

Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at Hendon Town Hall, The Burroughs, London NW4 4BQ, on 4 November 2014

PRESENT:-

The Worshipful the Mayor (Councillor Hugh Rayner)
The Deputy Mayor (Councillor David Longstaff)

Councillors:

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

1. APOLOGIES FOR ABSENCE

There were none.

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

The Mayor was present.

3. PRAYER

The Mayor's Chaplain offered prayer.

4. DECLARATIONS OF INTEREST

It was noted that many Councillors are members of a library in the borough and hold their surgeries at libraries in the borough, and that where this applies there is no need to declare an interest.

Member:	Subject:	Interest Declared:
Councillor Adam Langleben	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non-pecuniary interest as he attended Brookhill Nursery School
Councillor Brian Salinger	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non-pecuniary interest as he is the Chairman of Moss Hall Nursery School and governor of Holly Park Primary School which has a nursery.
Councillor Barry Rawlings	11.4 Libraries Strategy - referred from Children Education, Libraries and Safeguarding Committee	Non-pecuniary interest as a Trustee of Friern Barnet Library
Councillor Pauline Coakley Webb	11.4 Libraries Strategy - referred from Children Education, Libraries and Safeguarding Committee	Non-pecuniary interest as a Trustee of Friern Barnet Library
Councillor Ross Houston	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non pecuniary interest as Council appointee to The Barnet Group board, and Chair of governors of Northside Primary School which has a nursery
Councillor Alison Moore	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non-pecuniary interest as a chair of governors of schools and nurseries
Councillor Rebecca Challice	11.5 Nursery School Review – referred from Children Education, Libraries and	Non pecuniary interest as visited St Margaret’s Nursery School

	Safeguarding Committee	
Councillor Reema Patel	11.4 Libraries Strategy - referred from Children Education, Libraries and Safeguarding Committee	Non-pecuniary interest as she had campaigned on behalf of Friern Barnet Community Library
Councillor Geof Cooke	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non pecuniary interest as is a governor of Sunnyfields Primary School
Councillor John Marshall	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non pecuniary interest as is a member of Barnet Group Board
Councillor Jack Cohen	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non pecuniary interest as is governor of St Agnes Catholic Primary School
Councillor Arjun Mittra	11.4 Libraries Strategy - referred from Children Education, Libraries and Safeguarding Committee	Non pecuniary interest as his mother is a manager of a nursery in the borough
Councillor Andreas Ioannidis	11.5 Nursery School Review – referred from Children Education, Libraries and Safeguarding Committee	Non pecuniary interest as is a school governor of Bell Lane Primary School

5. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 23 September 2014 be approved as a correct record.

6. OFFICIAL ANNOUNCEMENTS

The Worshipful the Mayor paid tribute to the former MP for Chipping Barnet Sir Sydney Chapman who passed away earlier last month and whose funeral he attended on 28 October 2014.

At the invitation of the Worshipful the Mayor, Councillor John Marshall and Councillor Kath McGuirk also spoke in tribute to Sir Sydney Chapman.

The Worshipful the Mayor also paid tribute to Mr John Fitzgibbon, former Deputy Mayor of Barnet.

A minutes silence was held in remembrance of Sir Sidney Chapman and Mr John Fitzgibbon.

7. ANY BUSINESS REMAINING FROM LAST MEETING

There was none.

8. VARIATION TO THE ORDER OF BUSINESS

Under Section 6.2 of the Full Council Procedure Rules, Councillor Alison Moore moved that the order of business be varied so that the next items of business be 11.5, 11.4, 11.1 and 11.2.

9. NURSERY SCHOOL REVIEW - REFERRED FROM CHILDREN, EDUCATION, LIBRARIES AND SAFEGUARDING COMMITTEE

Councillor Reuben Thompstone introduced the report and moved reception and adoption. Councillor Thompstone further moved the amendments in his name.

Councillor Rebecca Challice moved her amendments. She further moved that under Full Council Procedure Rule 12.6, Council agree to hear oral representations from Mr Andrew Fergusson, Vice Governor of St Margaret's Nursery School. This was duly agreed by Council. Councillor Brian Salinger then moved his amendments. Debate ensued.

Votes were taken on Councillor Thompstone's amendments. Votes were recorded as follows:

For: 32
Against: 31

Councillor Thompstone's amendments were carried, and became the substantive motion.

Votes were taken on Councillor Rebecca Challice's amendments to the substantive motion (Councillor Thompstone's amendments as carried). Votes were recorded as follows:

For: 32
Against 31

Councillor Challice's amendments were carried and became the substantive motion.

Votes were taken on Councillor Salinger's amendments to the substantive motion (Councillor Challice's amendments as carried).

Votes were recorded as follows:

For: 1
Against: 31
Abstentions: 31

The amendments were lost.

Votes were taken on the recommendations as amended (Councillor Challice's amendments as carried). The votes were recorded as follows:

For: 32
Against: 31

The recommendations were carried.

RESOLVED that:

1. Council note the update on the recommendations of the Early Years Task and Finish Group.
2. The Council actively supports the on-going discussions with Brookhill, St Margaret's and Hampden Way Nursery Schools, but recognises that they need more time to resolve budgetary issues and ensure a mutually agreed and sustainable future. Council and the Children, Education, Libraries & Safeguarding Committee therefore instruct officers to work with these three nursery schools to achieve this and report back to the Children, Education, Libraries & Safeguarding Committee for a final decision.
3. The Council supports and agrees the Moss Hall Nursery School Business Plan proposal that will save the London Borough of Barnet £160,000 each year from 2016/17, and instructs officers to implement the proposal.

10. LIBRARIES STRATEGY – REFERRED FROM CHILDREN, EDUCATION, LIBRARIES AND SAFEGUARDING COMMITTEE

Councillor Reuben Thompstone introduced the report and moved reception and adoption. Councillor Thompstone further moved the amendments in his name. Councillor Anne Hutton moved her amendments. Debate ensued.

Votes were taken on Councillor Thompstone's amendments. Votes were recorded as follows:

For: 32
Against: 31

The amendments were carried and became the substantive motion.

Votes were taken on Councillor Hutton's amendments. Votes were recorded as follows:

For: 31
Against: 32

The amendments were lost.

Votes were taken on the recommendations as amended. 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	Abstain	Absent
Maureen Braun	✓			
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	✓			
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	✓			
Alan 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		✓		
Daniel Seal	✓			
Mark Shooter	✓			
Agnes Slocombe		✓		
Stephen Sowerby	✓			
Caroline Stock	✓			
Daniel Thomas	✓			
Reuben Thompstone	✓			
Jim Tierney		✓		
Amy Trevethan		✓		
Laurie Williams		✓		
Peter Zinkin	✓			
Zakia Zubairi		✓		

For: 32
Against: 31
Absent: 0
TOTAL: 63

RESOLVED that:

1. Council agree the proposed vision, outcomes and objectives for the library service as set out in section 1.2 of the report.
2. Council agree that the options set out in section 1.23 of the report – or a combination of the three – should be the preferred options for the library service and approve the commencement of consultation on these options in accordance with the consultation plan as set out in section 4.2 of the report, subject to Option 1 being amended so that the first sentence of the second bullet point reads:

“Outside these four libraries, the library space within each building would be reduced in size depending on requirement, leaving a minimum of 540 square feet on average”.

3. Council agree that an open library will be trialled at Edgware library at detailed in section 4.6 of this report.
4. Council note that following this period of consultation, a report will be presented to a future meeting of the Children’s, Education, Libraries and Safeguarding Committee. It is intended that this would be in Spring 2015.

11. REPORT FROM POLICY & RESOURCES COMMITTEE

Councillor Richard Cornelius introduced the report and moved reception and adoption. Councillor Alison Moore moved her amendments. Debate ensued.

Upon being put to the vote the amendment in the name of Councillor Moore was declared lost. Votes were recorded as follows:

For: 30
Against: 32

Upon being put to the vote the recommendations in the report were declared carried. Votes were recorded as follows:

For: 32
Against: 31

RESOLVED that:

1. Council agree the recommendations set out in Section 6 of Appendix 1 of the report.
2. Council retains its own Monitoring Officer.
3. Council agrees that a limited scope of high level corporate legal support is removed from the scope of the Inter-Authority Agreement with Harrow Council, and is instead provided ‘in-house’ and/or through separate external arrangements.
4. Council agrees that the integrated Assurance Function is retained.
5. Council instructs that the outcome of negotiation with Harrow Council in respect of these matters is reported to the Policy & Resources Committee in due course, along with detailed proposals for amendments to the Shared Legal Service Inter-Authority Agreement.

12. REPORT FROM ADULTS & SAFEGUARDING COMMITTEE

Councillor Sachin Rajput introduced the report and moved reception and adoption. Councillor Rajput further noted he supported the amendments in the name of Councillor

Helena Hart. Councillor Barry Rawlings moved his amendments. Councillor Helena Hart moved her amendments. Cllr Philip Cohen moved his amendments. Debate ensued.

Votes were taken on Councillor Barry Rawlings' amendments. Votes were recorded as follows:

For: 31
Against: 32

The amendments were lost.

Votes were taken on Councillor Helena Hart's amendment. Votes were recorded as follows:

For: 32
Against: 31

The amendment was carried and became the substantive motion

Votes were taken on Cllr Philip Cohen's amendments. Votes were recorded as follows:

For: 31
Against: 32

The amendments were lost

RESOLVED that:

1. Council approves the Full Business Case for integrated care, subject to the agreement of budget pooling and risk sharing between the Council and NHS Barnet Clinical Commissioning Group (CCG).
2. Council note, that subject to approval, the Full Business Case is to be used by the Policy & Resources Committee to inform budget setting processes.
3. Council note the work taking place between the Council and NHS Barnet CCG to develop an approach to budget pooling for older people, under the Better Care Commissioning Partnership, led by the Chief Executive and Strategic Director for Communities.
4. Council note that, subject to the approval of the Full Business Case, implementation of the integrated care model will continue through the work programme of the Adults & Communities Delivery Unit, working in partnership with NHS Barnet CCG.
5. Council instructs the Governance Service, when scheduling the calendar of meetings for the next municipal year, to align the meetings of the Health & Wellbeing Board and the Adults & Safeguarding Committee so that the meeting of the latter will have sight of the papers for the former and could, should the committee agree, make comments and suggestions to the Health & Wellbeing Board, through the Chairman of the Adults & Safeguarding Committee.

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

The questions, together with the answers provided and the text of any supplementary questions and answers, are set out in Appendix 1 to the minutes.

14. REPORT OF THE CHIEF OPERATING OFFICER

The Chief Executive introduced the report on 'Proposed disposal of former Park Keepers Lodge, Victoria Park, Long Lane, Finchley, N3.' Debate ensued.

Upon being put to the vote the recommendations were declared carried. The votes were recorded as follows:

For: 32

Against: 31

RESOLVED that Council, as Trustee of the Victoria Park Trust:

1. Agrees that the Lodge is no longer required for the purposes of the Trust.
2. Agrees that the interests of the Trust would be better served by investing the proceeds of sale in the continuing maintenance and improvement of Victoria Park.
3. Authorises the marketing of the Lodge for disposal in the manner that will secure the best price as advised by the independent surveyor required to be appointed under charity law.
4. Authorises the Chief Operating Officer to take all steps necessary to secure the sale of the freehold or long leasehold interest in the Lodge in accordance with the Charity Commission's requirements and the recommendations of the appointed surveyor, to negotiate terms with prospective purchasers and to approve the final terms of any sale contract and transfer deed.
5. Authorises the Chief Operating Officer to appoint the necessary professionals to conduct the sale, in accordance with charity law, the fees of such professionals to be discharged from the sale proceeds.
6. Notes that the proceeds of sale of the Lodge must be held in a ring-fenced fund to defray future running costs relating to Victoria Park and carry out improvements.

15. PETITIONS FOR DEBATE

There were none.

16. REPORTS FROM THE LEADER

There were none.

17. REPORT OF THE HEAD OF GOVERNANCE

The Chief Executive introduced the report. Debate ensued. Upon being put to the vote the recommendations in the report were carried.

RESOLVED that:

1. That Council note the resignation of the Independent Member of the Audit Committee.
2. That Council note the designation of Peter Large as the Council's Monitoring Officer for the purposes of Section 5 of the Local Government Act 1989 for an interim period.
3. That Council approve the following consequential changes to the Constitution:

Article 9 – Chief Officers Amend 9.01 (c) – delete “Assurance Director” and replace with “Interim Legal and Governance Adviser”

Responsibility for Functions, Annex B, Scheme of Delegated Authority to Officers Under ‘Delegated Authority to the Monitoring Officer’ delete the following provision and allocate to the Chief Operating Officer for an interim period: “The delivery of all assurance functions for the Council including the functions of the Corporate Anti-Fraud Team and Internal Audit.”

For the avoidance of doubt, Council are requested to note that functions relating to Risk Management will also be allocated to the Chief Operating Officer.

That Council note the changes to the Calendar of meetings as set out in the below table.

Committee	Date of meeting
Remuneration Committee	11 November 2014

18. SUPPLEMENTAL REPORT OF THE HEAD OF GOVERNANCE

The Chief Executive introduced the report. Upon being put to the vote the recommendation was carried.

RESOLVED that Council note the additional items of business for Council decision (Agenda Items 11.4 and 11.5) as detailed in Appendix 1.

Councillor Joan Scannell moved her recommendation that Councillor Melvin Cohen be appointed to the North London Waste Plan Members Group. Upon being put to the vote the recommendation was carried.

RESOLVED that Councillor Melvin Cohen be appointed to the North London Waste Plan Members Group.

19. QUESTIONS TO COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

There were none.

20. COUNCILLOR ANNE HUTTON – SAVE OUR LIBRARY SERVICE

Councillor Anne Hutton moved the Motion in her name. Councillor Hutton further moved her amendment. Debate ensued.

Upon being put to the vote, the amendment in the name of Councillor Hutton was declared lost. Votes were recorded as follows:

For: 31
Against: 32

Upon being put to the vote, the motion in the name of Councillor Hutton was declared lost. Votes were recorded as follows:

For: 31
Against: 32

21. COUNCILLOR TOM DAVEY – PROTECTING RESIDENTS FROM DOMESTIC VIOLENCE

Councillor Tom Davey moved the Motion in his name. Councillor Reema Patel moved her amendment. Debate ensued.

Upon being put to the vote, the amendment in the name of Councillor Patel was declared lost. Votes were recorded as follows:

For: 31
Against: 32

Upon being put to the vote, the motion in the name of Councillor Davey was declared carried. Votes were recorded as follows:

For: 32
Against: 31

RESOLVED that:

“Council abhors domestic violence and notes the severe and sometimes life-long impacts it has upon victims. Council recognises it has a duty to help safeguard against abuse, protecting those at risk and supporting efforts to prosecute perpetrators.

This is a duty the council takes seriously and has sought to reflect in its Housing Allocations Policy. Council notes that the proposed changes are designed and intended to help remove residents at risk of domestic violence from immediate harm. Council recognises that the previous policy encouraged people at risk to remain in harm’s way by

giving them a false sense of imminent housing through being in Band1. Alternative accommodation was not always readily or swiftly available. The new scheme gives victims the option of presenting for immediate shelter where the level of threat means they are at risk by remaining where they are. Council believes giving people access to immediate accommodation is an important safeguarding step.

Council further notes that, once safe, more permanent re-housing arrangements can be explored, with existing secure tenancies being retained.

Council regrets that this change to the Allocations Policy has been misunderstood or misrepresented and used for political campaigning.

Council calls for the implementation of the policy to enable immediate access to safe accommodation for residents who are at risk, or victims, of domestic violence and for the council to work with partner organisations to ensure people are fully aware of their options should the situation sadly arise.”

22. MOTIONS FOR ADJOURNMENT

There were none.

The meeting finished at 9.40 pm