

FINCHLEY & GOLDERS GREEN RESIDENTS FORUM
VENUE: AVENUE HOUSE, FINCHLEY, LONDON N3 3QE
WEDNESDAY, 25th March
6.30PM

Chairman: Councillor Reuben Thompstone

ISSUES TO BE CONSIDERED AT THE FORUM MEETING

Items must be submitted to Governance Service (f&gg.residentsforum@barnet.gov.uk) by 10.00am on the second working day before the meeting (for example, if a meeting is due to take place on a Tuesday evening, questions must be received by 10am on the preceding Friday)

	Issue Raised	Response
1.	<p>At the Forum on the 25th June 2013 (item 3, raised by Ms Rosie Page) Mrs Emmanuel believes it was agreed that a refuge and a halt box would be provided on Regents Park Road – outside Spencer Close. Whilst a halt box has been installed, a refuge has not.</p> <p>Mrs Emmanuel states that it can be very tricky trying to cross the road on foot – she notes that an elderly woman from the retirement flats opposite Spencer Close was nearly knocked down very recently.</p> <p>Mrs Emmanuel has not heard anything further about the possible installation of a refuge since May 2014.</p> <p>The forum is requested to provide an update on this issue.</p> <p><i>Mrs Jennifer Emmanuel</i></p>	<p>The Environment Committee agreed in January a programme of work to be developed or delivered in 2015/16.</p> <p>The request for a pedestrian refuge is identified within the programme for completion of the current phase of works (feasibility/outline design), however in order to be taken further the proposal would need to perform better in cost/benefit terms than other proposals also being developed within the programme.</p> <p><i>Lisa Wright, Traffic and Development Manager</i></p>
2	<p>Miss Pura Bolea requests the following information in relation to planning permission provided to the Compton School:</p> <ul style="list-style-type: none"> - What the restrictions are in place, and what assurances are given, to ensure land will not be used as a car park. - What road changes have taken – or are due to take – place for the Fallowfield Estate. 	<p>Planning application was approved on 27 January 2015 to convert the temporary construction access into a permanent access for emergency services and maintenance vehicles only. The application was approved subject to conditions as follows:</p> <ol style="list-style-type: none"> 1. The proposed vehicular access from Fallowfields Drive shall be gated and kept locked at all times and shall only be used by the emergency services and maintenance

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	<p>- What noise disturbance is expected by out of hours use and private use and lettings evenings and weekends at the Compton School?</p> <p><i>Miss Pura Bolea</i></p>	<p>vehicles.</p> <p>2. Within 3 months of this grant of permission, the applicant shall submit a scheme showing proposed signage to state that the access is for emergency use only. The access shall be advertised in accordance with the approved details.</p> <p><i>Lisa Wright, Traffic and Development Manager</i></p> <p>Planning Enforcement officers will meet with Ms Bolea if required and discuss any potential enforcement breaches.</p>
3	<p>Miss Pura Bolea has stated that the war memorial to fallen soldiers is to be moved out of Finchley, and that ashes of the members of the British Legion at Finchley are also to be removed. Who was this decision made by, and what were the reasons??</p> <p><i>Miss Pura Bolea</i></p>	<p>The former British Legion Building's memorial plaque and garden upon which cremated ashes have been scattered by the former Finchley British Legion Club, is located on a site which was handed back to the Council on 1 July 2014.</p> <p>The British Legion's Head Office has been working in co-ordination with the Borough's British Legion organisation to ensure the Council respectfully can properly manage the relocation of the memorial plaque and cremated ashes. Best practice advice has therefore been sought from the ICCM (Institute of Cemetery and Crematorium Management) in regard to relocation.</p> <p>The British Legion has put forward a site which is another British Legion property (East Barnet, EN4 9SL). This was selected as it was deemed to be as near as possible to Finchley and was chosen over other potential sites including those outside of the Borough, which could provide the right managed location to enable public access for those to be able to pay their respects. No final decision has yet been taken and residents have until the 24th April to make representations over the relocation proposal.</p>

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	<p>Only following this period and the consideration of any submissions can a final decision be taken.</p> <p><i>Suzanna Lewis, Property Services</i></p>
<p>4</p> <p>Mr Levy has raised the following issues:</p> <ul style="list-style-type: none"> - The fault reporting system for CPZ signage is not working. When he has recently reported faults with CPZ signs to the Council, they were all referred to the Parking Team, but the latter have issued no response nor reference numbers, even after reminders sent both directly and via First Contact. - Two such faults are a missing sign plate for the Loading Bay outside Tesco Express, 136 Golders Green Road, and its post being loose, reported on 22 January. So for two months now, there has been nothing to say what restrictions and times apply to this bay (2 car spaces). - Another fault is the CPZ signpost accidentally severed from its base outside 95 Golders Green Road, reported on 9 February. The post and base are gone and the hole neatly concreted over; this has left no parking restrictions sign or instructions for quite some distance along the bay on that side of the road. <p>Mr Levy</p>	<p>The report pertaining to the missing and defective time plates in Golders Green Road were referred to the contractor on 13 February 2015.</p> <p>We can now confirm that the time plates in question have been replaced.</p> <p>We apologise for any delays in resolving this issue.</p> <p><i>Geraldine Edwards, Parking Operations Manager, CSG</i></p>
<p>Issues relating to an alley behind the shops at 170-192 Cricklewood Broadway:</p> <p>1. Ms Sonia Byrant has stated that this alley way is in a 'filthy' state.</p>	<p>1, 2, and 3: Ms Sonia Byrant emailed Mr Ralph Haynes on Sunday 22 March 2015. On Monday the 23 March 2015 her case was referred to the area officer Emal Pardes to investigate. Mr Pardes had five working days to respond to the complainant.</p>

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<p>She states that there the alley is filled with rubbish of all kinds and many bins are overflowing.</p> <ol style="list-style-type: none"> 2. Fly tipping occurs in this alley way, recently including a large mattress at the end of the alleyway. 3. Rubbish bags possibly blocking drains in the alley way, causing the passage to stay wet for a long period of time following rainfall. 4. There is access to flats over the shops and some of these doors have iron grills over them probably for security. Does this contravene fire and safety regulations? Who would check this? 5. Is this alley the responsibility of Barnet Council? If so, has it fined anyone for fly tipping here to-date? <p><i>Ms Sonia Byrant</i></p>	<p>Mr Pardes visited the location on the morning of Tuesday 24 March 2015 where he found some waste materials and a drainage issue. On returning to the office Mr Pardes contacted the Managing Agents for the area via email and asked them to arrange for the waste materials to be removed and the drains to be cleared in the alley way. The managing agents confirmed by email on Tuesday 24 March 2015 they will look into the issues raised. Mr Pardes left a voice message for Ms Sonia Bryant on Tuesday 24 March 2015 informing her of his visit and contact with the managing agents and that he will contact her again when the issues have been resolved.</p> <p>Mr Pardes will inspect again next week to ensure all the issues have been addressed by the managing agents. Mr Pardes has worked with the managing agents before and has never had any problems getting issues resolved. However should we not be able to resolve the matter informally enforcement notices will be served.</p> <p><i>David Long, Principal Technical Officer, Environmental Health</i></p> <p>POST-MEETING UPDATE: The situation has much improved since Ms Sonia Bryant first contacted Environmental Health and Mr Pardes is still working with the managing agents to improve the situation further. Mr Pardes is trying arrange a joint site meeting with; the Managing Agents, LB Barnet Refuse Collection, the Priority Intervention Team, and Environmental Health. The aim of the visit is to identify all the issue in the area and find solutions.</p> <p><i>David Long, Principal Technical Officer, Environmental Health</i></p>

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	<p data-bbox="1234 236 2085 379">4. This would be subject to the risks posed by the occupation of the flats depending on whether there were rented out, in owner occupation, occupied by a single le household or in multiple occupation.</p> <p data-bbox="1283 421 2092 600">As an example and assuming the grilles have a lock - if the flat occupied by a single person who has a key to the grill then this is no difference to the front door of a house with a mortice lock as the occupier will have control, over the lock- This is acceptable.</p> <p data-bbox="1283 639 2074 783">If the grilles have a locking mechanism that can be opened from the inside without the need for a key e.g. a nighlatch . thumb lock or similar then there is no obstruction to escape.- this is also acceptable.</p> <p data-bbox="1283 823 2085 967">If the flats are in multiple occupation where they are occupied ny by more than one household then there would be a hazard to escape if the grille was locked by a key as this could impede escape- this is unacceptable.</p> <p data-bbox="1283 1007 2018 1075"><i>Richard Lord, Team Leader, Private Sector Housing, Environmental Health Department</i></p> <p data-bbox="1234 1117 1995 1225">5. The enforcing authority is the Council – I have not checked the individual cases on the data base to establish previous complaints.</p> <p data-bbox="1283 1265 2018 1334"><i>Richard Lord, Team Leader, Private Sector Housing, Environmental Health Department</i></p>

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6	<p>In 1900 when Victoria Park Recreation Ground Trust was established, the local authority was the Finchley Urban District Council and presumably the Councillors were the trustees.</p> <p>In 1933 Finchley became a municipal borough and in 1965, Finchley Municipal Borough became part of the London Borough of Barnet.</p> <ol style="list-style-type: none"> 1. What proof does the Council have that the current trustees consist of all the Councillors of the London Borough of Barnet? 2. Is it possible that the trustees are only Councillors whose wards cover the areas contained within the lands of the former Finchley Urban District Council? <p><i>Mr Paul Phillips</i></p>	<ol style="list-style-type: none"> 1. Victoria Park Recreation Ground, including the Lodge, was transferred to the statutory predecessors of the London Borough of Barnet (“the Council”) in February 1900 to be held on trust as public ground for the purposes of the Recreation Grounds Act 1859 and is held on charitable trust. The Recreation Grounds Act 1859 required such land to be held as “open public grounds for the resort and recreation of adults, and as playgrounds for children and youth, or either of such purposes”. The Recreation Ground Act 1859 was repealed by the Charities Act 1960, which was repealed by the Charities Act 2006. The Charities Act 2011 consolidated the majority of the Charities Act 2006. <p>As the Council is the sole corporate trustee of Victoria Park Recreation Ground, it must ensure that whatever decisions it makes in respect of the same must be made as corporate trustee, rather than in its usual capacity as beneficial owner. In brief, this means that any decisions taken by the Council in respect of Victoria Park Lodge must be in the best interests of the trust and in accordance with the objectives of the trust.</p> <ol style="list-style-type: none"> 2. As mentioned above, the Council is the sole corporate trustee of Victoria Park Recreation Ground. The Councillors for West Finchley Ward, namely Councillors Ross Houston, Jim Tierney and Kath McGuirk have all been notified of the Council’s intention to dispose of Victoria Park Lodge. <p><i>Ajay Thakerar – HB Public Law</i></p>
7	<p>In the Public Notice regarding Victoria Park Lodge the public have the opportunity to make "representations". What is required to make such representations and what “representations” would convince Barnet</p>	<p>As the whole of Victoria Park Recreation Ground is designated land of the charity – meaning that the whole or most of the land cannot be disposed of and not replaced without effectively preventing the fulfilment of the charity’s objectives – the sale of</p>

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	<p>Council not to sell?</p> <p><i>G Parris</i></p>	<p>Victoria Park Lodge must be advertised in accordance with section 121 of the Charities Act 2011. All representations must be considered and specific examples cannot be provided as to what would convince the London Borough of Barnet not to sell the Lodge. If you require further guidance, please refer to the Charity Commission's website: https://www.gov.uk/government/organisations/charity-commission</p> <p><i>Ajay Thakerar – HB Public Law</i></p>
8	<p>The following questions were also raised by G Parris regarding Victoria Park Lodge:</p> <ol style="list-style-type: none"> 1. How can it be possible to sell The Lodge rather than change the use of The Lodge? Why is it possible to sell The Lodge when it is not possible to have someone other than a park keeper live in The Lodge while it is part of Victoria Park Recreation Trust? If the trustees can vote to sell The Lodge, could they not vote to remove the "restriction" on The Lodge? 2. Why does Barnet Council state in one of their documents, (Empty Properties Grant) "Empty Properties can: <ol style="list-style-type: none"> a. attract squatters, vandals and anti-social behaviour b. increase the likelihood of burglary in the local area c. devalue the neighbourhood d. increase the likelihood of fly tipping" <p>when as trustees of Victoria Park Lodge, they have by their neglect made it very obvious that The Lodge was empty? How come Barnet Council gives money to private landlords to bring</p>	<ol style="list-style-type: none"> 1. In order for the Council, acting in its capacity as trustee, to maintain and improve Victoria Park to ensure it continues to provide and enhance its use for public recreation, it requires capital and revenue investment. The disposal of the Lodge, which is no longer required for the occupation of a park keeper, will provide the requisite capital required. The retention of the Lodge for general housing purposes is not consistent with the trust's objectives, and the capital required to carry out improvements to the property is not available from the trust's funds. <p>Pursuant to s.117 – 120 of the Charities Act 2011, the Council must comply with numerous procedures before it is entitled to dispose of the Lodge. However, it does not have the power to remove the restrictions imposed on it and the Lodge by virtue of the February 1900 transfer.</p> <p><i>Ajay Thakerar – HB Public Law</i></p> <ol style="list-style-type: none"> 2. The Trust has insufficient funds to carry out necessary refurbishment works to bring this Trust property to decent homes standards.

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<p>homes to "decent homes standard" when they did not bring this property back into valuable use?</p> <p>3. If The Lodge is sold, what guarantees are there that The Lodge will be remain? What are the planning restrictions for this site?</p> <p>4. It appears that Barnet Council have only pursued the sale option of The Lodge for over 5 years. Why were other options not considered?</p> <p>G Parris</p>	<p><i>James Goodchild, Property Services & Valuation</i></p> <p>3. There are no specific planning restrictions on The Lodge although any development would need to ensure no detrimental impact on the use of the park as open space. It has previously been used for residential accommodation. Any planning application would be considered in accordance with the Council's Adopted Local Plan Policies".</p> <p><i>Lesley Feldman, South Area Planning Manager</i></p> <p>4. Various alternative uses were considered for this Trust property, and the decision taken by full Council acting as Trustee, to dispose of the property, was based on the following report; https://barnet.moderngov.co.uk/documents/s18822/Victoria%20Park%20Lodge-%20Report.pdf</p> <p><i>James Goodchild, Property Services & Valuation</i></p>
<p>Ms Mary O'Connor raised the following issues:</p> <p>1. In these times of austerity why replace Lovers Walk Bridge when it is not "rotten"? While bridge 3 does have some missing spindles, why can it not be repaired rather than replaced? Where are the documents available where an engineer has assessed them?</p> <p>2. The Department for Transport "Shared Use Route for Pedestrians and Cyclists" states "A width of 3 metres should</p>	<p>1. The improvement works taking place to the Lovers Walk bridge were included as a result of the consultation which completed in April 2014 where residents advised that the bridge was slippery and unsafe due to its hump back design. Bridge 3 is a narrow wooden bridge from Oakdene Park which required replacement as it needed to be widened in order to accommodate the new dual use of the path network. This new metal bridge is a cost effective, long term solution as it will require less maintenance.</p>

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<p>generally be considered as the preferred minimum" and "designers need to ensure that introducing cycling to an existing route does not make conditions unduly worse for pedestrians" and "a shared use route will not necessarily be safer". Why is Barnet Council building shared use paths of 2.5 metres which are not safe? Why are Barnet Council not carrying out the assessments and audits mentioned in this document before converting footpaths to shared use paths? Why are pedestrians not considered?</p> <p>3. Barnet Council now has a Borough Cycling Officer. Can they also appoint a Borough Pedestrian Officer? There are more pedestrians than cyclists in the borough and with the need to increase the physical activity of residents, pedestrian spaces need to be improved.</p> <p><i>Ms Mary O'Connor</i></p>	<p><i>Lynn Bishop, Street Scene Director</i></p> <p>2. The DfT guidance does advise a preferred minimum for a shared path of 3m, however this is guidance only and narrower paths are acceptable. Along the constructed route the path needed to accommodate both safety and environmental concerns therefore there was no possibility of installing a 3m wide path which would have been the preferred option. A 2.5m path is suitable for shared use. The shared use footpath network is currently being assessed and appropriate additional fencing will be installed where necessary. Public consultation was carried out in April 2014 with users of the footpath in this area prior to works taking place. All users were considered.</p> <p><i>Lynn Bishop, Street Scene Director</i></p> <p>3. As there are very many more pedestrians than cyclists in the borough the challenges in encouraging more activity are different. However a Travel Engagement Officer is currently being recruited whose role will be to engage with children, young people and their families and other residents to get across key road safety messages and to promote more sustainable travel.</p> <p><i>Lisa Wright, Traffic and Development Manager</i></p> <p>It was noted at the Forum that Internal Audit have recently conducted a review of the Dollis Valley Green Walk, which concluded the following:</p>

Issue Raised	Response
	<p data-bbox="1182 236 1339 268"><u>Clearance</u></p> <p data-bbox="1182 309 2114 453">All DPRs were cleared by the appropriate officers. Sign-off of DPR 2013 by Senior Management in environment was confirmed verbally at the time of the review as it was not clear from the DPR clearance control sheet in use at the time.</p> <p data-bbox="1182 494 1684 526"><u>Scrutiny, challenge and publication</u></p> <p data-bbox="1182 568 2092 711">All 3 decisions that concerned the Dollis Valley Greenwalk were taken by the appropriate person, were in the appropriate form and were published promptly after the decision date for review and scrutiny by residents.</p> <p data-bbox="1182 753 1926 785"><i>Kate Kennally, Strategic Director for Commissioning</i></p>

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Future meeting dates are yet to be confirmed.