

Call-In Sub-Committee AGENDA

DATE: Tuesday 25 February 2014

TIME: 5.00 pm

VENUE: Committee Room 6,
Harrow Civic Centre

MEMBERSHIP (Quorum 3)

Chairman: Councillor Jerry Miles

Councillors:

Chris Mote

Mano Dharmarajah

Reserve Members:

1. Yogesh Teli
2. Amir Moshenson
3. Ramji Chauhan

1. Phillip O'Dell
2. Graham Henson
3. Victoria Silver

1. Asad Omar

Contact: Una Sullivan, Democratic & Electoral Services Officer
Tel: 020 8424 1785 E-mail: una.sullivan@harrow.gov.uk

AGENDA - PART I

1. ATTENDANCE BY RESERVE MEMBERS

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Sub-Committee;
- (b) all other Members present.

3. APPOINTMENT OF VICE-CHAIRMAN

To consider the appointment of a Vice-Chairman to the Sub-Committee for the remainder of the Municipal Year 2013/14.

4. MINUTES (Pages 1 - 6)

That the minutes of the meeting held on 5 November 2013 be taken as read and signed as a correct record.

5. PROTOCOL FOR THE OPERATION OF THE CALL-IN SUB-COMMITTEE (Pages 7 - 8)

6. CALL-IN OF THE PORTFOLIO HOLDER DECISION - CIVIC AMENITY SITE: POLICIES AND CHARGES (Pages 9 - 22)

The following documents are attached:

- a) Notice invoking the Call-in
- b) Record of the Portfolio Holder Decision taken on 10 February 2014
- c) Report submitted to the Portfolio Holder on 7 February 2014

AGENDA – PART II - NIL

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In accordance with the Local Government (Access to Information) Act 1985, this meeting is being called with less than 5 clear working days' notice by virtue of the special circumstances and grounds for urgency stated below:-

Under Committee Procedure Rule 46.6 a meeting of the Call-In Sub-Committee must be held within 7 clear working days of the receipt of a request for call-in. This meeting therefore had to be arranged at very short notice and it was not possible for the agenda to be published 5 clear working days prior to the meeting.

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CALL-IN SUB-COMMITTEE MINUTES

5 NOVEMBER 2013

Chairman: * Councillor Chris Mote

Councillors: * Sue Anderson * Jerry Miles
* Mano Dharmarajah * Yogesh Teli (1)

* Denotes Member present
(1) Denotes category of Reserve Member

59. Appointment of Chairman

RESOLVED: That Councillor Chris Mote be appointed Chair for the meeting.

60. Attendance by Reserve Members

RESOLVED: To note the attendance of the following duly constituted Reserve Members:

Ordinary Member

Reserve Member

Councillor Anthony Seymour

Councillor Yogesh Teli

61. Declarations of Interest

RESOLVED: To note that there were no declarations of interests made by Members.

62. Minutes

RESOLVED: That the minutes of the meeting held on 1 October 2013, be taken as read and signed as a correct record.

RESOLVED ITEMS

63. Protocol for the Operation of the Call-In Sub-Committee

The Chair drew attention to the document 'Protocol for the Operation of the Call-In Sub-Committee' and outlined the procedure to be followed at the meeting. He indicated that, with the Sub-Committee's agreement, he would permit those member signatories who wished to speak on the issue to do so, within the timeframe allowed. He further informed the sub-committee that Councillor Chris Noyce had stated his intention to backbench, and had also requested to speak on the called-in item.

In accordance with Committee Procedure Rule 46.5, 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 a decision;
- (c) the decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;
- (d) the action is not proportionate to the desired outcome;
- (e) a potential human rights challenge;
- (f) insufficient consideration of legal and financial advice.

He informed the Sub-Committee that the grounds (a) - (f) had been cited on the Call In notice, of which grounds (a), (b), (d) and (f) had been deemed to be valid for the purposes of Call-In.

RESOLVED: That the Call-In would be determined on the basis of the following grounds:

- (a) inadequate consultation with stakeholders prior to the decision;
- (b) the absence of adequate evidence on which to base a decision;
- (d) the action was not proportionate to the desired outcome;
- (f) insufficient consideration of legal and financial advice.

64. Call-In of Cabinet Decision (17 October 2013) - Parking Review: 20 Minutes Free Parking Initiative

The Sub-Committee received the papers in respect of the call-in notice submitted by 6 Members of Council in relation to the decision made by Cabinet on Parking Review: 20 Minutes Free Parking Initiative.

The Chair advised the Sub-Committee on the suggested order of proceedings and reminded Members of the timings allowed for submissions and questions. The Sub-Committee agreed that Councillor Chris Noyce, backbenching, should be allowed to speak and participate in the meeting.

The Chair invited the lead representative of the signatories, Councillor David Perry, to present the reasons for the call in of the decision to the Sub-Committee.

Councillor Perry stated that the main ground for call-in was the lack of consultation. No feedback had been provided from local businesses as to the success of the initiative, and no interested groups – such as the Traffic and Road Safety Advisory Panel (TARSAP) and Chamber of Commerce had been approached for comment. There was no reference to the Compact agreement with the voluntary sector, and the interest of pedestrians had not been addressed. He queried the statistics provided in relation to increased parking and footfall in the area, and whether they could be interpreted to show an increase in trade. He believed that reference to PCNs was a cynical attempt to show the initiative in a negative light. He added that the Leader of the Council appeared to have pre-determined the issue according to comments quoted in the media.

In respect of ground (b), the absence of adequate evidence on which to base a decision, he stated that no account had been taken of seasonal variations in traffic and parking, and as the period included the school summer holiday, this was a significant omission.

In respect of ground (d), the action is not proportionate to the desired outcome, he considered that the presentation of information, and in particular the inclusion of statistics relating to PCNs, was irrelevant and potentially inappropriate.

In respect of ground (f), insufficient consideration of legal and financial advice, he considered that the same reasons as for ground (d) applied, in addition to reference to the Medium Term Financial Strategy (MTFS).

In conclusion, Councillor Perry stated that this Cabinet decision had not met the expected high standards of decision making in that local residents' and businesses' views had been ignored.

Councillor Krishna Suresh, signatory to the call-in notice, outlined his concerns as a ward councillor for Rayners Lane, which he believed needed successful initiatives in order to compete with neighbouring high street shopping centres. He informed the Sub-Committee that local traders had expressed a preference for free parking over a sum of investment in the area. He was in regular contact with all 140 local traders, and the consensus was that they all benefitted from the free parking.

Councillor Idaikkadar, signatory to the call-in notice, stated that Cabinet had been profoundly wrong in their decision to remove the free parking. He reiterated the views in respect of seasonal variations and the inclusion of PCNs in financial assessments. He believed that the figures had been

tailored to show a negative picture, and disagreed that a 2% increase in footfall was a negligible amount. No attempt had been made to canvass the views of traders, and it would have been a simple matter to establish if turnover had increased. A lack of free parking would also result in nuisance to local residents as a result of displacement. He did not consider that there had been sufficient analysis of the data before reaching a conclusion.

The Leader of the Council acknowledged the views of signatory representatives, and shared their view that borough-wide free parking was an admirable aspiration. However, she was firmly of the view that this could only be achieved if it was viable and affordable in the light of the current economic climate, and with the benefit of advanced and fit-for-purpose technology to support a scheme that would be fair and could be enforced satisfactorily.

She pointed out that if the scheme were rolled out borough-wide, then any advantage enjoyed by Rayners Lane over neighbouring areas would be lost, and it was also possible that any increase in trade in Rayners Lane could result from a loss in trade in other areas of Harrow.

She confirmed that no consultation had been undertaken; the scheme had been a pilot to determine its economic viability and the desirability of rolling out such a scheme borough-wide. Examination of the figures demonstrated conclusively that the scheme in its current form was not financially viable or fit-for-purpose, and there had therefore been little point in consulting on a project that would not go ahead. She considered that that would have been an unnecessary waste of money. Furthermore, Cabinet had been acting within the parameters of a report drafted under a previous administration, which had not required that consultation be undertaken, merely that a 'yes' or 'no' decision be taken on whether or not to proceed with the scheme and borough-wide roll out. She reminded Members that no consultation had been taken at the outset of the scheme as to which location should be selected for the trial.

She was adamant that any scheme proposed must be economically viable, sustainable, and fair. She was aware of instances of abuse of the current scheme, where 20 minute tickets were used repeatedly for lengthy parking periods, which was entirely against the spirit of the scheme. This was evidenced by a distinct increase in the number of tickets issued against a 2% increase in footfall. She stated that PCN income had not been a driver in the decision as they were intended as a measure to ensure safe and efficient traffic flow.

She reminded Members that she was a local trader herself, and that while she represented local business, she also represented local tax-payers and was committed to delivering value for money. To that end, she would be happy to work with all parties to achieve a good result for residents.

In response to a query, an officer explained that video evidence had been used to calculate the amount of footfall in the area. The Corporate Director, Environment and Enterprise, stressed that the same level of parking enforcement had taken place before and during the trial to ensure a sound base for assessment.

A Member observed that Rayners Lane was mainly disadvantaged by the free parking available in Eastcote, which was in the neighbouring borough of Hillingdon, but no more than a mile away. Members discussed the quality and operation of the free parking scheme in Hillingdon, and noted the cost of the initial investment. Some Members expressed their concern that ward councillors had not been informed of the decision prior to its announcement, or involved in any discussions.

(The Sub-Committee then adjourned from 8.35 pm until 8.50 pm to receive legal advice.)

The Chair announced the decision of the Sub-Committee and it was

RESOLVED: That

- (1) the call-in on ground (a) – inadequate consultation with stakeholders prior to the decision – be upheld as the business community and ward councillors had not been consulted;
- (2) the following grounds for call-in:
 - i. ground (b) – the absence of adequate evidence on which to base a decision;
 - ii. ground (d) – the action was not proportionate to the desired outcome;
 - iii. ground (f) – insufficient consideration of legal and financial advice;all be upheld for the following reasons:
 - detailed financial information was provided in the report;
 - financial viability was a main driver in determining the decision;
 - it was not appropriate to consider money received from penalty charge notices as parking income and this money should not have been taken into account in reaching the decision.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.55 pm).

(Signed) COUNCILLOR CHRIS MOTE
Chairman

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PROTOCOL FOR THE OPERATION OF THE CALL-IN SUB-COMMITTEE

1. Call-in is the process whereby a decision of the Executive, Portfolio Holder or Officer (where the latter is taking a Key Decision) taken but not implemented, may be examined by the Overview and Scrutiny Committee prior to implementation. The Overview and Scrutiny Committee has established the Call-in Sub-Committee to carry out this role. Committee Procedure Rule 46 sets out the rules governing the call-in process.

The Process for Call-in

2. Six of the Members of the Council can call in a decision of the Executive which has been taken but not implemented. In relation to Executive decisions on education matters only, the number of Members required to call in a decision which has been made but not implemented shall be six Councillors or, in the alternative, six persons comprising representatives of the voting co-opted members and at least one political group on Overview and Scrutiny Committee. Only decisions relating to Executive functions, whether delegated or not, may be called in.

150 members of the public (defined as anyone registered on the electoral roll of the Borough) can call in a decision of the Executive, which has been taken but not implemented.

3. Decisions of the Executive will not be implemented for 5 clear working days following the publication of the decision and a decision can only be called in within this period (this does not apply to urgent decisions - Committee Procedure Rule 47 refers). The notice of the decision will state the date on which the decisions may be implemented if not called in.

4. Call-in must be by notification to the Monitoring Officer in writing or by fax:

i) signed by all six Members and voting co-optees requesting the call-in. A request for call-in by e-mail will require a separate e-mail from each of the six Members concerned.

ii) signed by all 150 members of the public registered on the electoral roll, and stating their names and addresses.

5. In accordance with Committee Procedure Rule 46.5, 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 a decision;
- (c) the decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;
- (d) the action is not proportionate to the desired outcome;
- (e) a potential human rights challenge;
- (f) insufficient consideration of legal and financial advice.

Referral to the Call-in Sub-Committee

6. Once a notice invoking the call-in procedure has been received, the decision may not be implemented until the Chair and nominated member have considered the guidance outlined in Appendix 1 to the Committee Procedure Rules and, if required, the Call-in Sub-Committee has considered the decision. The Monitoring Officer shall in consultation with the Chair arrange a meeting of the Call-in Sub-Committee to be held within seven clear working days of the receipt of the request for call-in.

7. The Call-in Sub-Committee will consider the decision and the reasons for call-in. The Sub-Committee may invite the Executive decision-taker and a representative of those calling in the decision to provide information at the meeting.

8. The Sub-Committee may come to one of the following conclusions:-
- (i) that the challenge to the decision should be taken no further and the decision be implemented;
 - (ii) that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget framework, and should not therefore be referred to the Council. In such a case the Call-in sub-committee must set out the nature of its concerns for Council; or
 - (iii) that the matter should be referred back to the decision taker (i.e the Portfolio Holder or Executive, whichever took the decision) for reconsideration. In such a case the Call-in sub-committee must set out the nature of its concerns for the decision taker/Executive.

In accordance with Committee Procedure Rule 46.2, we the undersigned, hereby give notice that we wish to call-in the Executive Decision – Civic Amenity Site: Policies & Charges made on Wednesday 12th February 2014 by the Portfolio Holder for Community Safety and Environment.

In accordance with Committee Procedure Rule 46.5, we the undersigned, hereby give notice that we wish to call-in the Executive Decision with the following reasons.

1. Inadequate consultation with stakeholders prior to the decision

As this decision is likely to be significant in terms of its effects on residents and communities living or working in an area of two or more wards of the Borough it should have followed the process of a “Key” Decision. Constitution - Article 13 (13.03 – type of Decision (b) Key Decisions).

As any resident or business within the Borough can use the site at Forward Drive, and they arrive in a multitude of different vehicles, then it is abundantly clear that all Wards within the Borough are affected by the changes to the charging and that therefore this is a Key Decision.

The consequence of rushing this decision through without following due process has prevented a briefing from taking place with Members or other affected organisations meaning limited time being allowed for proper consultation or examination of the proposal.

It also suggests that the intention may have been to circumvent such scrutiny.

This lack of consultation reflects the dictatorial style in which the leader of the council seems to be making decisions.

2. The absence of adequate evidence on which to base a decision

It is a Principle within Article 13 of the Constitution that; ***All decisions of the Council will be made in accordance with the following principles: A recording of options considered and rejected***

The record of the Portfolio Holder decision clearly states within “**Options Considered**” and “**any other option identified by the Portfolio Holder**” as “**NONE**”.

Further, it is not articulated within the report how the decision was arrived at whereby it is believed that the implementation of charges for van drivers will reduce the “aggressive behaviour by some traders at the site.”

This policy may in fact have a negative impact on the borough. By limiting the number of trips that people can make to dispose of waste, people are far more likely to fly-tip or illegally dump their rubbish as they have no means to get rid of their waste. In the long run this may cost the council more money, and make the borough a less clean place to live.

It is a knee jerk reaction to an issue without researching alternatives in the wider context.

3. The decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework.

There is no mention within the report as to how the decision is proportionate to achieving the Councils agreed vision and priorities. Indeed, this report is contrary to the Corporate Priorities that have been agreed by Council and published within the Corporate Plan in February 2013. It appears that this decision is being made for publicity reasons, as opposed to actually offering a solution for what is a serious issue.

For reference the agreed Corporate Priorities are:-

- 1. Supporting and protecting people who are most in need;*
- 2. Keeping neighbourhoods clean, green and safe;*
- 3. United and involved communities; and*
- 4. Supporting our town centre, our local shopping centres and businesses.*

The report highlights Corporate Priorities that are being proposed by the Administration but have not been agreed and are therefore not the Council Priorities. Therefore, the decision outlined within the report can only be made by Council.

For one example; as it now introduces a change to the charging structure we would contend that this report does not support those in need who use community groups or neighbours to take excess rubbish to the civic amenity site in a van, which contributes to keeping neighbourhoods clean, green and safe.

The decision contradicts the Councils agreed policies that ensure there is a joined-up, cross-sector approach to agreeing the delivery of local priorities.

Further, the decision does not reflect the wider sector and the delivery of services, which may contribute to greater inequality and poorer outcomes.

In addition, Councils are required to take the environmental impact into consideration when making a decision.

With only limited trips to a free disposal unit to drop off industrial waste, people are far more likely to dispose of paint and motor oils down the drain, with serious potential consequences for the environment.

Toxic content needs to be disposed of properly, and for this to happen people need access to disposal unit sites. If people don't always have access to this facility then there is a serious risk of increasing environmental pollution in the area.

In view of the reasons outlined in point 3 we would like the committee to consider referring the decision to Full Council in accordance with the powers and duties given to the Call-In Sub-Committee as stated within the Constitution.

4. The action is not proportionate to the desired outcome

At a time when the council is facing significant financial challenges to its budget with the council having to find £75 million so far and recent announcements that further savings of £70 million will need to be made over the next few years the council needs to ensure that in exercising its functions it has regard to a combination of economy, efficiency & effectiveness. This has not been articulated within the report that the decision has been made on.

This decision clearly only targets van owners and it is solely these residents who will lose their 3 free trips per year. The decision is a totally disproportionate reaction to aggressive behaviour by a very few traders at the site.

5. A potential human rights challenge;

When making the decision the Portfolio Holder did not take due regard to the Public Sector Equality Duty (PSED), in particular, where decisions must be aimed at Fostering good relations between people who share a protected characteristic and those who do not.

The PSED is quite clear in that the duty arises before a decision is made. Further, sufficient information about the Equality Duty must be available to the decision maker at the time any decision is made.

The PSED also requires the Council to have 'due regard' which means consciously thinking about the three aims of the general duty as part of the decision making process.

This means that consideration of equality issues must influence the decisions reached by public bodies - in how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services, and how they commission and procure from others. Harrow Councillors discharge this requirement by undertaking Equality Impact Assessments, which are an integral part of our decision making process


The report states that "*An EqIA has been undertaken that shows no adverse impact on people with the protected characteristics.*" There is no public record or evidence of this EQiA and it was not presented or associated with the report.

The statement in the report Civic Amenity Site: Policies & Charges around **Equality Implications** is clearly incorrect as, for example, the majority of wheelchair users are van owners, who would be disproportionately affected.

Also disproportionately affected are those who, in particular small businesses, who use a van for their work but can't also afford a car, so have to use a van to dispose of their waste.

It would also disproportionately affect "those in need" (also a current Corporate Priority) who use community groups (also a current Corporate Priority) to take larger items of rubbish by van to the refuse site.

Hard copy signed by Councillors:-
Cllr Graham Henson,



Email notices have also been received from Councillors:

1. Cllr Keith Ferry

Keith Ferry

2. Cllr Navin Shah

Navin Shah

3. Cllr Bill Stephenson

Bill Stephenson

4. Cllr Phil O'Dell

Phil O'Dell

5. Cllr Sasikala Suresh

S. Suresh

**Record of Community Safety and Environment Portfolio Holder's
Decision
Ref: PHD 024/13**

Subject:	Civic Amenity Site: Policies and Charges
Date of Decision:	10 February 2014
Declaration of interest (if any):	None
Key decision (Yes/No?):	No
Urgent/Non Urgent decision?:	Non-urgent
Public/Exempt?:	Public
Options considered:	None
Any other option identified by the Portfolio Holder:	None
Decision:	That: <ul style="list-style-type: none"> 1. the current policy to allow three free tips per annum at the civic amenity site in Forward Drive by residents using vans, be suspended; 2. all deposits of waste by vans be chargeable as trade waste; 3. this suspension to be reviewed in June 2014 to determine if any further action is required.
Reasons for Decision:	To reduce instances of verbal intimidation and aggression towards staff working at the site.

Is the decision subject to call-in?

YES

YES - The call-in period expires on 18.2.2014 (5.00 pm)
The decision can be implemented on 19.2.2014 if not called in.

CALL-IN - this is the process whereby a decision taken by the Executive or a Portfolio Holder may be examined by the Overview and Scrutiny Committee. The Overview and Scrutiny Committee may recommend that the Executive reconsider the decision.

For further information, please contact, Una Sullivan, Democratic & Electoral Services Officer, on 020 8424 1785 or by e-mail: una.sullivan@harrow.gov.uk

REPORT FOR: Portfolio Holder Decision

SUBJECT: Civic Amenity Site: Policies and charges

Responsible Officer: Caroline Bruce
Corporate Director Environment and Enterprise

Portfolio Holder: Councillor Susan Hall, Leader, Portfolio Holder for
Community Safety and Environment

Key Decision: No

Urgent/Non Urgent: Non Urgent

**Decision subject to
Call-in:** Yes

**Power to be
exercised:** Paragraph 2 of the Appendix to the executive
procedure rules, part 4d of the Council's
constitution

Exempt: No

Enclosures: None

Section 1 – Summary and Recommendations

This report sets out proposed changes in relation to the deposit of waste by vans at the civic amenity site in Forward Drive, which is necessary to address the issue of aggressive behaviour, by some traders at the site

Recommendations:

1. Suspend the current policy to allow three free tips per annum by residents using

vans. All deposits of waste by vans would be chargeable as trade waste. This suspension to be reviewed in June 2014 to determine if any further action is required.

Reason: (For recommendation)

To reduce instances of verbal intimidation and aggression towards staff working at the site.

Section 2 – Report

2.1 Introduction

This report addresses issues around verbal abuse and aggressive behaviour, towards site staff, by some traders, which have increased significantly in recent months

2.2 Options considered

2.2.1 Do nothing.

Doing nothing would not address the issue of verbal abuse and aggressive behaviour by some traders towards site staff.

2.2.2 Introduce changes

The current policy for vans is that each resident is entitled to deliver three free tips of household waste in any twelve month period using a van. This limit was introduced to prevent abuse of the free tipping facility (for residents) by traders. This revised policy is being abused by some traders (of which a number are from outside the borough) who are verbally abusing and intimidating site staff to obtain free tips. It is considered that an immediate suspension of the policy will help to resolve this issue.

The above changes would be introduced on Saturday 22 February 2014.

Other managerial actions include: -

- Installation of an emergency exit gate adjacent to the weighbridge office. This will allow traders who refuse to pay to be directed out of the site without gaining access to the tipping area. (Subject to Environment Agency approval).
- Provision of personal body-worn CCTV to staff - to allow recording of any confrontation.
- Investigation of option to employ professional witnesses to give evidence.

We are obliged to ensure that policies are put in place to ensure we support our staff in carrying out their daily duties. This suspension of an identified policy which has resulted in threats of verbal and physical abuse to staff will remove/reduce this threat. It will also clearly set out to all van users that the disposal of their waste will be charged.

The above change will be reviewed in June 2014 to determine if any further action is required.

2.3 Current situation

There are serious Health and Safety issues at the site connected with aggressive behaviour by some traders who wish to deposit trade waste free of charge. In 2013, 30 incidents of serious aggression have been recorded. These include threats of physical violence to staff and their families. A number of other incidents (involving swearing and hand gestures) have not been considered serious enough to record.

The Anti Social Behaviour team have been assisting the service with the introduction of a banning notice which is issued to traders that refuse to pay. The notice captures the registration number of the vehicle, and with the assistance of the Police, contact with the trader is made and they are advised not to return to the site.

2.4 Why a change is needed

To reduce instances of verbal intimidation and aggression towards staff working at the site.

2.5 Policy at other CA sites in West London

<p>Twyford Road, Brent - Operated by WLWA</p>	<p>All vans are charged, unless residents provide ID and a utility bill. No significant problems reported with aggression.</p>
<p>Victoria Road, Hillingdon - Operated by WLWA</p>	<p>As above. Also from 20 Jan 2014.</p> <ul style="list-style-type: none"> • No vans accepted at all • New charge for residents depositing asbestos • No trade asbestos accepted. <p>No significant problems reported with aggression.</p>
<p>Spaceways – Hounslow</p>	<p>All vans are charged, unless residents provide ID and a utility bill. The most prevalent cause of aggression tends to be with respect to charging residents for Home Improvement waste, with a smaller percentage from the van policy. Vehicle registrations and descriptions of the customer involved are always logged. Repeated occurrences result in complete ban from site.</p>
<p>Harefield - Hillingdon</p>	<p>All vans are charged, unless residents provide ID and a utility bill. Some recent problems with some aggressive traders trying to avoid payment</p>
<p>Greenford Road – Ealing – operated by contractor</p>	<p>All vans are charged, unless residents provide ID and a utility bill. No trade waste.</p>
<p>Townmead Road - Richmond</p>	<p>All vans are charged, unless residents provide ID and a utility bill. Trade waste accepted</p>

3. Implications of the Recommendation

3.1 Legal Implications

The responsibility to provide civic amenity site resides with WLWA. Harrow provides the site at Forward Drive on behalf of WLWA. The site has a dual function with the general public using the upper tipping area and traders and the council using the lower tipping area. All vans have to use the lower tipping area. This change would mean that they would either have to pay the commercial charges or go to another civic amenity site in the WLWA area, where they would have to comply with the rules on that site

3.2 Financial Implications

These proposals will have a minimal financial impact and any additional expenditure will be managed with the overall departmental budget.

3.3 Performance Issue

The proposed changes will have no significant effect on performance regarding the proportion of household waste reused, recycled and composted, or residual waste

3.4 Environmental Impact

These proposals will have a minimal environmental impact. There may be an increase in fly-tipping in the borough. This will be monitored to determine if this change has any adverse impact. The Environmental Compliance Team will be diligent in taking appropriate enforcement action in relation to fly-tipping.

3.5 Risk Management Implications

This change, in conjunction with other managerial action, is expected to resolve the H&S issues at the site

3.6 Equalities implications

An EqIA has been undertaken that shows no adverse impact on people with the protected characteristics.

Residents who own vans but not a car will be adversely affected by this decision. However there is no evidence that they fall into any protected group. The 2011 Census reported that 23.5% of Harrow's Households did not have access to a car or van.

The implementation will be reviewed in June 2014 to ascertain the impacts to staff with regard to Health & Safety. The wider impact to residents who only own vans will also be considered through customer feedback.

3.7 Corporate Priorities

The report incorporates the administration's priority to deliver a cleaner, safer and fairer Harrow, by ensuring that the health, safety and wellbeing of its staff (at the civic amenity site) are protected.

Section 4 - Statutory Officer Clearance

Name: Ann Begley..... on behalf of the
Chief Financial Officer

Date: 31/01/14.....

Name: Matthew Adams..... on behalf of the
Monitoring Officer

Date: 31/01/14.....

Section 5 – Performance Officer Clearance

Name: M. Randall..... on behalf of the*
Divisional Director
Strategic
Commissioning

Date: 31/01/14.....

Section 6 – Environmental Impact Officer Clearance

Name: Andrew Baker on behalf of the*
Corporate Director
(Environment &
Enterprise)

Date: 31/01/14

Section 7 - Contact Details and Background Papers

Contact: Andrew Baker, Head of Climate Change
Andrew.baker@harrow.gov.uk
Extn 2779

Background Papers: None

Signature:

Position Corporate Director Environment and Enterprise

Name (print) Caroline Bruce.....

Date: 31/01/14

For Portfolio Holder

* I do agree to the decision proposed

~~* I do not agree to the decision proposed~~

** Please delete as appropriate*

Notification of disclosable non-pecuniary and pecuniary interests, any conflict of interest or dispensation granted by the Head of Paid Service(if any):

[Should you have a Disclosable Pecuniary Interest, you should not take this decision.]

Additional comments made by and/or options considered by the Portfolio Holder

Signature: Susan Hall.....

Portfolio Holder

Date: 31/01/14

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

*(for completion by Democratic
Services staff only)*

YES/ NO / NOT APPLICABLE*

** Delete as appropriate
If No, set out why the decision is
urgent with reference to 4b - Rule
47 of the Constitution.*

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