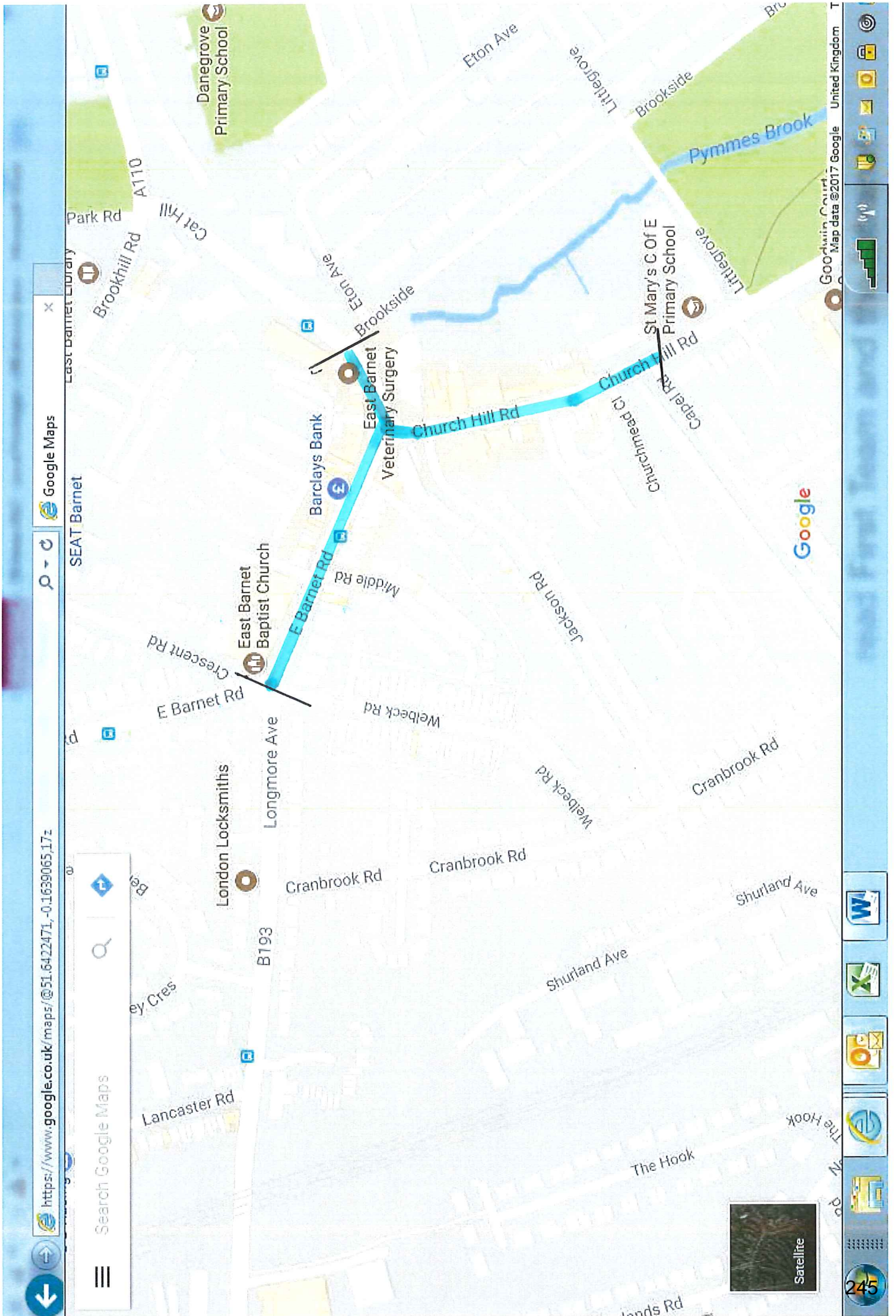
WEST HENDON SHOPPING FRONTAGE



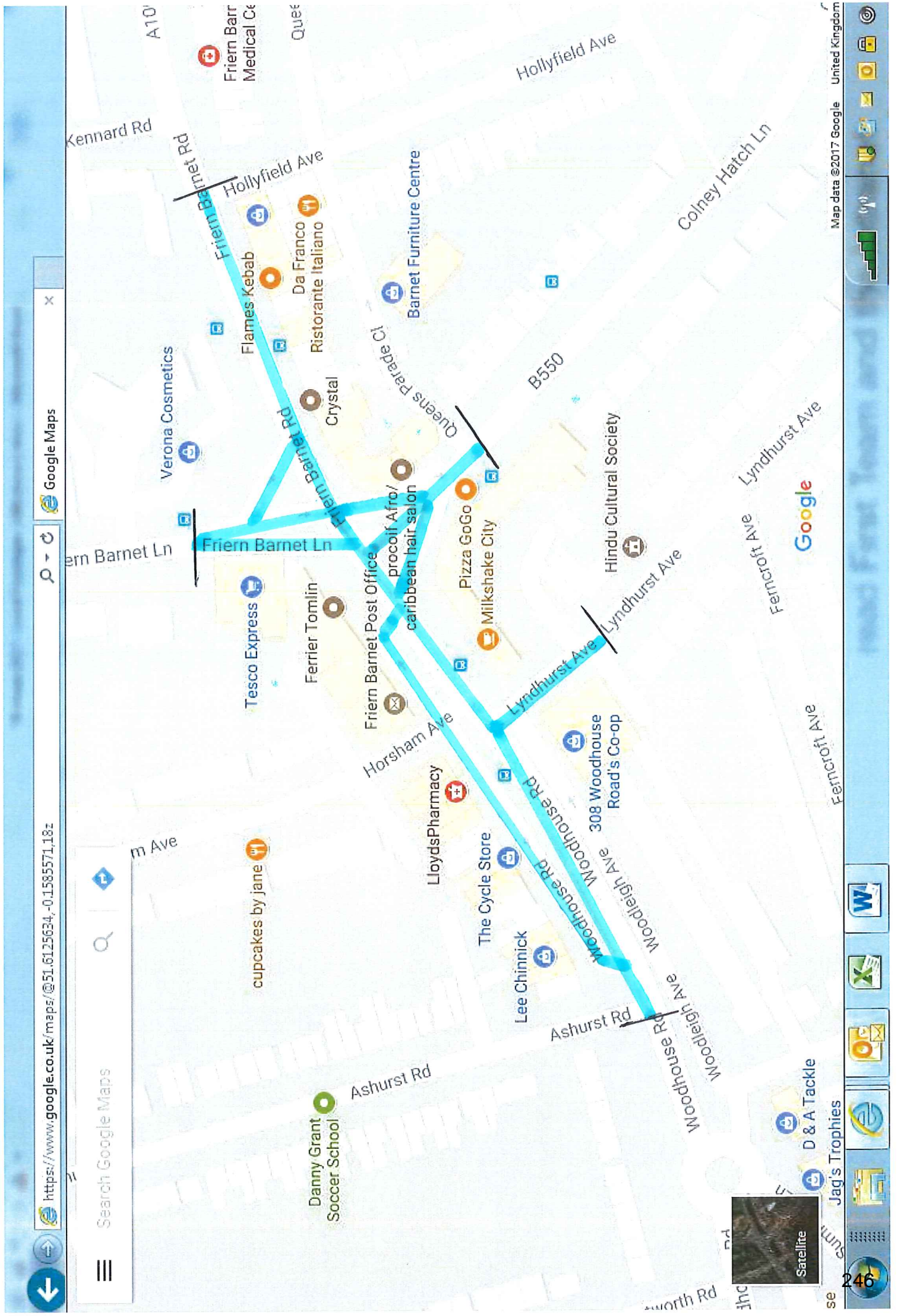
COLNEY HATCH LANE SHOPPING FRONTAGE



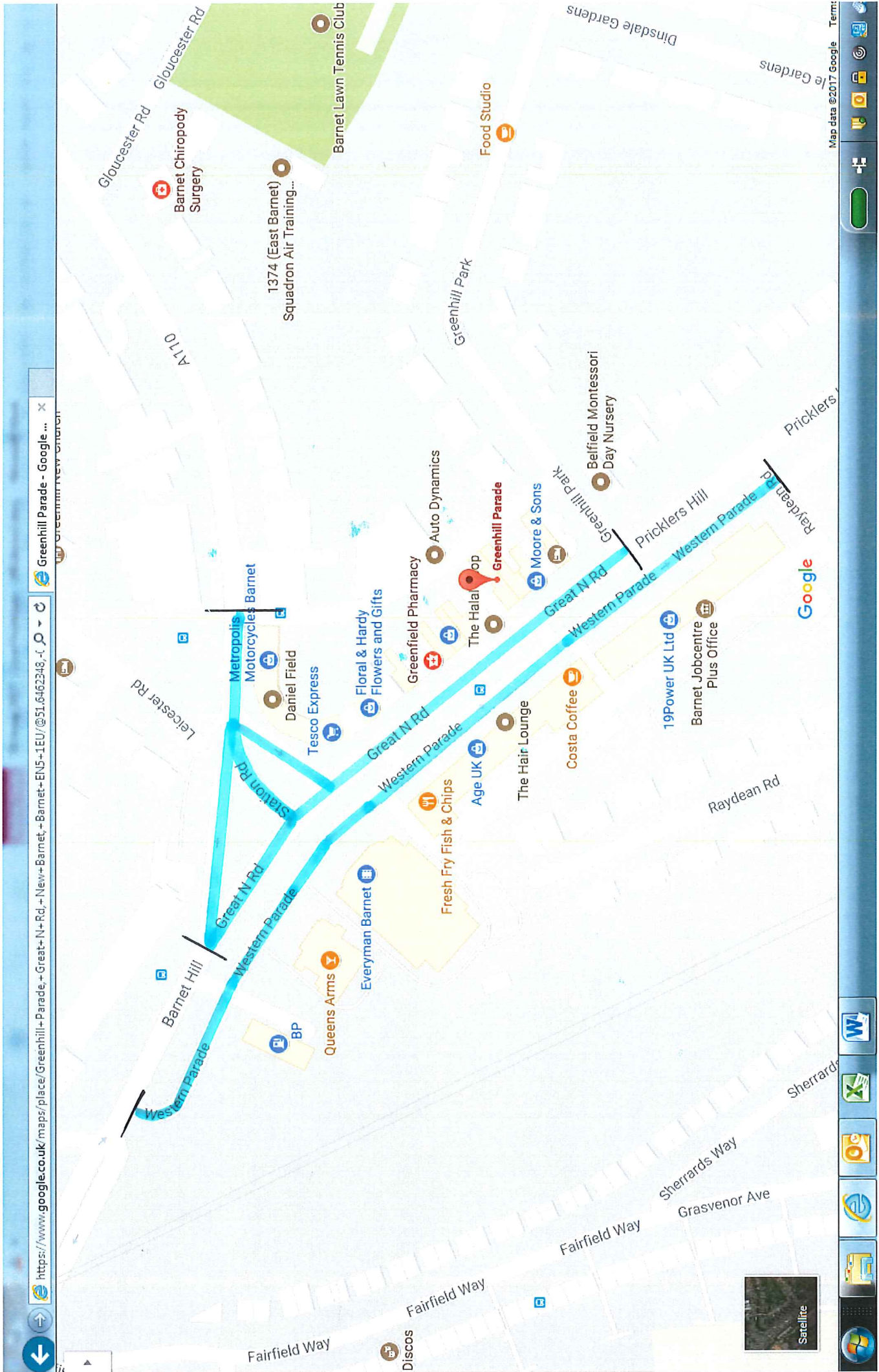
EAST BARNET VILLAGE SHOPPING FRONTAGE



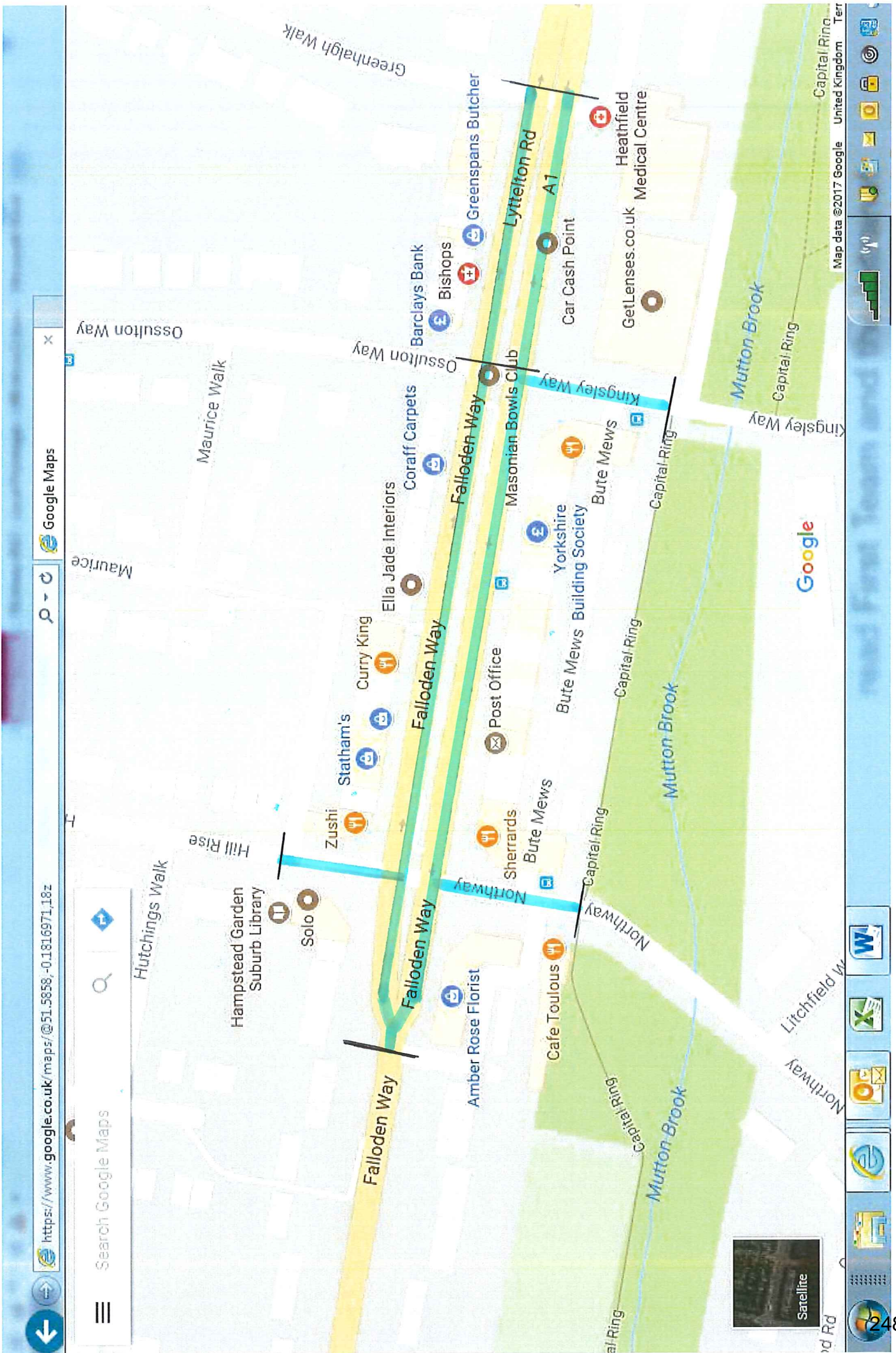
FRIERN BARNET SHOPPING FRONTAGE



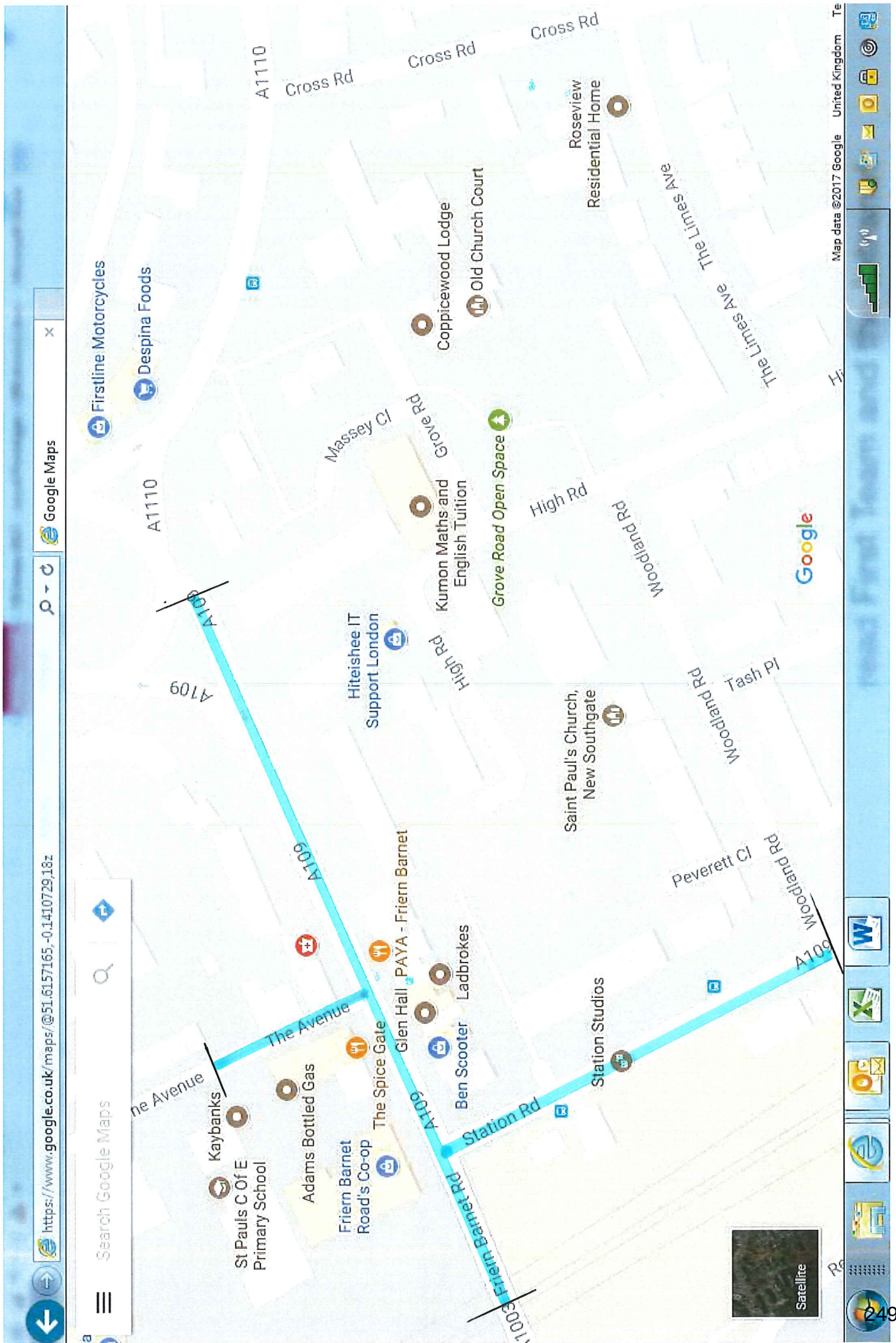
GREAT NORTH ROAD SHOPPING FRONTAGE



MARKET PLACE SHOPPING FRONTAGE



NEW SOUTHGATE SHOPPING FRONTAGE



Google Maps

Search Google Maps

https://www.google.co.uk/maps/@51.6157165,-0.1410729,18z

Firstline Motorcycles

Despina Foods

A1110

A1110

Cross Rd

Cross Rd

Cross Rd

Roseview Residential Home

Coppicewood Lodge

Old Church Court

The Limes Ave

Massey Cl

Grove Rd

Kumon Maths and English Tuition

Grove Road Open Space

High Rd

Woodland Rd

Google

Hiteishee IT Support London

High Rd

Saint Paul's Church, New Southgate

Woodland Rd

Tash Pl

A109

A109

A109

The Avenue

St Pauls C of E Primary School

Adams Bottled Gas

Friern Barnet Road's Co-op

The Spice Gate

Glen Hall, PAYA - Friern Barnet

Ben Scooter

Ladbrokes

Station Rd

Station Studios

Peverett Cl

Woodland Rd

A109



Satellite

Map data ©2017 Google United Kingdom Te

Taskbar icons: Word, Excel, PowerPoint, Internet Explorer, and other system icons.

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Full Council: 31st October

Administration Motion: Councillor Rohit Grover

AGENDA ITEM 14.1

Safety of the Ossulton Way/ Kingsley Way/A1 Junction

On 4 April 2017 Council unanimously agreed to call an urgent meeting between Transport for London (TfL), officers of Barnet's Highways Department and local councillors to assess and improve the safety of the Ossulton Way/ Kingsley Way/A1 Junction. This urgent meeting took place three months later on 13 July.

During this meeting it was noted that the all-red phase of the traffic lights at the above junction is inadequate to non-existent, meaning that pedestrians do not have sufficient time to cross the A1. As there are parades of shops and cafes on both sides of the A1 at this junction, this crossing is frequently used, particularly by elderly residents who need to cross from the surgery on the south side to the chemist on the north.

Excessive speed levels were also observed on the stretch of the A1, in both directions, leading from this junction to Henlys Corner.

While the TfL representative who was present noted these concerns, it was mentioned that 'political pressure' would likely be required for action to take place, given concerns over the impact on bus schedules in the event that further traffic calming measures are implemented.

In view of the fact that since 2010, 11 serious collisions have taken place on this stretch of the A1, including the death of an elderly resident at the Ossulton Way junction earlier this year, Council calls for a further meeting to take place, at a high level, where those with senior decision-making authority at TfL are required to seriously consider what can be done to improve pedestrian safety. Options could include a longer all-red phase at the Kingsley Way/Ossulton Way/A1 junction where traffic from all sides is stopped, an improved pedestrian crossing facility, or speed cameras for this stretch of road generally.

Under Full Council Procedure Rule 23.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.

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Keep our dog walkers under control

Council notes a marked increase in the number of complaints from residents regarding large groups of up to 20 dogs being walked in public spaces by individual professional dog walkers. Residents have complained of personal distress when confronted with seemingly out of control dogs and of dog excrement which is not picked up.

Council recognises professional dog walkers provide a welcome service to those in the borough without the time or ability to walk their own dogs, but that this needs to be balanced with the safety of other residents and the cleanliness of our parks and open spaces.

Council further notes that, while it is an offence punishable by imprisonment under Section 3 of the Dangerous Dogs Act 1991 for an individual in charge of a dog to allow it to be so out of control that it causes reasonable apprehension to a person that they will be injured, enforcement and prosecution of offences can be difficult. However the Council has powers under the Antisocial Behaviour, Crime and Policing Act 2014 to introduce Public Spaces Protection Orders (PSPOs) to prevent their happening in the first place.

Guidelines by the Department for Environment, Food & Rural Affairs (Defra) quote expert advice suggesting the maximum number of dogs which a person can control is six. Many authorities have responded by introducing PSPOs limiting the number of dogs which can be walked by a person at once. Haringey and Waltham Forest have set this at six; Brent, the City of London, Greenwich, Royal Parks, and Wandsworth have set the limit at four. It is a criminal offence to breach a PSPO, though the Council can offer a £100 Fixed Penalty Notice as an alternative to conviction. Wandsworth also issues up to 50 licences to walk a maximum of eight dogs under a bye-law applicable to certain parks and open spaces.

Council therefore requests the Environment Committee investigate introducing of a PSPO limiting the number of dogs an individual can walk at once, as well as issuing licences, and makes early contact with interest groups prior to a statutory consultation.

Under Full Council Procedure Rule 23.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.

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Is Mayor Khan an enemy of the people of Barnet?

Council is growing increasingly concerned that Mayor Khan is making life harder for the people of Barnet for the sake of political point-scoring.

In the last six weeks alone Mayor Khan has made several rulings attacking the borough's already strained transport infrastructure. Most recently the Aslef union revealed he had scrapped plans laid by his predecessor, Boris Johnson, to add 17 much-needed trains to the Northern line and increase services to 30 an hour. The explosion in demand projected for this vital but overcrowded service will now have to be met by current stock — and borne by residents.

At the beginning of this month he also overruled Barnet's democratically elected Planning Committee in order to force a deeply unpopular development of 460 flats on the people of Mill Hill. Adding insult to injury, he removed 78 parking spaces from the original plans, meaning residents will have to fight for spaces on neighbouring residential streets. This is despite visiting the site himself by car rather than brave the Northern line.

Before clogging up the borough's roads and scuppering improvements to its Underground service, however, Mayor Khan decided to make private hire vehicles more expensive and less available for residents of outer London boroughs like Barnet. His decision against renewing Uber's private hire licence not only risks putting 1,789 Barnet-based Uber drivers out of work; it will increase the costs for residents using black cabs.

Council agrees that any concerns about Uber's safeguarding procedures must be addressed. However, Council is baffled as to why data revealed under the Freedom of Information Act showed TfL inspectors had given Uber a clean bill of health on no less than 10 occasions in the last four years (the last after an annual compliance audit in April this year) and why Mayor Khan failed to meet with Uber representatives to discuss concerns. In revoking Uber's licence, Khan's message is that London is closed to innovation and business.

Council is also deeply concerned by Mayor Khan's intervention on the Grahame Park development. In making public an error-riddled letter from GLA planners he ensured the retraction, which Barnet was on the cusp of negotiating, would not happen. The planning application now risks being refused or amended by the Mayor.

Council calls on the Leader of the Council and the Leader of the Opposition to write to the Mayor to address these concerns and request he rectify them for the benefit of the people of Barnet over party political gain.

Under Full Council Procedure Rule 23.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.

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Full council: 31 October 2017

Opposition Motion: Cllr Pauline Coakley Webb

AGENDA ITEM 14.4

Planning school places in Barnet

Council notes that the strategic planning of school places seems to have been replaced with random placement of free schools controlled by chain academies through deals done in Whitehall, with no control by Barnet Council and no guarantee that schools will be established where they are needed.

Council also notes that at the most recent Children, Education, Libraries and Safeguarding Committee members were advised that:

"The free school programme is a central government programme administered by the Department for Education. The council has no role in assessing or approving free school applications. In more recent years, the Department for Education has invited the council to provide a view of the local need for school places."

Council believes that Conservative-run Barnet Council should be providing this view and ensuring that school places are properly planned in the locations where they are most needed.

We call on Barnet Council to take a more proactive role by:

- 1) Instructing officers to meet with the EFA to establish a strategic planning approach to schools.
- 2) Identifying possible sites for new school development close to areas where it is known numbers are increasing.
- 3) Consulting with local residents on possible developments in advance of any formal planning application being made.
- 4) Developing and adopting a Planning for Schools DPD, as LB Ealing has done, to help plan for the provision of primary and secondary school places in the borough to meet identified need.

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Opposition Motion: Cllr Barry Rawlings

Local Government Pay

Council notes that:

- For most workers in local government and schools, pay and other terms and conditions are determined by the National Joint Council (NJC) for local government services.
- On average, across the country, NJC basic pay has fallen by 21% in real terms since 2010.
- NJC workers had a three-year pay freeze from 2010-2012 and have received only 1% pay increase annually since then.
- NJC pay is the lowest in the public sector.
- Differentials in pay grades are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased Statutory National Living Wage.
- The likelihood of rising inflation following the vote to leave the European Union will worsen the current public sector pay inequality.

Council therefore supports the NJC pay claim for 2018, submitted by UNISON, GMB and Unite on behalf of council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector.

Council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.

Council further notes the drastic ongoing cuts to local government funding and calls on the Government to provide all additional resources to ensure local authorities can fund a decent pay rise for NJC employees and the pay spine review.

Council resolves to:

- Write to the Local Government Association asking it to make urgent representations to Government to fund the NJC pay claim and the pay spine review;
- Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking the additional resources needed to fund a decent pay rise and the pay spine review;
- Write to the local NJC union representatives to convey support for the pay claim and the pay spine review.

[Under FCPR 23.5 I request that my motion is voted on at the meeting.]

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