

2008 – 2009
May 2008 Volume I



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

VOLUME 1: MAY 2008

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COUNCIL
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STRATEGIC
PLANNING
COMMITTEE

REPORT OF STRATEGIC PLANNING COMMITTEE

SPECIAL MEETING HELD ON 7 MAY 2008

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Julia Merison
 * Mrinal Choudhury * Narinder Singh Mudhar
 * Keith Ferry * Joyce Nickolay
 * Thaya Idaikkadar

* Denotes Member present

[Note: Councillors Navin Shah and Bill Stephenson also attended this meeting to speak on the items indicated at Minute 231 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES

 230. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

 231. **Right of Members to Speak:**

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who were not Members of the Committee, be allowed to speak on the agenda items indicated:

<u>Councillor</u>	<u>Agenda item</u>
Councillor Navin Shah	Planning applications 1/01 and 1/02
Councillor Bill Stephenson	Planning applications 1/01 and 1/02

[Note: Subsequently, planning applications 1/01 and 1/02 were deferred, and so the representations were not received].

 232. **Declarations of Interest:**

RESOLVED: To note that there were no interests declared by Members present in relation to the business transacted at this meeting.

 233. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

(2) all items be considered with the press and public present.

 234. **Minutes:**

RESOLVED: That the minutes of the meeting held on 16 April 2008 be deferred until the next ordinary meeting of the Committee.

235. **Petitions:**

RESOLVED: To note that no petitions had been received at this meeting under the provisions of Committee Procedure Rule 16 (Part 4b of the Constitution).

236. **Deputations:**

RESOLVED: To note that no deputations were received at this meeting under the provisions of Committee Procedure Rule 17 (Part 4b of the Constitution).

237. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 1/01 and 1/02 on the list of planning applications.

[Note: Subsequently, planning applications 1/01 and 1/02 were deferred, and so the representations were not received].

238. **Planning Applications Received:**

RESOLVED: That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

239. **Member Site Visits:**

RESOLVED: To note that there were no Member site visits to be arranged.

(Note: The meeting, having commenced at 6.30 pm, closed at 6.43 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO:	1/01	APPLICATION NO:	P/0929/08/CFU/AF
LOCATION:	Skateboard Park Adjacent Leisure Centre Car Park, Christchurch Avenue, HA3 5BD		
APPLICANT:	Harrow Council		
PROPOSAL:	Redevelopment to Provide New Leisure Centre With Associated Car Parking and Landscaping (Revised)		
DECISION:	DEFERRED at officer's request to enable further consideration of objections raised by the Environment Agency and the applicant's response, and to await comments by Sport England.		
	[Note: (1) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to defer the application;		
	(2) Councillors Mrinal Choudhury, Keith Ferry and Thaya Idaikkadar wished to be recorded as having abstained from voting].		

LIST NO:	1/02	APPLICATION NO:	P/0930/08/CFU/AF
LOCATION:	Byron Park Adjacent to Skateboard Park, Christchurch Avenue, Harrow, HA3 5BD		
APPLICANT:	Harrow Council		
PROPOSAL:	Redevelopment to Provide Replacement Skateboard Park		
DECISION:	DEFERRED at officer's request to await statutory consultee response from Sport England.		
	[Note: (1) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to defer the application;		
	(2) Councillors Mrinal Choudhury, Keith Ferry and Thaya Idaikkadar wished to be recorded as having abstained from voting].		

REPORT OF STRATEGIC PLANNING COMMITTEE

MEETING HELD ON 14 MAY 2008

Chairman: * Councillor Marilyn Ashton

Councillors: * Robert Benson * Graham Henson (2)
 * Don Billson * Julia Merison
 * Mrinal Choudhury * Joyce Nickolay
 * Keith Ferry

* Denotes Member present
 (2) Denotes category of Reserve Members

[Note: Councillor Eileen Kinnear, Councillor Narinder Singh Mudhar, Councillor Navin Shah and Councillor Tom Weiss also attended this meeting to speak on the item indicated at Minute 242 below].

PART I - RECOMMENDATIONS - NIL

 240. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Thaya Idaikkadar	Councillor Graham Henson

 241. **Appointment of Vice Chairman:**

RESOLVED: To appoint Councillor Joyce Nickolay as Vice-Chairman of the Strategic Planning Committee for the 2008/2009 Municipal Year.

 242. **Right of Members to Speak:**

It was moved and seconded that, due to the volume of major applications on the agenda and the number of members of the public who had indicated their wish to speak, one Councillor, who was not a Member of the Committee, be allowed to speak for a maximum of five minutes on each item with preference being given to ward councillors.

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who were not Members of the Committee, were allowed to speak on the agenda item indicated:

<u>Councillor</u>	<u>Planning Application</u>
Councillor Narinder Singh Mudhar	Planning Application 1/02 & 1/03 (Gayton Road)
Councillor Thomas Weiss	Planning Application 1/04
Councillor Eileen Kinnear	Planning Application 1/06
Councillor Navin Shah	Planning Application 1/10

 243. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
Items 1/02 and 1/03	Councillor Thomas Weiss	Councillor Thomas Weiss declared a prejudicial interest in the application because he rented office space in the area. Accordingly, he would leave the room and take no part in the discussion or decision making process.

Items 1/10	Councillor Navin Shah	Councillor Navin Shah declared a personal interest in the application because he was a resident on the edge of the town centre close to the site.
Items 1/02, 1/03, 1/07 and 1/08	Councillor Eileen Kinnear	Councillor Eileen Kinnear declared personal interests as follows: item 1/02 she owned property and lived in the Town Centre and knew a resident in the application site area, items 1/07 and 1/08 she had been requested by the Governors to present a petition.
Item 1/02	Councillor Marilyn Ashton	Councillor Marilyn Ashton declared a personal interest in the application because she knew a resident in the application site area.

244. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the dispatch of the agenda. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision. (It was advised that the last two paragraphs for item 1/09 on page 10 related to item 1/10.)
4. Minutes	The minutes of the meeting held on 16 April 2008 and the Special meeting on 7 May 2008 were not available at the time the agenda was printed due to the need for consultation. It was admitted to the agenda in order to allow the minutes to be approved at the earliest opportunity.
11. Planning Applications Received	Planning applications 1/10 and 1/11 were deferred from the Special Strategic Planning Committee meeting on 7 May 2008. Therefore the reports were not printed and circulated on the main agenda for the meeting on 14 May 2008. They were admitted to the agenda to enable the applications to be determined as a matter of urgency.
15. Appointment of Vice Chairman	The item had been omitted from the agenda. It was admitted to the agenda to allow a Vice-Chairman to be appointed for the Municipal Year 2008/09.

(2) all items be considered with the press and public present.

245. **Minutes:**

RESOLVED: That the Chairman be given the authority to sign the minutes of the meeting held on 16 April 2008 and the Special meeting held on 7 May 2008, as a correct record of those meetings.

246. **Public Questions and Deputations:**

RESOLVED: To note that no public questions were put or deputations received at this meeting under the provisions of Committee Procedure Rules 19 and 17 respectively.

247. **Petitions:**

RESOLVED: To note the receipt of the following petition:

1. Petition against planning permission for the building of the new Harrow College on Lowlands Recreation Ground (ref: P/0707/08/CFU)

The petition, which had been signed by 49 people, was presented by the Lead Petitioner.

248. **References from Council and other Committees/Panels:**

RESOLVED: To note that there were no references from Council or other Committees.

249. **Representations on Planning Applications:**

RESOLVED: That (1) in accordance with the provisions of Committee Procedural Rule 18, representations be received in respect of items 1/01, 1/02, 1/03, 1/04, 1/10 and 1/11;

(2) in accordance with the provisions of Committee Procedure Rule 18, a maximum of two speakers be permitted to address the Committee on each item and the length of time for representations be for a maximum of five minutes each.

250. **Planning Applications Received:**

RESOLVED: That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

251. **Planning Appeals Update:**

The Committee received a report from the Head of Planning which listed those appeals being dealt with and those awaiting decision.

RESOLVED: That the report be noted.

252. **Member Site Visits:**

RESOLVED: To note that there were no Member site visits to be arranged.

253. **Termination of Meeting:**

In accordance with the provisions of Committee Procedure Rule 14, it was

RESOLVED: At (1) 10.55 pm to continue until 11.00 pm;

(2) at 11.00 pm to continue until 11.45 pm.

(Note: The meeting, having commenced at 6.30 pm, closed at 11.30 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/3214/07/CFU/DT2

LOCATION: Equitable House, Lyon Road, Harrow, HA1 2EW

APPLICANT: P and Angel Properties Ltd

PROPOSAL: Change of use of part of office block to residential to provide 32 residential units with a two storey extension at roof level and a seven storey extension and retention of 1920 square metres of B1 floor space (resident permit restricted).

DECISION: GRANTED permission for the development described in the application and submitted plans subject to a legal agreement, as amended on the Addendum, the conditions and informative reported.

(Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous)

LIST NO: 1/02 **APPLICATION NO:** P/4126/07/CFU/DC3

LOCATION: Gayton Road Car Park, Gayton Library & Sonia Court, Gayton Road, Harrow, HA1 2HH

APPLICANT: Fairview New Homes & Mount Anvil

PROPOSAL: Redevelopment To Provide 383 Flats In 5 Blocks Ranging Between 4 & 10 Storeys In Height, 200 Public Car Parking Spaces & 81 Residents Parking Spaces In The Basement, 383 Covered Cycle Parking Bays, 13 Motorcycle Spaces, Landscaping, Amenity & Playspace (Resident Permit Restricted)

DECISION: GRANTED permission for the development described in the application and submitted plans subject to a legal agreement and the Direction of the Mayor of London, as amended on the Addendum, the conditions and informative reported.

LIST NO: 1/03 **APPLICATION NO:** P/1254/08/CFU/DC3

LOCATION: Gayton Road Car Park, Gayton Library & Sonia Court, Gayton Road, Harrow, HA1 2HH

APPLICANT: Fairview New Homes & Mount Anvil

PROPOSAL: Redevelopment To Provide 383 Flats In 5 Blocks Ranging Between 4 & 10 Storey's In Height, 200 Public Car Parking Spaces & 81 Residents Parking Spaces In The Basement, 383 Covered Cycle Parking Bays, 13 Motorcycle Spaces, Landscaping, Amenity & Playspace (Resident Permit Restricted) (Duplicate Application).

DECISION: GRANTED permission for the development described in the application and submitted plans subject to a legal agreement and the Direction of the Mayor of London, the conditions and informatives reported as amended on the Addendum.

[Note: During discussion on the above item, it was moved and seconded that the application be refused. Upon being put to a vote, this was lost.]

LIST NO: 1/04 **APPLICATION NO:** P/0707/08/CFU/DT2

LOCATION: Former Lowlands Road Recreation Ground And Part Of Existing Harrow College, Lowlands Road, Harrow, HA1 3AQ

APPLICANT: Harrow College

PROPOSAL: Redevelopment Of Harrow College In An 8 To 10 Storey Building On Adjacent Site At Lowlands Road Recreation Ground To Provide 33,970 Sqm Of Floorspace For Up To 4,000 Students, Replacement And Reconfiguration

PROPOSAL: Part Demolition Of Existing Buildings And An Extension To Provide New/Main Entrance And Administration Block On The North Eastern Frontage, An Extension On The South Western Elevation To Provide Additional Hall Space, New Classrooms, Group Space, Library And Ancillary Facilities Along With The Reconfiguration And Refurbishment Of Existing Facilities, New Multi Use Games Area And Means Of Enclosure.

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported and amended on the Addendum.

(Note: During discussion on the above item, it was moved and seconded that Members undertake a site visit. Upon being put to a vote, this was lost.

LIST NO: 1/08 **APPLICATION NO:** P/0954/08/CCA/DC3

LOCATION: St. Anselms R.C. School Roxborough Park, Harrow on the Hill, HA1 3BE

APPLICANT: St. Anselms R C Primary School

PROPOSAL: Partial Demolition Of Existing Buildings And Construction Of New Teaching Accommodation And Ancillary Facilities

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

LIST NO: 1/09 **APPLICATION NO:** P/0740/08/CFU/DC3

LOCATION: 118-120 Headstone Road, HA1 1PF

APPLICANT: Mr K Sabaratnam

PROPOSAL: Retention Of 3-Storey Block Of 12 Flats With Alterations To Front & Rear Elevations, Parking For Two Cars And Binstore To The Front (Resident Permit Restricted)

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

LIST NO: 1/10 **APPLICATION NO:** P/0929/08/CFU/AF

LOCATION: Skateboard Park adjacent Leisure Centre Car Park, Christchurch Avenue, Harrow, HA3 5BD

APPLICANT: Harrow Council

PROPOSAL: Redevelopment To Provide New Leisure Centre With Associated Car Parking And Landscaping (Revised)

DECISION: GRANTED permission for the development described in the application and submitted plans subject to advertisement/referral to the Government Office for London and the direction of the Mayor of London, subject to the conditions and informatives reported, as amended by the Addendum.

[Note: During discussion on the above item, it was moved and seconded that the application be refused. Upon being put to the vote, this was lost.]

LIST NO: 1/11 **APPLICATION NO:** P/0930/08/CFU/AF
LOCATION: Byron Park adjacent to Skateboard Park, Christchurch Avenue, Harrow, HA3 5BD
APPLICANT: Harrow Council
PROPOSAL: Redevelopment To Provide Replacement Skateboard Park
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported and to the objections by Sport England being resolved.

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/0980/08/DDP/DC3
LOCATION: Former Government Offices Site, Honeypot Lane, Stanmore HA7 1BB
APPLICANT: Berkeley Urban Renaissance Ltd
PROPOSAL: Details Of Hard & Soft Landscaping Details Required By Condition 9 Of Planning Permission Reference: P/2317/06/Cfu Allowed On Appeal 12 November 2007
DECISION: DEFERRED at the request of officers

DEVELOPMENT
MANAGEMENT
COMMITTEE

REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE

MEETING HELD ON 7 MAY 2008

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Julia Merison
 * Mrinal Choudhury * Narinder Singh Mudhar
 * Keith Ferry * Joyce Nickolay
 * Thaya Idaikkadar

* Denotes Member present

[Note: Councillor Jeremy Zeid also attended this meeting to speak on the item indicated at Minute 220 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES

 219. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

 220. **Right of Members to Speak:**

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who was not a Member of the Committee, be allowed to speak on the agenda item indicated:

<u>Councillor</u>	<u>Agenda item</u>
Councillor Jeremy Zeid	Planning application 3/01

 221. **Declarations of Interest:**

RESOLVED: To note the following declarations of interest made by Members present relating to business to be transacted at this meeting:

- (i) Planning application 2/13 – 26 Kenton Gardens, Harrow, HA3 8DE
 Councillor Mrinal Choudhury declared a personal interest in the above item in that he lived on the same street as the property in question. Councillor Choudhury remained in the room and took part in the discussion and decision-making on this item.
- (ii) Planning application 2/15 – Harrow High School, Gayton Road, HA1 2JG
 Councillor Narinder Singh Mudhar declared a personal interest in the above item as he was a local authority governor at Harrow High School. Councillor Mudhar remained in the room and took part in the discussion and decision-making on this item.

 222. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

- (2) all items be considered with the press and public present.

223. **Minutes:**
RESOLVED: That the minutes of the meeting held on 2 April 2008, be taken as read and signed as a correct record.
224. **Public Questions, Petitions and Deputations:**
RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 19, 16 and 17 respectively.
225. **References from Council and other Committees/Panels:**
RESOLVED: To note that there were no references from Council or other Committees.
226. **Representations on Planning Applications:**
RESOLVED: To note that no requests for representations had been received.
227. **Planning Applications Received:**
RESOLVED: That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.
228. **Enforcement Notices Awaiting Compliance:**
The Committee received a report of the Head of Planning which listed enforcement notices awaiting compliance.
RESOLVED: That the report be noted.
229. **Tree Preservation Order No. 904 The Ridgeway (No. 1) West Harrow relating to No 263 The Ridgeway:**
RESOLVED: To confirm Tree Preservation Order No. 904.
230. **Member Site Visits:**
RESOLVED: To note that there were no Member site visits to be arranged.
(Note: The meeting, having commenced at 6.50 pm, closed at 9.35 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO:	2/01	APPLICATION NO:	P/3374/07/DAD/GL
LOCATION:	The Case is Altered Public House, 28 Old Redding, Harrow Weald, HA3 SE		
APPLICANT:	Mark Douglas		
PROPOSAL:	Externally Illuminated Freestanding Sign and Wall Sign, 2 x Non – Illuminated Free Standing Signs.		
DECISION:	<p>REFUSED permission for the development described in the application and submitted plans, as amended on the addendum, for the following reason:</p> <p>(i) The proposed externally illuminated freestanding sign, a wall sign and two non - illuminated free standing signs, together with the existing signs, by reasons of unsatisfactory design, would be unduly obtrusive in this sensitive rural location, would detract from the appearance and character of the Conservation Area and Area of Special Character, the public house itself and would be detrimental to the visual amenity, contrary to HUDP policies EP31, D4 and D14.</p> <p>[Note: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;</p> <p>(2) the Committee wished for it to be recorded that the decision to refuse the application was unanimous;</p> <p>(3) the Head of Planning had recommended that the above application be granted].</p>		

LIST NO:	2/02	APPLICATION NO:	P/4259/07/DFU/SB5
LOCATION:	Stella Maris, 39 Oakhill Avenue, Pinner, HA5 3DL		
APPLICANT:	Tarlochan Ghatrorhe		
PROPOSAL:	Redevelopment to Provide 2 / 3 Storey Block With Basement of 3 Self Contained Flats, With Parking in Basement and Bin Store at Side (and Access).		
DECISION:	<p>REFUSED permission for the development described in the application and submitted plans for the following reason:</p> <p>(i) The proposed development, by reason of unsatisfactory layout, siting and design, would appear as out of keeping with the existing development in the vicinity and would represent an over intensive use of the site and therefore would detract from the appearance and proportions of the nearby properties to the detriment of the visual amenity and character of the locality, contrary to HUDP policies D4 and D5 and Harrow Council's Supplementary Planning Guidance, Extensions: A householders Guide and; Supplementary Planning Guidance: Designing New Developments (2003).</p> <p>[Note: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;</p> <p>(2) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;</p> <p>(3) Councillors Mrinal Choudhury, Keith Ferry and Thaya Idaikkadar wished to be recorded as having voted against the decision to refuse the application;</p>		

(4) the Head of Planning had recommended that the above application be granted].

LIST NO:	2/03	APPLICATION NO:	P/0326/08/DFU/MRE
LOCATION:	32 Oakhill Avenue, Pinner, HA5 3DN		
APPLICANT:	Anwar Hasham Graham		
PROPOSAL:	Demolition of Existing Dwelling House and Redevelopment to Provide 2 X 2 Storey Detached Dwellings with Integral Garages and New Vehicular Accesses.		
DECISION:	REFUSED permission for the development described in the application and submitted plans for the following reason:		
	(i) The proposed development, by reason of poor design and layout, particularly of the three bedroom house, would appear to be incongruous and unbalanced in the street scene and would give rise to a loss of residential and visual amenity to the neighbouring properties to the detriment of the character of the area, contrary to HUDP policy D4.		
	[Note: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;		
	(2) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;		
	(3) Councillors Mrinal Choudhury, Keith Ferry and Thaya Idaikkadar wished to be recorded as having voted against the decision to refuse the application;		
	(4) the Head of Planning had recommended that the above application be granted].		

LIST NO:	2/04	APPLICATION NO:	P/0070/08/DAD/LW
LOCATION:	Sainsbury's Supermarket, 13 The Broadway, Elm Park, Stanmore, HA7 4DA		
APPLICANT:	Sainsbury's Supermarkets Ltd		
PROPOSAL:	2 X Internally Illuminated Name Signs, 1 X Non Illuminated Name Sign, 3 X Non – Illuminated 'Welcome' Wall Signs, and 1 X Non Illuminated ATM Surround Sign.		
DECISION:	GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informative reported.		
	[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].		

LIST NO:	2/05	APPLICATION NO:	P/0090/08/DFU/MT
LOCATION:	297 Eastcote Lane, South Harrow, HA2 8RU		
APPLICANT:	Mr Jettinda Bagga		
PROPOSAL:	Single and Two Storey Side and Rear Extension; Single Storey Front Extension and Conversion Into Two Flats and Bin Store Within the Building.		

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informative reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/06 **APPLICATION NO:** P/0999/08/CFU/NR

LOCATION: 7 Athena Close, Harrow on the Hill, HA2 0JB

APPLICANT: G Murphy and O Hynes

PROPOSAL: Installation of Replacement Windows and New French Door on Rear Elevation of Ground Floor Flat.

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/07 **APPLICATION NO:** P/0092/08/DFU/ST

LOCATION: 502 Uxbridge Road, Hatch End, HA5 4SL

APPLICANT: Ferdeco Inv Ltd

PROPOSAL: Single and Two Storey Side Extensions; Single and Two Storey Rear Extension; and Vehicular Access.

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informative reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/08 **APPLICATION NO:** P/0933/08/DFU/TM

LOCATION: 124A Harrow View, Harrow, HA1 4TJ

APPLICANT: Peter Barron

PROPOSAL: Garage at Rear.

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/09 **APPLICATION NO:** P/4251/07/CFU/DG

LOCATION: 31 Harrow Fields Gardens, Harrow on the Hill, HA1 3SN

APPLICANT: Mr A Patel

PROPOSAL: Single Storey Side to Rear Extensions; Excavated Rear Patio; Conversion of Garage into Habitable Room; External Alterations.

DECISION: DEFERRED to seek better quality drawings that accurately demonstrate the proposals.

LIST NO:	2/10	APPLICATION NO:	P/0076/08/DFU/ST
LOCATION:	23 Nibthwaite Road, Harrow, HA1 1TB		
APPLICANT:	Mr M Shah		
PROPOSAL:	Conversion of Dwelling House to Two Flats; Single Storey Side to Rear Extension; Roof Alterations to Form Gable End and Rear Dormer (Resident Permit Restricted).		
DECISION:	<p>REFUSED permission for the development described in the application and submitted plans for the following reasons:</p> <p>(i) The proposed conversion provides no car parking and is resident permit restricted and therefore fails to fully comply with Lifetimes Homes Standards because there cannot be a disabled parking space, contrary to HUDP policy D4.</p> <p>(ii) The proposed conversion represents an over intensive use of the property and would give rise to an unreasonable increase in residential activity to the detriment of the future occupiers of the site, neighbouring occupiers and the character of the area, contrary to the provision of HUDP policies D4, D5 and EP25.</p> <p>[Note: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;</p> <p>(2) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application.</p> <p>(3) Councillors Mrinal Choudhury, Keith Ferry and Thaya Idaikkadar wished to be recorded as having voted against the decision to refuse the application;</p> <p>(4) the Head of Planning had recommended that the above application be granted].</p>		

LIST NO:	2/11	APPLICATION NO:	P/0545/08/DFU/ST
LOCATION:	2A Nibthwaite Road, Harrow, HA1 1TA		
APPLICANT:	Pink Tower Ltd		
PROPOSAL:	Conversion of Dwellinghouse into 3 Flats; Single and Two Storey Rear Extension (Resident Permit Restricted).		
DECISION:	<p>GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported and the following:</p> <p>(i) amending condition 5 to read:</p> <p>Notwithstanding the details on the submitted drawings, the development hereby permitted shall not commence until a scheme for:-</p> <p>(a) the storage and disposal of refuse/waste, using wheelie bins in accordance with the Council's adopted guidelines, to include provision for recycling;</p> <p>(b) vehicular access thereto; and</p> <p>(c) details of the bin enclosure fencing.</p> <p>has been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.</p>		

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/12 **APPLICATION NO:** P/0448/08/DFU/ST
LOCATION: 2A Nibthwaite Road, Harrow, HA1 1TA
APPLICANT: Pink Tower Ltd
PROPOSAL: Construct Two Storey Building to Provide Four Flats, Demolition of Existing House (Resident Permit Restricted).
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informative reported.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/13 **APPLICATION NO:** P/0447/08/DFU/NR
LOCATION: 26 Kenton Gardens, Harrow, HA3 8DE
APPLICANT: John Beckley
PROPOSAL: Change of Use From DwellingHouse to Residential Care Home (Class C3 to C2).
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/14 **APPLICATION NO:** P/0356/08/DFU/ML1
LOCATION: Braemont and The White Horse, Reenglass Road, Stanmore, HA7 4NT
APPLICANT: Octagon Developments Ltd
PROPOSAL: Redevelopment to Provide 2 Single / Two Storey Detached Houses With Rooms in Roofspace (Revised).
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/15 **APPLICATION NO:** P/0628/08/CFU/TM
LOCATION: Harrow High School, Gayton Road, HA1 2JG
APPLICANT: Harrow High School
PROPOSAL: Two Storey Detached Building at Junction of Sheepcote Road and Kenton Road.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/16 **APPLICATION NO:** P/0904/08/DFU/ML1
LOCATION: St Bernadettes Primary School, Clifton Road, Harrow, HA3 9NS
APPLICANT: St Bernadettes Primary School
PROPOSAL: 3M High Weldmesh Fencing Along Northern and Eastern Boundaries with Queensbury Recreation Ground.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/17 **APPLICATION NO:** P/0191/08/DDP/DC3
LOCATION: Former Government Offices Site, Honeypot Lane, Stanmore, HA7 1BB
APPLICANT: Berkeley Urban Renaissance Ltd
PROPOSAL: Details of Refuse Arrangements Required by Condition 20 of Planning Permission Reference: P/2317/06/CFU Allowed on Appeal 12 November 2007.
DECISION: DEFERRED at officer's request to await further information.

SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/0029/08/DFU/ML1
LOCATION: 174 – 178 Kenton Road, Harrow, HA3 8BL
APPLICANT: Mr N Patel
PROPOSAL: Change of Use From Retail to Restaurant / Drinking Establishment (Class A1 to Classes A3 / A4).
DECISION: DEFERRED to seek clarification of the proposals.

COUNCIL



MINUTES
of the
ANNUAL MEETING
of the
COUNCIL
of the
LONDON BOROUGH OF HARROW
held on
THURSDAY 8 MAY 2008

Present: **The Worshipful the Mayor (Councillor Jean Lammiman)**
 The Deputy Mayor (Councillor John Nickolay)

Councillors:

Husain Akhtar
Nana Asante
David Ashton
Mrs Marilyn Ashton
Miss Christine A. Bednell
Robert Benson
Don Billson
Mrs Lurline Champagnie
Mrinal Choudhury
Golam Sobhan Chowdhury
Bob Currie
Margaret Davine
Mano Dharmarajah
Anthony Ferrari
Keith Ferry
Archie T. Foulds
Brian E. Gate
David Gawn
Mitzi Green
Susan Hall

Graham Henson
Thaya Idaikkadar
Nizam Ismail
Krishna James
Manji. Kara
Mrs E.M. Kinnear
Ashok Kulkarni
Barry Macleod-Cullinane
Julia Merison
Salim Miah
Myra Michael
Jerry J. Miles
Vina Mithani
Chris Mote
Mrs Janet Mote
Narinder Singh Mudhar
Mrs Joyce Nickolay
Christopher D. Noyce
Phillip O'Dell
Asad Omar

Paul Osborn
Anjana Patel
David Perry
Raj Ray
Richard David Romain
Paul Scott
Anthony Seymour
Navin Shah
Mrs Rekha Shah
Stanley Sheinwald
Eric Silver
Dinesh Solanki
Bill Stephenson
Mrs Sasikala Suresh
Yogesh Teli
Keekira Thammaiah
Mark A. Versallion
Thomas Weiss
Jeremy Zeid

239. OPENING OF PROCEEDINGS:

The Mayor welcomed everyone to the meeting and Councillor Krishna James to her first meeting of the Council.

The Mayor invited the Council to stand for one minute's silence in memory of Jack Shrimpton, OBE who had recently passed away, the recent tragedy in South Harrow and the disaster caused by a cyclone in Burma.

The Mayor then asked the Council to join her in noting the recent election of Councillor Navin Shah to the London Assembly and the election of Boris Johns as Mayor of London.

240. PRAYERS:

The Mayor's Chaplain, Reverend Mike Hall, led the meeting in prayers.

241. ELECTION OF MAYOR:

The Mayor called formally for nominations for the Office of the Mayor of the London Borough of Harrow for the ensuing Municipal Year.

Councillor Susan Hall nominated and Councillor Manji Kara seconded that **COUNCILLOR JOHN NICKOLAY** be elected Mayor for the Municipal Year 2008/09.

Councillors Christopher Noyce, Mark Versallion, Eric Silver, Jeremy Zeid, Narinder Singh Mudhar, Paul Osborn, Mrs Lurline Champagne, Chowdhury and Barry Macleod-Cullinane also spoke in support of the nomination.

Prior to the call for further nominations and with the consent of the Mayor, the Leader of the Labour Group, Councillor Navin Shah, made a brief statement informing Council that his Group would not be participating in the process for the election of the Mayor, in accordance with their previously stated reasons.

There being no other nominations, the Mayor put the nomination of Councillor John Nickolay to the meeting.

RESOLVED: That Councillor John Nickolay be elected Mayor of the London Borough of Harrow for the Municipal Year 2008/09.

242. INSTALLATION OF NEWLY-ELECTED MAYOR:

The retiring Mayor, Councillor Jean Lammiman, vacated the Chair and, after a short interval for robing, the newly elected Mayor, having made and subscribed the Declaration of Acceptance of Office, took the Chair.

The retiring Mayor handed to the duly elected Mayor the keys of the Corporate Seal.

The Mayoress, Councillor Joyce Nickolay, was then invested by the retiring Mayor's Consort with the Medallion of Office.

The Mayor, Councillor John Nickolay, then returned thanks for his election.

243. VOTE OF THANKS TO RETIRING MAYOR:

Councillor Christine Bednell formally moved a vote of thanks to the retiring Mayor, Councillor Jean Lammimann, and to the retiring Mayor's Consort, Mr John Hinkley, which was seconded by Councillor David Ashton.

Councillors Christopher Noyce, Husain Akhtar, Anjana Patel, Mrs Vina Mithani, Antony Seymour, Yogesh Teli and Dinesh Solanki also endorsed the vote of thanks.

RESOLVED: That the Council place on record its unanimous appreciation and sincere thanks to Councillor Jean Lammiman and Mr John Hinkley for their year of office as Mayor and Mayor's Consort of the London Borough of Harrow for 2007/08.

244. EXPRESSION OF THANKS BY IMMEDIATE PAST MAYOR:

Councillor Jean Lammiman congratulated the incoming Mayor and Mayoress, Councillors John and Joyce Nickolay, on their appointment, and thanked Members of Council for their kind words.

A short DVD was shown which picked out highlights of Councillor Lammiman's Mayoral Year. She then spoke expressing her gratitude to the Mayoral staff for their dedication and guidance, and also extended thanks to the incoming Mayor, past Mayors and Alderman Toms for the occasions on which they had represented her at Mayoral engagements. She offered special thanks to her Chaplain, Revd Mike Hall, who had served for the Municipal Year.

In recalling her Mayoral Year, Councillor Lammiman referred to the many functions she had attended, and the opportunities to meet the people of the Borough, particularly events such as the Harrow Heritage Awards and Harrow Young Musicians. She highlighted some of her most memorable engagements, including the first Mayoral Ball and the holding of the first Mayor's Fun Run, for which she thanked the Community & Environment and Scrutiny departments for their involvement in the running of each event.

Councillor Lammiman paid tribute to the voluntary organisations and the volunteers of Harrow, without whom life in the Borough would not go on, and expressed thanks to the many faith groups that had invited her to visit them. It was her hope that the different communities of Harrow would continue to work together.

Additionally, she thanked the Mayoress's Committee and the many other people who had worked to raise funds for her special charity, Teenage Cancer Trust.

Finally, she expressed her heartfelt thanks to Members of Council and to the people of the Borough for granting her the privilege of serving as Mayor, and to her family for their support during her Mayoral Year.

Councillor Jean Lammiman then left the Dais and was escorted by the Macebearer to her seat in the Council Chamber.

245. PRESENTATION OF MEDALLIONS TO THE IMMEDIATE PAST MAYOR AND MAYOR'S CONSORT:

The Mayor, Councillor John Nickolay, on behalf of the Council presented a replica of the Mayor's Medallion to Councillor Jean Lammiman in commemoration of her Mayoralty of the Borough 2007/08.

The Mayoress, Councillor Joyce Nickolay, presented to the immediate past Mayor's Consort, Mr John Hinkley, a Medallion to commemorate his year as Mayor's Consort of the Borough 2007/08.

246. APPOINTMENT AND INVESTITURE OF DEPUTY MAYOR AND DEPUTY MAYORESS:

The Mayor signified in writing that he had appointed **Councillor Eric Silver** to be Deputy Mayor for the Municipal Year 2008/09.

The Deputy Mayor, having been duly invested with the Deputy Mayor's robe and Badge of Office, occupied the Deputy Mayor's Chair.

The Mayoress then invested the Deputy Mayoress, **Mrs Evelyn Silver**, with her Medallion of Office.

The Deputy Mayor, Councillor Eric Silver, then returned thanks for his appointment.

247. APPOINTMENT OF CHAPLAIN:

The Mayor confirmed to Council that he had appointed the Reverend Antony Ford Rablen as his Mayor's Chaplain for the Municipal Year 2008/09.

248. APPOINTMENT OF THE LEADER OF THE COUNCIL:

RESOLVED: That Councillor David Ashton be elected Leader of the Council for the Municipal Year 2008/09.

249. APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL:

RESOLVED: That Councillor Susan Hall be elected Deputy Leader of the Council for the Municipal Year 2008/09.

250. EXECUTIVE FUNCTIONS 2008/09:

Further to the proposal from the Leader of the Council circulated in the Supplementary Summons for the meeting, it was

RESOLVED: That the membership of the Executive (Cabinet) and the allocation of Portfolios to Executive Members for 2008/09, together with the Terms of Reference of the Cabinet and the delegations to Portfolio Holders be agreed, as set out in Appendix 1 to these Minutes.

251. COUNCIL MINUTES:

RESOLVED: That the minutes of the Council Tax meeting held on 21 February 2008 be taken as read and signed as a correct record.

252. CIVIC FUNCTIONS:

Council received tabled notification of the Mayor's Special Appeal for 2008/09, the Welldon Support Group, and of forthcoming events for the Year.

RESOLVED: That the dates of the following Civic Functions be noted:

Civic Service at St Mary's Church	Sunday 22 nd June 2008
Battle of Britain Service (tbc)	Sunday 14 th September 2008
Remembrance Day Parade and Service	Sunday 9 th November 2008
Mayoress's Ball	Saturday 22 nd November 2008

253. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL:

The Leader of the Council, Councillor David Ashton, thanked his predecessor, Councillor Chris Mote, for his tireless commitment to the Council as Leader before him and expressed his wish that all Members of the Council would work together constructively in the Year ahead.

Councillor Bill Stephenson, with the permission of the Mayor, rose briefly to endorse the comments of the Leader and add the thanks of the Labour Group to Councillor Chris Mote for his work.

254. DECLARATIONS OF INTEREST:

No interests were declared by Members in relation to the business to be transacted at this meeting.

255. PROCEDURAL MOTIONS:

There were no procedural motions from Members of Council.

256. DETERMINATION OF THE SIZE OF COMMITTEES AND THE PROPORTIONAL ALLOCATION OF COMMITTEE PLACES:

The Chief Executive had prepared and notified to the political Groups on the Council a Determination under the Local Government (Committees and Political Groups) Regulations 1990 as to their proportional entitlements to Committee places for the Municipal Year 2008/09.

RESOLVED: That the Determination as to the proportional allocation of committee places be confirmed.

257. APPOINTMENT OF MEMBERS TO COUNCIL COMMITTEES:

The Council received confirmation, in the Supplementary Summons, of the nominations by the political Groups to places on Committees of the Council in accordance with their proportional entitlements under the approved Determination.

RESOLVED: That the Committees of the Council be established with the memberships now agreed for the Municipal Year 2008/09 and as detailed at Appendix 2 to these minutes.

258. APPOINTMENT OF CHAIRMEN TO COMMITTEES:

- (i) In the tabled documentation, the Council received a proposal from the Leader of the Council as to the appointment of Chairmen to Committees of the Council for the Municipal Year 2008/09.
- (ii) Councillor Bill Stephenson moved and Councillor Navin Shah seconded, an amendment proposing the appointment of Councillor Mitzi Green, rather than Councillor Stanley Sheinwald, as Chairman of the Overview and Scrutiny Committee.
- (iii) Upon a vote, the amendment was not carried.
- (iv) Upon a further vote, the substantive proposal was adopted.

RESOLVED: That the following Chairmen of Committees be appointed for the Municipal Year 2008/09:

Development Management Committee	Councillor Marilyn Ashton
Governance, Audit & Risk Management Committee	Councillor John Cowan
Licensing and General Purposes Committee	Councillor Mrs Lurline Champagne
Overview and Scrutiny Committee	Councillor Stanley Sheinwald
Strategic Planning Committee	Councillor Marilyn Ashton

[NOTE: Councillors Ms Nana Asante, Mrinal Choudhury, Bob Currie, Mrs Margaret Davine, Mano Dharmarajah, Keith Ferry, Archie Foulds, B E Gate, David Gawn, Mitzi Green, Graham Henson, Thaya Idaikkadar, Nizam Ismail, Krishna James, Jerry Miles, Phillip O'Dell, Asad Omar, David Perry, Raj Ray, Navin Shah, Mrs Rekha Shah, Bill Stephenson, Mrs Sasi Suresh and Keeki Thammaiah requested that it be recorded they voted against the Resolution above and in favour of the amendment set out in paragraph (ii)].

259. APPOINTMENT OF MEMBERS TO JOINT OVERVIEW AND SCRUTINY COMMITTEE:

Further to Item 14 on the Summons, the Council considered a the appointment of Members to the Healthcare for London: Framework for Action pan-London Joint Overview & Scrutiny Committee for the Municipal Year 2008/09.

RESOLVED: That Councillor Mrs Vina Mithani be appointed as the Council's representative to serve on the pan-London Joint Overview and Scrutiny Committee and Councillor Mrs Margaret Davine be appointed the reserve Member.

260. TERMS OF REFERENCE AND DELEGATED POWERS OF COMMITTEES:

Further to Item 15 on the Summons, it was proposed that the existing arrangements as set out in Part 3 of the Constitution continue.

RESOLVED: That the Terms of Reference and Delegated Powers for Committees of the Council, as set out in Part 3 of the Constitution, be confirmed.

261. CORPORATE DIRECTORS' DELEGATED POWERS:

At Item 16 on the Summons, the Council received a report of the Chief Executive, detailing proposals for the Delegated Powers of Corporate Directors, Statutory Officers and the Monitoring Officer, arising from the recent Senior Management restructure.

RESOLVED: That Part 3B of the Constitution be amended to reflect the Delegated Powers and Corporate Director titles and responsibilities now agreed and detailed at Appendix 3 to these minutes.

262. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES 2008/09:

- (i) Item 17 on the Summons provided for the receipt of proposals from the Political Groups as to the appointment of representatives of the Authority to serve on outside bodies for the Municipal Year 2008/09.
- (ii) The nominations of the Groups were notified in the Supplementary Summons, within an overall proposal submitted by the Leader of the Council. In addition, Councillor Navin Shah requested that Councillor Mrs Rekha Shah be added to the representation on the Harrow Refugee and Minorities Forum, in line with that organisation's stated desire to seek representation from all political parties of the Council.

RESOLVED: That the Outside body appointments for the Municipal Year 2008/09, including the addition of Councillor Mrs Rekha Shah to the Harrow Refugee and Minorities Forum, be approved as set out in Appendix 4 to these minutes.

263. DATES OF COUNCIL MEETINGS 2008/09:

RESOLVED: That the following dates for meetings of the Council in the Municipal Year 2008/09 be confirmed:

Thursday 5 JUNE 2008	Extraordinary Council
Thursday 10 JULY 2008	
Thursday 30 OCTOBER 2008	
Thursday 19 FEBRUARY 2009	(Council Tax Meeting)
Thursday 2 APRIL 2009	
Thursday 7 MAY 2009	(Annual Meeting)

264. ADDITIONAL BUSINESS:

The Mayor, on a Point of Order raised by a Member, and with the agreement of the Council accepted the following petitions presented by Members of the Council in accordance with Rule 11 as the next Ordinary Council would not be held until 10 July 2008. He reminded Council that this was not usual business for its Annual Meeting and did not create a precedent for future Annual meetings:

- (i) Submitted by Councillor Mrs Eileen Kinnear containing 70 signatures, objecting to the closure of Hill Post Office and requesting the Council seek to overturn this decision.

[The petition stood referred to the Leader and Portfolio Holder for Strategy, Partnership and Finance].

- (ii) Submitted by Councillor Noyce containing 28 signatures, objecting to Planning Application at 23 High Worples for the construction of a pitched roof over a first floor flat; conversion of a dwelling house and related works.

[The petition stood referred to the Development Management Committee].

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 10.15 pm).

APPENDIX 1**REPORT OF THE LEADER****EXECUTIVE FUNCTIONS 2008/09****Introduction**

This report recommends the names of those to be appointed to the Executive. It also recommends that these Councillors be appointed as Portfolio Holders with decision-making powers and defines their roles and responsibilities and the extent of their delegated powers.

The terms of reference of Cabinet are attached as an Appendix to this report.

Membership of the Executive

The following persons are appointed to the Executive.

- The Leader of the Council, Councillor David Ashton
- The Deputy Leader of the Council, Susan Hall
- Councillor Marilyn Ashton
- Councillor Christine Bednell
- Councillor Tony Ferrari
- Councillor Barry McLeod-Cullinane
- Councillor Chris Mote
- Councillor Paul Osborn
- Councillor Anjana Patel

Portfolio Holders

The following Executive Members have decision-making powers and are given the portfolios listed below:

	<u>Executive Member</u>	<u>Name of Portfolio</u>
1.	Councillor David Ashton	Leader (Strategy, Partnership and Finance)
2.	Councillor Susan Hall	Deputy Leader (Environment Services)
3.	Councillor Marilyn Ashton	Planning, Development & Enterprise
4.	Councillor Christine Bednell	Children's Services
5.	Councillor Tony Ferrari	Major Contracts and Property
6.	Councillor Barry Macleod-Cullinane	Adults and Housing

- | | | |
|----|-------------------------|---|
| 7. | Councillor Chris Mote | Community and Cultural Services |
| 8. | Councillor Anjana Patel | Schools and Children's Development |
| 9. | Councillor Paul Osborn | Performance, Communication and Corporate Services |

A description of the roles, responsibilities and delegated powers of the Portfolio Holders is attached. The structure for the responsibilities of Portfolio Holders is linked to the new corporate structure, which is in the process of being finalised. These responsibilities will be refined to ensure direct links with the role of the relevant officers in the new structure, and any amendments will be considered at a future Council.

Recommendations:

1. To agree the membership of Cabinet as set out in this report.
2. To agree the Portfolio Holder remits as set out in this report.
3. To agree the full terms of reference for Cabinet as set out in the appendix to this report.

**TERMS OF REFERENCE AND DELEGATION OF
DUTIES TO THE CABINET, PORTFOLIO HOLDERS**

THE EXECUTIVE (CABINET)

Responsibility of the Cabinet

The Executive as a whole will have responsibility for the following functions:

- (a) The development of proposals for the budget (including the capital and revenue budgets the fixing of the Council Tax Base, and the level of council tax) and the financial strategy for the Council;
- (b) The monitoring of the implementation of the budget and financial strategy;
- (c) To recommend major new policies (and amendments to existing policies) to the Council for approval as part of the Council's Policy Framework and implement those approved by Council;
- (d) To prepare and agree other policies and plans for implementation by Portfolio Holders and others;
- (e) The approval of the Efficiency Review programme and of the implementation plans emerging from those reviews;
- (f) The approval and management of the Council's Capital Programme/Capital Strategy;
- (g) All other key decisions – namely:
 - a decision which is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
 - is likely to be significant in terms of its effects on communities living or working in an area of two or more wards of the Borough;

A decision is significant for the purposes of (g) above if it involves expenditure or the making of savings of an amount in excess of £500,000 for capital expenditure or £100,000 for revenue expenditure or, where expenditure or savings are less than the amounts specified above, they constitute more than 50% of the budget attributable to the service in question.

- (h) The award of contracts over £500,000 and all matters reserved to the Executive under the Contract Procedure Rules;
- (i) All decisions, which are expected to result in variations to, agreed revenue or capital budgets;
- (j) Agreement to all virements between budgets as set by the Financial Regulations;
- (k) To determine all non-key decisions which fall outside the current Executive policy or agreed Executive guidelines;
- (l) To determine all non-key decisions referred to the Executive by the relevant Portfolio Holder;
- (o) To determine all recommendations and references from the Council or any of its Committees or sub-committees and which the Executive considers are appropriate for collective decision;
- (p) The approval of HRA Rents;
- (q) Quarterly to act as the Performance Board overseeing strategic performance issues.

Role and Areas of Responsibility of Portfolio Holders

General Responsibilities

- (a) All Portfolio Holders have the general responsibility of ensuring the effective management and delivery of executive functions within their area of responsibility and within the following framework:
- the Council's overall strategic, corporate and policy objectives and all statutory and other plans and strategies approved by the Council
 - the statutory and local obligation to ensure Best Value
 - the approved revenue and capital budgets
 - the law and the Council's Constitution
 - the decisions made at full meetings of the Cabinet.
- (b) All Portfolio Holders share the responsibility for ensuring:
- the development, co-ordination, promotion and implementation of the Council's statutory plans and strategies and for the setting of the Council's objectives.
 - the oversight, development, monitoring and promotion of all executive services provided by the Council within the appropriate performance management framework.
 - that suitable and proper arrangements are made for the procurement, development, monitoring and promotion of all services relating to executive functions, which are provided under contract to the Council.
 - the promotion of the interests of the Borough, and of all the residents, businesses, other organisations and stakeholders within Harrow.
 - that a community leadership role is taken by the Council across the public, voluntary and business sectors involving the development of good and effective working links with all sectors.
 - the promotion and implementation of an effective equal opportunity policy in relation both to the employment of staff by the Council and the delivery of services by the Council and other agencies.
 - the promotion of services which are sustainable, improve community safety, make for more open government and include new methods of community engagement.
 - proper arrangements for consultation and participation with residents and service users in decision making and the development of key statutory plans and local community plans.

The Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance

The Leader of the Council shall have the following responsibilities:

(A) Corporate Matters

- When present to chair meetings of the Executive;
- Lead the development and implementation of the Council's statutory and other plans and strategies including:
 - the Council's corporate priorities, corporate plan and objectives,
 - the needs of the Borough and local communities on matters of comprehensive, corporate and strategic importance,
 - the Council's overall performance
- Oversee the allocation of resources to implement the Council's plans and strategies and to meet the Council's objectives;

- Take responsibility for the review of the pay and conditions of Chief Officers;
- Liaise on behalf of the Council with Government Departments, the Greater London Authority and other local and public bodies;
- Respond to Central Government, the Greater London Authority and Local Authority Associations' consultation exercises and to requests for information and to any other consultation papers and to request for information;
- To lead on all matters relating to the Harrow Strategic Partnership;
- Make proposals for the appointment of Councillors or other persons on outside bodies as representatives of the Council;
- Make proposals to Council for the setting of the levels of Councillor allowances and expenses;
- Oversee the programme for Member Development;
- Keep under review and make proposals for changes to the Constitution;
- Oversee the arrangements and overall budgets of the Members' Secretariats;
- Oversee the arrangements for all civic and ceremonial matters
- To take a lead on behalf of the Council in promoting and sustaining a high ethical standard of conduct by the elected Members as established in the adopted Code of Conduct for Councillors.
- To endeavour to ensure that the decisions and activities of the Council at all times have regard to the highest possible standards in furtherance of the ethical agenda and all Members of the Council adhere to the Code of Conduct.

(B) Finance

To be responsible for the development and maintenance of the Council's finance functions including:

- To develop and maintain a coherent, sustainable financial strategy for Harrow;
- Ensure that the development of proposals for and consultation on the Annual budget takes place within the requirements of the Budget and Policy Framework Rules and good corporate governance practice;
- To overview the development of clear systems and structures for budget development, management and monitoring;
- Bring forward proposals for any review of charges made by the Council following recommendations of the Revenue Income Optimisation Project;
- Ensure procedures for virement within budgets are updated as appropriate and followed at Member and officer level;
- Evaluate the financial procedures of the Council and recommend improvements;
- Ensure that the Council has effective risk management and internal control systems and processes in place;
- Lead on health and safety matters;
- Emergency Planning;
- Business Continuity
- Oversee the implementation of ICT and e-government.

- Ensure that the Council has effective procedures for the recovery of all income owed to it and payment of its creditors;
- Ensure the effective administration of Housing Benefits, Council Tax, Business Rates and National Non-Domestic Rate.

**The Deputy Leader of the Council and
Portfolio Holder for Environment & Community Safety**

The Deputy Leader of the Council shall have overall responsibility for:

(A) Corporate Matters

- Undertaking the responsibilities and delegated powers of the Leader of the Council, to the extent permitted by the Constitution, in the absence of the Leader;
- The chairing of meetings of the Executive in the absence of the Leader of the Council.

(B) Environment Services

To be responsible for the development and delivery of the Council's Environment Services functions including:

- Environmental Health and Environmental Protection Services
- Licensing Services
- Public Realm Enforcement & Crime Reduction
- Waste Management
- Public Realm Maintenance
- Property Management & Maintenance
- Facilities Management
- Public Realm Infrastructure
- Property & Public Realm Investment Programmes
- Transportation policy
- Waste and public realm policy
- Community Safety

(C) The oversee the development, and implementation of policies and strategies and the monitoring of environmental and public protection services including:

- Waste Management Strategy
- Crime & Disorder Reduction Strategy (including Community Safety)
- Local Implementation Plan (Transportation)
- Waste Strategy

(D) To oversee the development and maintenance of positive links and partnerships with other organisations and businesses to improve the environment services within Harrow.

(E) To oversee the development and maintenance of positive links and partnerships with other organisations and businesses to improve the transport services within Harrow in consultation with the Planning Development and Enterprise Portfolio Holder;

(F) To oversee the strategic and general management of the Prosperity Action Teams

Portfolio Holder for Planning, Development and Enterprise

(A) To be responsible for the development and delivery of the Council's planning, development and enterprise functions including:

- Strategic urban policy and implementation including:
- Planning policy and research
- Economic Development
- Housing policy (in consultation with the Portfolio Holder for Adult & Housing Services)
- Development Management
- Building Control

- Strategic property services
 - Conservation and Design
 - Parks, Open Spaces & Green Belt policy
 - Town Centre & Major Projects Programme
 - Town Centre Management
- (B) To oversee the direct the effective development and implementation of the following key strategies on behalf of the council:
- Local Development Framework
 - Economic Development Strategy
 - Town Centre Strategy
 - West London Sub-regional planning, economic development and transportation strategies.
- (C) To oversee the development and maintenance of positive links and partnerships with other organisations and businesses to improve the transport services within Harrow in consultation with the Environment Services Portfolio Holder;
- (D) To ensure that all aspects of the services' work involves appropriate and effective community engagement.
- (E) Act as the Member level 'Design and Heritage Champion' for the Authority
- (F) To oversee the development and delivery of the Council's Vision in terms of strategic planning for the future social environmental and economic development of Harrow;
- (G) To oversee the development and delivery of the Council's strategic Major Projects Programme in consultation with the relevant Portfolio Holder including:
- The development of central Harrow and a number of district shopping centres
 - Relocation of the Civic Centre and associated work
 - Strategy and development co-location of services with partners

Portfolio Holder For Children's Services

To be responsible for the development and delivery of the Council's Children's Services including:

- To be the lead member for Children's Services, including overseeing the maintenance, compliance with Statutory Duties and reporting requirements of the Council in relation to Children's Services;
- To support education strategies addressing education achievement and attendance and exclusion issues;
- To oversee the performance of Children's Services in relation to national targets and priorities and to take account of any issues arising from external inspection and the performance assessment role of the Commission for Social Care Inspectorate;
- To oversee consultation, liaison or other partnership arrangements on education matters with, the Standing Advisory Committee on Religious Education, staff, parents, governing bodies, pupils, Government Departments, unions and other interested parties;
- To oversee and promote the corporate parenting responsibilities of the Council for children looked after;
- Commissioning responsibilities with Health for Child and Adolescent Mental Health Services;
- The direct provision for Children's Services including children's safeguarding;
- Jointly with other Portfolio Holders to oversee the development of a strategy for social inclusion by assessing and identifying strategies to address education achievement, attendance and exclusion issues;

- identifying strategies to address education achievement, attendance and exclusion issue;
- To oversee the development and review of the Children and Young People's Plan;
- To ensure the development and maintenance of positive links and partnerships with local agencies, organisations and businesses to support the delivery of these services;
- To oversee the development and implementation of policies, strategies and procedural arrangements in line with statutory requirements for the provision of the Council's social services functions;
- To oversee and monitor the development and provision of health services with health service bodies and community and voluntary organisations;
- To oversee the commissioning and contracting arrangements for the provision of services within the service and also jointly with other partner agencies.
- To oversee the regulating and inspection functions.

Portfolio Holder for Major Contracts and Property

To be responsible for the development and delivery of the Council's major partnership; contracts and the management of the property portfolio:

(A) Major Contracts

- To oversee the management and delivery of all major partnership contracts;
- To oversee the management and delivery of major strategic contracts with an annual value of over £1m including the ongoing operation of the existing contracts with Kier and enterprisemouche (Accord) and new contracts to include the PFI Street Lighting
- Develop the Council's procurement strategies and support of and interactions with local businesses

(B) Property

To review the Council's assets disposal and acquisition programme

- To oversee the maintenance and development of a strategy for the management of the Council's property portfolio;
- To authorise the acquisitions or disposals of any interests in land holdings up to the value of £250k other than disposal at less than best consideration or to make any decision or otherwise respond to any request in relation to the Council's interests in land.

Portfolio Holder for Adult and Housing Services

(A) Adult Services

To be responsible for the development and delivery of the Council's Adult Services functions including:

- To be the lead member for Adult Services including overseeing the maintenance, compliance with the Statutory Duties and reporting requirements of the Council in relation to Adult Services;
- To lead on partnership with the Health Service in relation to Adults;

- To oversee the performance of Community Care Services in relation to national targets and priorities and to take account of any issues arising from external inspection and the performance assessment role of the Commission for Social Care Inspectorate;
- To oversee the protection and safeguarding of vulnerable adults;
- To oversee the development and implementation of Supporting People;
- The direct provision for Community Care Services;
- Commissioning responsibilities with Health for:
 - Mental Health Services
 - Learning Disability Services
 - Older People and Physical, Sensory and Disability Services
 - Carers;
- To act as the Member level 'Well being of Adults Champion' in relation to all Council Services;
- To oversee the development and implementation of policies and strategies for the provision of adult services in the Borough;

(B) Housing

To be responsible for the development and delivery of the Council's housing services, including:

- Accommodation provision for households in need, through Council provision or in consort with Housing Associations and developers;
- Temporary accommodation for those in urgent need or who are homeless;
- Management of Council housing stock, shops, garages and making proposals for rental charges;
- To oversee the development and implementation of policies and strategies for the provision and improvement of housing in the Borough;
- To oversee the maintenance and improvement of the Council's housing stock;
- Jointly with other Portfolio Holders to oversee the development of a strategy to support social inclusion in the provision of local housing;
- To oversee the development and delivery of services to Council tenants;
- Promotions of satisfactory standards in housing accommodation in the private sector and enforcement actions as appropriate;
- Overseeing and developing proposals for the assessment of future housing needs within the Borough.
- The overseeing of the development and delivery of the Council's Housing Policy in consultation with the Planning Development and Enterprise Portfolio

Portfolio Holder for Community and Cultural Services

To be responsible for the development and delivery of the Council's Community and Cultural Services including:

- (A) Overseeing the strategic and general management of the following services and functions on behalf of the Council including:
- All functions relating to the library service
 - Culture and Arts Services
 - Sports Leisure & Recreation Services
 - Local History Collections (Archives)
 - The Harrow Museum and Headstone Manor

- Community Engagement and Development Strategy
 - Community Premises and Grants Applications
 - Community Cohesion Management Group (HSP)
 - Community Learning
 - Learning & Skills Councils, Colleges & Higher Education liaison
 - External Service Providers (Leisure Connection, Harrow Young Musicians)
- (B) To oversee effective development and implementation of the following key plans and strategies:
- Cultural Strategy
 - Play Strategy
 - Sports, Recreation & Open Spaces Strategy
 - Personal & Community Development Learning Plan
 - Community Grants Strategy
 - Community Engagement and Development Strategy
 - Library Plan
- (C) To oversee the promotion and development of positive links, joint working arrangements and partnerships with the voluntary, community and faith sectors, reflecting the full diversity of the borough;
- (D) To lead on all matters related to the Byron Park Project;

Portfolio Holder for Performance, Communications and Corporate Services

To be responsible for the development and delivery of the Chief Executive's and Legal & Governance Departments functions including:

- Oversee the development of the Council's response to Efficiency Reviews and ensure that council services demonstrate continuous improvements, and propose the annual programme of Efficiency Reviews;
- Monitor the programme of Efficiency Reviews and the subsequent implementation plans;
- Oversee the management processes of the Council and to keep under review the management structure of the Council, in order to ensure their effective contribution to the provision of effective and high quality services;
- To oversee staff learning and development;
- Lead on all human resources matters including employee consultation, equal opportunities in relation to employees of the Council;
- Ensure the development and maintenance of a coherent human resources strategy for the Council and its workforce;
- To oversee the development and implementation of the Sustainable Community Strategy;
- Developing partnerships and working arrangements with other agencies and service providers to produce beneficial outcomes for people living, working and visiting Harrow;
- Oversee the arrangements for Communications including Media Services, Tourism, Public Relations, and marketing promotion of Harrow;
- Oversee the conduct of litigation by or against the Council;
- To oversee all matters relating to the Business Transformation Partnership to include the approval of full Business Cases (which may be a key decision) provided all members of the partnership board (or their successor body) have been consulted and their views taken into account.
- To oversee all matters relating to Access Harrow, Customer Care and Complaints
- To oversee all matters relating to the Local Area Agreement

- To oversee the management and implementation of the Customer Access Strategy
- To oversee the Council's Performance Management Framework and the Corporate Improvement Boards to ensure the Council is performing to its full potential

Portfolio Holder for Schools and Children's Development

- (A) To be responsible for the development and delivery of the Council's function as a Local Education Authority in relation to the provision of schools and children's development within the Borough including:
- Schools
 - Achievement and Inclusion
 - Ethnic Minority Achievement Service
 - Harrow Tuition Service
 - Admissions and Place Planning
 - Teachers Centre
 - Education Business Partnership
 - Early Years Childcare and Family Support
 - Special Needs Services
- (B) To oversee and ensure high quality relationships are built with all statutory and voluntary sector partners with particular emphasis on schools;
- (C) To oversee the development, promotion and implementation of the following:
- Harrow Sixth form Collegiate Partnership Board 14-19 Strategy Group
 - CYPSP Enjoy and Achieve Sub Group
 - Meeting Pupil Need Group
 - CAMHS Steering Group
 - Pupil Achievement Group
 - SEN Strategic Partnership
 - Student Advisory Group
 - Education Consultative Forum
 - School's Forum

APPENDIX 2

LONDON BOROUGH OF HARROW COMMITTEE MEMBERSHIPS 2008/09

(Membership in order of political group nominations)

(I) CABINET (9)

Conservative

(9)

I.
Members

David Ashton (Leader)
Marilyn Ashton
Miss Christine Bednell
Tony Ferrari
Susan Hall (Deputy Leader)
Barry MacLeod-Cullinane
Chris Mote
Paul Osborn
Mrs Anjana Patel

(II) GOVERNANCE, AUDIT & RISK MANAGEMENT COMMITTEE (8)**Conservative****Labour****(5)****(3)****I.
Members**

**Robert Benson
John Cowan (CH)
Richard Romain
Anthony Seymour
Dinesh Solanki**

**Archie Foulds *
Thaya Idaikkadar
Bill Stephenson**

**II.
Reserve
Members**

1. Eric Silver
2. Jeremy Zeid
3. Manji Kara
4. Tom Weiss
5. Stanley Sheinwald

1. Keith Ferry
2. Nizam Ismail
3. Mano Dharmarajah

(CH)

= Chair

(VC)

= Vice-Chair

* Denotes Group Members for consultation on Delegated Action and/or administrative matters.

(III) DEVELOPMENT MANAGEMENT COMMITTEE (8)**Conservative****Labour****(5)****(3)****I.
Members****Marilyn Ashton (CH)
Robert Benson
Don Billson
Julia Merison
Joyce Nickolay****Mrinal Choudhury
Keith Ferry
Thaya Idaikkadar *****II.
Reserve
Members****1. Manji Kara
2. G Chowdhury
3. Dinesh Solanki
4. Ashok Kulkarni
5. Husain Akhtar****1. David Gawn
2. Graham Henson
3. Mrs Rekha Shah****(CH)
(VC)
*****= Chair****= Vice-Chair****Denotes Group Members for consultation on Delegated Action and/or administrative matters.**

(IV) STRATEGIC PLANNING COMMITTEE (8)**Conservative****Labour****(5)****(3)****I.
Members**

Marilyn Ashton (CH)
Robert Benson
Don Billson
Julia Merison
Joyce Nickolay

Mrinal Choudhury
Keith Ferry
Thaya Idaikkadar *

**II.
Reserve
Members**

1. Manji Kara
 2. G Chowdhury
 3. Dinesh Solanki
 4. Ashok Kulkarni
 5. Husain Akhtar

1. David Gawn
 2. Graham Henson
 3. Mrs Rekha Shah

(CH)
 (VC)
 *

= Chair

= Vice-Chair

Denotes Group Members for consultation on Delegated Action and/or administrative matters.

(V) LICENSING AND GENERAL PURPOSES COMMITTEE (15)**Conservative****Labour****(9)****(6)****L.
Members**

**Husain Akhtar
Robert Benson
Mrs Lurline Champagnie (CH)
G Chowdhury
Mrs Kinnear
Ashok Kulkarni
Mrs Vina Mithani
Tom Weiss
Jeremy Zeid**

**Mrinal Choudhury *
Mano Dharmarajah
Thaya Idaikkadar
Nizam Ismail
Phillip O'Dell
Raj Ray**

**(CH)
(VC)

= Chair**= Vice-Chair****Denotes Group Members for consultation on Delegated Action and/or administrative matters.**

(VI) OVERVIEW AND SCRUTINY COMMITTEE (12)**Conservative****Labour****(8)****(4)****I.
Members**

**Manji Kara
Mrs Vina Mithani
Janet Mote
Anthony Seymour
Stanley Sheinwald (CH)
Dinesh Solanki
Yogesh Teli
Mark Versallion**

**Mrs Margaret Davine
B E Gate
Mitzi Green
Jerry Miles**

**Reserve
Members**

1. Eric Silver
2. Ashok Kulkarni
3. Narinder Singh Mudhar
4. Mrs Kinnear
5. Mrs Lurline Champagnie
6. Salim Miah
7. Jeremy Zeid
8. Tom Weiss

1. Bill Stephenson
2. Phillip O'Dell
3. Nana Asante
4. Mrs Rekha Shah

[Notes:

- (1) The Chairman of the substantive Scrutiny Sub-Committee is an ex officio member of the Overview and Scrutiny Committee].
(2) The Scrutiny Leads should be main members of their respective committees].

(CH)
(VC)

= Chair

= Vice-Chair

* Denotes Group Members for consultation Delegated Action and/or on administrative matters.

(VII) STANDARDS COMMITTEE (6) (Non-proportional)

	<u>Conservative</u>	<u>Labour</u>
	(4)	(2)
<u>I.</u> <u>Members</u>	Husain Akhtar Mrs Kinnear Jean Lammiman Joyce Nickolay	B E Gate * Phillip O'Dell
<u>II.</u> <u>Reserve</u> <u>Members</u>	1. Mrs Lurline Champagne 2. Tom Weiss 3. Jeremy Zeid 4. Mark Versallion	1. Mitzi Green 2. Asad Omar 3. -
<u>III.</u> <u>Independent</u> <u>Persons</u>	Independent Persons (2):- Rev Peter Broadbent Ms S Darr Dr J Kirkland Mr M Rizvi (appointed until 2010) (Reserves: Roger Smith)	

Membership rules:

- i. An Elected Mayor or the Leader may not be members;
- ii. The Chair of the Committee must not be a member of the executive;
- iii. At least 25% of the membership must be Independent persons;
- iv. Only one member of the executive can be a member of the Committee;
- v. The rules on political proportionality do not apply.

(VIII) STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION (3)**Conservative****(2)****I.
Members****Mrs Lurline Champagne
Mrs Anjana Patel****Labour****(1)****Ms Nana Asante****II.
Reserve
Members****1. Eric Silver
2. G Chowdhury****1. Nizam Ismail**

(Note: Chairman to be appointed at a SACRE meeting).

APPENDIX 3**3B DELEGATIONS TO THE CHIEF EXECUTIVE
CORPORATE DIRECTORS AND STATUTORY OFFICERS**

This Scheme sets out those delegations made to the Chief Executive and Corporate Directors whether by the Council or by Cabinet (the Executive) or derived from statute. The Scheme also sets out the powers of the Statutory Officers of the Council.

The Chief Executive, Corporate Directors and Statutory Officers may (where statute allows this) further delegate responsibility for matters to officers within their departments. These delegations must be in writing.

All delegated powers are derived from either the Council or Executive. The source of each delegation is specified in the Scheme.

Council, Cabinet or Committees may reserve to themselves decisions that have been delegated to officers by giving notice to the relevant Corporate Director or the Chief Executive.

When any new power or duty is given to the Council and it is unclear where responsibility for that function lies, the exercise of that power or duty will be undertaken by the Chief Executive or relevant Corporate Director.

Principles of Delegation

1. Officers should exercise delegated powers unless, in their opinion, the matter should be decided by Members.

As a guide, the kind of matters Members should determine include:

- Those not covered by an approved policy.
- Those with unusual features.
- Matters which may have political or other significance.
- Public interest matters.

2. In exercising delegated powers officers must:
 - 2.1 Incur expenditure within approved estimates/limits.
 - 2.2 Comply with the Council's Procedural Rules and Financial Regulations in force at the time.
 - 2.3 Comply with any policy, plan or direction of the Council, Cabinet or Committee.
 - 2.4 Consult and where appropriate, and/or agree with other relevant officers.
 - 2.5 Consult or refer the matter to the Chief Executive in appropriate cases.
 - 2.6 Keep appropriate records and registers of decisions and report to Council, Cabinet or Committee if required.
3. In using delegated powers, officers are accountable to the Council or Cabinet or the Committee from which those delegated powers derive.
4. Acts of officers done under delegated powers are deemed to be acts of the Council.
5. Delegations exercised in relation to contracts must follow the Contract Procedure Rules in force at the time.

Non Executive Decision Procedure

The Chief Executive, Corporate Directors and Statutory Officers may be specifically authorised to take decisions on behalf of the Council or a Committee in cases of urgency or in relation to minor matters. In doing the procedure set out below must be followed:

1. Urgent Non-Executive Decisions and Minor Matters

1.1 Matters which are the responsibility of Council

In relation to matters which are the responsibility of Council, subject to consultation with the Leader of the Council (or in his/her absence the Deputy Leader) and the leaders of the political groups or their nominees, the Chief Executive, Corporate Directors and Statutory Officers shall have the power to act on behalf of the Council in cases of urgency and on minor matters, where the urgent matter is of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council. In the event of disagreement between the Members consulted, the delegated action shall not be exercised. The matter must be referred to the Council. The safeguards in 1.3. below must be followed.

1.2 Matters which are the responsibility of Committees of the Council

In relation to matters which are the responsibility of a Council Committee, subject to consultation with the Chair of the relevant committee and the nominated members of the political groups or their nominees, the Chief Executive, Corporate Directors and Statutory Officers shall have the power to act on behalf of the Council in cases of urgency and on minor matters, where the urgent matter is of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council Committee. In the event of disagreement between the Members consulted, the matter shall be referred to the Chief Executive who may take the decision after consultation with the Leaders of all political groups or their nominees, and if appropriate, with the statutory officers. The safeguards in 1.3. below must be followed.

1.3 Safeguards

The procedure must only be used when considered essential to achieving the efficient administration of the service and for urgent matters consideration must be given to whether the matter can wait until the next scheduled meeting or whether the calling of a special meeting can be justified.

The information in the report form must be given the same care and attention as a report to the committee or to Council. Councillors must be given all the information they need in order to fully consider the matter.

All decisions taken by officers under this delegated power must be reported for information to the next meeting of the appropriate committee.

For minor matters the subject matter:

- should not give rise to implication of a policy or resource nature for the authority;
- the cost of implementing the decision must not exceed agreed budgets; and
- the decision should not conflict with any plan or strategy agreed by the Council.

2. Urgent Executive Decisions and Minor Matters Procedure

Matters, which are the responsibility of the Cabinet

All executive decisions shall be referred to the Portfolio Holder or the Cabinet as appropriate for decision.

General

1. Where appropriate the Chief Executive may exercise any function delegated to any other officer, eg in case of absence.
2. Corporate Directors may exercise any function delegated to any other officer within their directorate.
3. Corporate Directors may exercise any function outside their directorate delegations delegated to them by the Chief Executive.

The Chief Executive and Corporate Directors have the following general powers:

4. To manage and promote the services and functions for which they are responsible. This includes:

Delegated Powers	Source of Delegated Powers
<u>General</u>	
3.1 Taking and implementing any decision required for operational effectiveness.	Executive and Council
3.2 Responding to consultation documents, which are considered appropriate to be dealt with at officer level. β β. The Leader and Portfolio Holder for Strategic Overview, External Affairs & Property, will deal with all other consultation responses – Section 3A Allocation of Responsibilities	Executive
3.3 Bid for external resources for services within their remit.	Executive
3.4 Liaise and develop partnerships with external agencies, Government departments and stakeholder organisations.	Executive
<u>Financial</u>	
3.5 Authorise expenditure within approved revenue budget estimates.	Council
3.6 Vire resources within the rules set out in Section 3, paragraphs 13-16 of the Financial Regulations.	Executive
3.7 Approve orders.	Executive
3.8 Authorise payment of invoices.	Executive
3.9 Authorise the collection of income.	Executive
3.10 Authorise petty cash and expenses via payroll.	Executive
3.11 Write off debts up to £10,000.	Executive
3.12 To dispose of any minor asset (e.g furniture and equipment) up to £10k in value.	
3.13 To set, vary and recover costs, fees and charges for goods and services funded by the Council.	Executive
<u>Contracts</u>	
3.14 Approve contracts without limit that do not require sealing.	Executive
3.15 Approve variations in contracts.	Executive

3.16 Approve use of consultants.	Executive
<u>Human Resources</u>	
3.17 To appoint, suspend and dismiss staff.	Council and Executive
3.18 To take any action under the Council's employment policies and procedures.	Council and Executive
3.19 To re-organise staff within their directorates subject to: <ul style="list-style-type: none"> ▪ Consultation with Chief Executive and Head of HR ▪ Where appropriate, consultation with staff and/or their representatives. ▪ No service policy implications. ▪ No expenditure in excess of budget. No growth in net expenditure beyond the current year.	Council and Executive
3.20 To authorise absence leave and payments, including overtime, expenses, loans, and ex gratia payments.	Executive
3.21 To authorise training and development and associated matters.	Executive
INDIVIDUAL DELEGATIONS	Source of Individual Delegated Powers
<u>Chief Executive</u>	
1. To take any action necessary to ensure the effective and efficient management and operations of the Council.	Executive and Council
2. To promote the importance of the ethical agenda and to sustain the highest standards of ethical behaviour on the part of the Council's officers in accordance with the Code of Conduct for Council Employees.	Council
3. To make any decision delegated to another officer.	Executive and Council
4. Approve minor and technical changes to the Council constitution in consultation with the Monitoring Officer.	Council
5. Act in minor or urgent matters where to delay for a Council meeting would not, in his/her opinion, be in the Council's interest, subject to written approval of the Leaders of the political groups.	Council

6.	Act in minor or urgent matters where to delay for a Council committee meeting would not in his/her opinion, be in the Council's interests, subject to consultation with the political groups or their nominees.β	Council
7.	To take such action in relation to Statutory Chief Officers and Chief Officers as assigned in Rule 7 of Section 4H.	Council
8.	To report as appropriate to the Authority in the manner in which the Authority discharges its functions: <ul style="list-style-type: none"> ▪ the number and grades of staff required to discharge its functions ▪ the organisation of the Authority's staff ▪ the appointment and management of the Authority's staff. 	Council and Executive
9.	To make payments or provide other benefits in cases of maladministration etc in accordance with s92 of the Local Government Act 2000.	Council
10.	To take any action necessary to ensure the effective development and implementation of the Council's key strategies and services.	Executive and Council
11.	To undertake any action necessary to ensure the effective development and implementation of the Council's Corporate Governance Framework.	Executive and Council

β The powers in 5 and 6 above would be used only on production of a report, including financial and legal implications. All decisions taken using the powers in 5 and 6 above must be reported to the next meeting of the relevant committee or Council.

The Corporate Directors for Adults and Housing Children's Services Community & Environment Finance and Place Shaping All have the following delegated powers and duties	
1. To take any action necessary to ensure the effective and efficient management of their directorate	Council and Executive
2. To act in minor or urgent matters where to delay to a Council Committee meeting would not, in his/her opinion, be in the Council's interest, subject to consultation with the Chief Executive and Leaders of the political groups or their nominees.	Council
3. To take any action necessary to ensure the effective development and implementation of the Council's key strategies and services relating to their directorate.	Council and Executive
4. To undertake any action necessary to ensure the effective development and implementation of the Council's Corporate Governance Framework.	Council and Executive

Director of Legal and Governance Services	
1. To institute, defend or participate in any legal proceedings, in any Court or Tribunal and in any case where such action is necessary to give effect to decisions of the Council, or in any case where he or she considers that such action is necessary to protect the Council's interests.	Council
2. To delegate to any officer authority to institute defend or participate in any legal proceedings, in any Court or Tribunal and in any case where such action is necessary to give effect to decisions of the Council, or in any case where he or she considers that such action is necessary to protect the Council's interests.	Council
3. To authorise officers to appear in Court on the Council's behalf.	Council
4. To act as the proper officer for the purposes of Births, Deaths and Marriages	Council
5. To undertake any action necessary to ensure the effective development and implementation of the Council's Corporate Governance Framework.	Council and Executive

STATUTORY OFFICERS

Head of Paid Service	Statutory Source of Function
1. Duty to prepare a report setting out proposals on the following matters: <ol style="list-style-type: none"> a. the manner in which the discharge by the authority of their different functions is co-ordinated; b. the number and grades of staff required by the authority for the discharge of their functions; c. the organisation of the authority's staff; d. the appointment and proper management of the authority's staff 	Sections 4 and Local Government and Housing Act 1989
2. Duty to arrange for a copy of the report to be sent to each member of the authority	Section 4 Local Government and Housing Act 1989
3. Arrange for the authority to consider the report at a meeting held not more than three months after copies are first sent to members of the authority.	Section 4 Local Government and Housing Act 1989
4. All staff to be appointed on merit	Section 7 Local Government and Housing Act 1989
5. Duty to adopt Standing Orders with respect to staff.	Section 8 Local Government and Housing Act 1899

6. Confidentiality of staff records	Section 11 Local Government and Housing Act 1989
7. Conflicts of interest in staff negotiations	Section 12 Local Government and Housing Act 1989
8. Appointment of Staff	Section 112 Local Government Act 1972
Monitoring Officer	Statutory Source of Function
1. Report on contravention or likely contravention of any enactment or rule of law.	Section 5 Local Government and Housing Act 1989.
2. Report on any maladministration or injustice where Ombudsman has carried out an investigation.	Section 5 Local Government and Housing Act 1989.
3. Appointment of Deputy Monitoring Officer.	Section 5 Local Government and Housing Act 1989.
4. Report on resources needed to undertake Monitoring Officer functions.	Section 5 Local Government and Housing Act 1989.
5. Investigate misconduct in compliance with Regulations and directions of Ethical Standards Officers (ESO).	Regulations under Section 66(1) and 66(6) Local Government Act 2000. Direction from ESO in individual cases.
6. Establish and maintain registers of member's interests and gifts and hospitality.	Section 81 Local Government Act 2000 and Members' Code of Conduct.
7. Advice to Members on interpretation of the Code.	Members' Code of Conduct
8. Key role in framework for local determination of complaints. Advice to Members, officers and the public on the operation of the Code and how alleged breaches should be investigated.	Statutory guidance para. 8.20 Regulations under section 66 of the LGA 2000.
9. Liaison with Standards Board for England and Ethical Standards Officers.	Regulations under sections 54(4), 57(3) and 66 of the LGA 2000.
10. Advice to Members on Compensation or remedy for maladministration.	Section 92 Local Government Act 2000.
11. Advice on vices issues, maladministration, financial impropriety, probity, policy framework and budget issues to all members.	ODPM guidance.

Chief Finance Officer (Section 151 Officer)	Statutory Source of Function
1. Oversight of proper administration of financial affairs.	Section 151 Local Government Act 1972
2. Duty to nominate a member of his/her staff as chief financial officer (if unable to act owing to absence or illness).	Section 114 Local Government Finance Act 1988
3. Duty to report on a Council decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114 Local Government Finance Act 1988
4. Duty to report if the expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.	Section 114 Local Government Finance Act 1988
5. Duty to report on an Executive decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114A Local Government Finance Act 1988
6. Duty to report on the robustness of the authority's budget calculations.	Section 25 Local Government Act 2003
7. Duty to report on the adequacy of the authority's proposed financial reserves.	Section 25 Local Government Act 2003
8. Duty to report on previous years' financial reserves if it appears that controlled reserves is or likely to be inadequate, including recommendations for appropriate actions to rectify.	Section 27 Local Government Act 2003
9. Duty to assist the Council in carrying out regular budget monitoring.	Section 28 Local Government Act 2003
Director of Children's Services	Statutory Source of Function
1. Responsible for functions conferred on or exercisable by the authority in their capacity as a local education authority	Section 18 Children Act 2004
2. Responsible for functions conferred on or exercisable by the authority, which are social services functions, so far as those functions relate to children.	Section 18 Children Act 2004
3. Responsible for functions under section 23C to 24D of the Children Act 1989, relating to looked after children.	Section 18 Children Act 2004

4. Improving well-being of children in the authority's area.	Sections 10 and 18 Children Act 2004
5. Safeguarding and promoting the welfare of children.	Sections 11 and 18 Children Act 2004
6. Establish and maintain information databases in relation to the well-being and safeguarding of children	Section 12 and S18 Children Act 2004
7. Preparation and publication of a Children's and young people's plan.	Sections 17 and 18 Children Act 2004.
8. Responsible for any function under section 31 of the Health Act 1988 on behalf of an NHS body so far as those relate to children.	Section 18 Children Act 2004
9. Responsible for any additional functions as the authority consider appropriate	Section 18 Children Act 2004
Director of Adult Social Services	Statutory Source of Function
1. Responsibility for all social services functions (other than those for which the Director of Children's Services is responsible under section 18 of the Children Act 2004).	Section. [1A] and Schedule 1 of the Local Authority Social Services Act 1970

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
Age Concern Harrow	2	1. Cllr Myra Michael 2. Cllr Asad Omar 3.	N/A	1. Cllr Myra Michael 2. Cllr Krishna James	
Age Concern London	1	1. Cllr Myra Michael	N/A	1. Cllr Myra Michael	
Bentley Priory Nature Reserve Management Committee	4	1. Cllr Manji Kara 2. Cllr Joyce Nickolay 3. Cllr Julia Merison 4. Cllr Bill Stephenson	N/A	1. Cllr Manji Kara 2. Cllr Joyce Nickolay 3. Cllr Julia Merison 4. Cllr Bill Stephenson	
Central and North West London NHS Foundation Trust	1	1. Cllr Eric Silver	N/A	1. Cllr Barry Macleod-Cullinane	
Deputy Lord Lieutenant's Committee	5	1. The Mayor 2. The Deputy Mayor 3. Cllr Chris Mote 4. Cllr Mark Versallion 5. Cllr Camilla Bath	N/A	1. The Mayor 2. The Deputy Mayor 3. Cllr Chris Mote 4. Cllr Mark Versallion 5. Cllr Camilla Bath	
Edward Harvist Charity	1	Owen Cock	N/A	Owen Cock (May 2006 – May 2010)	
Greater London Enterprise Ltd	1	Cllr Marilyn Ashton	N/A	Cllr Marilyn Ashton	
Harrow Agenda 21 Environmental Forum	4 (+ 4 reserve)	1. Cllr Marilyn Ashton 2. Cllr Yogesh Teli 3. Cllr Vina Mithani 4. Cllr Phillip O'Dell	1. Cllr Jeremy Zeid 2. Cllr Joyce Nickolay 3. Cllr Dinesh Solanki 4. Cllr Jerry Miles	1. Cllr Marilyn Ashton 2. Cllr Yogesh Teli 3. Cllr Vina Mithani 4. Cllr Phillip O'Dell	1. Cllr Jeremy Zeid 2. Cllr Joyce Nickolay 3. Cllr Dinesh Solanki 4. Cllr Jerry Miles
Harrow Association of Disabled People	3	1. - 2. Cllr Dinesh Solanki 3. Cllr David Gawn	N/A	1. Cllr Jean Lammiman 2. Cllr Dinesh Solanki 3. Cllr David Gawn	
Harrow Association of Voluntary Service	3	1. Cllr Joyce Nickolay (to serve on the Executive Committee) 2. - 3. Cllr Rekha Shah	N/A	1. Cllr Joyce Nickolay (to serve on the Executive Committee) 2. Cllr Chris Mote 3. Cllr Rekha Shah	
Harrow Citizens' Advice Bureau (Management Committee)	2	1. Cllr Joyce Nickolay 2. Cllr Brian Gate	N/A	1. Cllr Husain Akhtar 2. Cllr Brian Gate	

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
Harrow College Further Education Corporation Board	1	1. Cllr John Cowan	N/A	1. Cllr Anjana Patel	
Harrow Council for Racial Equality	3	1. Cllr Navin Shah 2. - 3. Cllr Dinesh Solanki	N/A	1. Cllr Chris Mote 2. Cllr Dinesh Solanki 3. Cllr Navin Shah	
Harrow Hate Crime Forum (HCF)	3 (+3 reserve)	1. Cllr Navin Shah 2. Cllr Jeremy Zeid 3. Cllr Narinder Singh Mudhar	1. Cllr Nana Asante 2. Cllr Don Billson 3. Cllr Dinesh Solanki	1. Cllr Jeremy Zeid 2. Cllr Narinder Singh Mudhar 3. Cllr Navin Shah	1. Cllr Don Billson 2. Cllr Dinesh Solanki 3. Cllr Nana Asante
Harrow Heritage Trust Executive Committee	4	1. Cllr Marilyn Ashton 2. Cllr Janet Mote 3. Cllr Navin Shah 4. Cllr Bill Stephenson	N/A	1. Cllr Marilyn Ashton 2. Cllr Janet Mote 3. Cllr Navin Shah 4. Cllr Bill Stephenson	
Harrow in Business	1	Cllr John Cowan	N/A	Cllr John Cowan	
Harrow in Europe Committee	5	1. Cllr Jean Lammiman 2. Cllr Mano Dharamarajah 3. Cllr Golam Sobhan Chowdhury 4. Cllr Myra Michael 5. Cllr Nana Asante	N/A	1. Cllr Jean Lammiman 2. Cllr Mano Dharamarajah 3. Cllr Golam Sobhan Chowdhury 4. Cllr Myra Michael 5. Cllr Nana Asante	
Harrow Nature Conservation Forum	1	Cllr Camilla Bath	N/A	Cllr Camilla Bath	
Harrow on the Hill Forum	6 (3 ward member, 3 group member)	Ward: 1. Cllr Don Billson 2. Cllr Eileen Kinnear 3. Cllr Mark Versallion Group: 1. Cllr Anjana Patel 2. Cllr Narinder Singh Mudhar 3. Cllr Julia Merison	N/A	Ward: 1. Cllr Don Billson 2. Cllr Eileen Kinnear 3. Cllr Mark Versallion Group: 1. Cllr Anjana Patel 2. Cllr Narinder Singh Mudhar 3. Cllr Julia Merison	

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
Harrow Police and Community Consultative Group	4	1. Cllr Vina Mithani 2. Cllr Jeremy Zeid 3. Cllr Sasikala Suresh 4. Cllr Navin Shah	N/A	1. Cllr Vina Mithani 2. Cllr Jeremy Zeid 3. Cllr Sasikala Suresh 4. Cllr Navin Shah	
Harrow Primary Care Trust Management Board	1	1. Cllr Eric Silver	N/A	1. Cllr Barry Macleod-Cullinane	
The Harrow Refugee & Minorities Forum	3 (one representative from each political Group)	Cllr Golam Sobhan Chowdhury	N/A	1. Cllr Golam Sobhan Chowdhury 2. Cllr Rekha Shah	
Harrow Sports Council	3	1. Cllr Joyce Nickolay 2. Cllr Vina Mithani 3. Cllr David Perry (to serve on the Executive Committee)	N/A	1. Cllr Chris Mote 2. Cllr Vina Mithani 3. Cllr David Perry (to serve on the Executive Committee)	
Harrow Town Centre Forum	3	1. Cllr Marilyn Ashton 2. Cllr Narinder Singh Mudhar 3. Cllr Rekha Shah	N/A	1. Cllr Marilyn Ashton 2. Cllr Narinder Singh Mudhar 3. Cllr Rekha Shah	
Harrow Weald Common Board of Conservators	5	1. Cllr Robert Benson 2. Cllr Anthony Ferrari 3. Cllr Joyce Nickolay 4. Cllr Phillip O'Dell 5. Cllr Paul Scott	N/A	1. Cllr Robert Benson 2. Cllr Anthony Ferrari 3. Cllr Joyce Nickolay 4. Cllr Phillip O'Dell 5. Cllr Paul Scott	
Harrow Young Musicians - Managing Body	2	1. Cllr Keith Ferry 2. Cllr Jean Lammiman	N/A	1. Cllr Keith Ferry 2. Cllr Jean Lammiman	
John Pardoe Charity	4	1. Cllr Camilla Bath 2. Cllr Christine Bednell 3. Cllr Mano Dharamarajah 4. Michael Carmody	N/A	1. Cllr Camilla Bath 2. Cllr Christine Bednell 3. Cllr Mano Dharamarajah 4. Michael Carmody	

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
League of Friends of Northwick Park Hospital	1 (+ 1 reserve)	Mary John	Vacant	Mary John	Cllr Krishna James
Local Authorities Aircraft Noise Council	2	1. Vacant 2. Cllr Raj Ray	N/A	1. Cllr Susan Hall 2. Cllr Raj Ray	
Local Government Association - General Assembly Meetings (Two - inclusive of AGM)	4 (+ 4 deputies)	1. Cllr Chris Mote 2. Cllr David Ashton 3. Cllr Bill Stephenson 4. Cllr Navin Shah	1. Cllr Barry Macleod-Cullinane 2. Cllr John Cowan 3. Cllr Margaret Davine 4. Cllr Phillip O'Dell	1. Cllr David Ashton 2. Cllr Susan Hall 3. Cllr Bill Stephenson 4. Cllr Navin Shah	1. Cllr Paul Osborn 2. Cllr Barry Macleod-Cullinane 3. Cllr Margaret Davine 4. Cllr Phillip O'Dell
Local Government Association - Urban Commission	1	Cllr Marilyn Ashton	N/A	Cllr Marilyn Ashton	
Local Government Information Unit	1	Cllr Jean Lammiman	N/A	Cllr Paul Osborn	
London Accident Prevention Council	2	1. Cllr John Nickolay 2. Cllr Keeki Thammaiah	N/A	1. Cllr Robert Benson 2. Cllr Keeki Thammaiah	
London Borough of Harrow Bus & Highways Liaison Meeting	4	1. Cllr John Nickolay 2. Cllr Jerry Miles 3. Cllr Stanley Sheinwald 4. Cllr Mrinal Choudhury	N/A	1. Cllr Susan Hall 2. Cllr Manji Kara 3. Cllr Jerry Miles 4. Cllr Mrinal Choudhury	
London Borough of Harrow Rail Liaison Meeting	4	1. Cllr John Nickolay 2. Cllr Jerry Miles 3. Cllr Stanley Sheinwald 4. Cllr Mrinal Choudhury	N/A	1. Cllr Susan Hall 2. Cllr Manji Kara 3. Cllr Jerry Miles 4. Cllr Mrinal Choudhury	
London NW Valuation Tribunal	6 (1 of which is vacant)	1. Vacant 2. Mr Michael Carmody (April 2004 - Dec 2009) 3. Mr R Conway (April 2004 - Dec 2009)	N/A	1. Vacant 2. Mr Michael Carmody (April 2004 - Dec 2009) 3. Mr R Conway (April 2004 - Dec 2009)	

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
		4. Mr Stephen Giles-Medhurst (April 2004 - Dec 2009) 5. Miss Paddy Lyne (April 2004 - Dec 2009) 6. Mr A L Mediratta (April 2004 - Dec 2009)		4. Mr Stephen Giles-Medhurst (April 2004 - Dec 2009) 5. Miss Paddy Lyne (April 2004 - Dec 2009) 6. Mr A L Mediratta (April 2004 - Dec 2009)	
London Youth Games	2 (+ 2 deputies)	1. Cllr Chris Mote 2. Mr W North	1. Cllr David Perry 2. Mr W North's nominee	1. Cllr Chris Mote 2. Cllr Dinesh Solanki	1. Cllr David Perry 2. Cllr Golam Chowdhury
Mayor of Harrow's Charity Fund Trustees	3 (+4 burgesses)	1. The Mayor 2. Cllr Christine Bednell 3. Cllr Mrinal Choudhury Burgesses: 1. Mrs G Branch 2. Mr O Cock 3. Mrs B Cripps 4. Mrs R Feakins	N/A	1. The Mayor 2. Cllr Christine Bednell 3. Cllr Mrinal Choudhury Burgesses: 1. Mrs G Branch 2. Mr O Cock 3. Mrs B Cripps 4. Mrs R Feakins	
Middlesex Guildhall Collection and Trust Fund	5	1. Cllr Joyce Nickolay 2. Cllr Mrs Myra Micheal 3. Cllr Mrs Camilla Bath 4. The Mayor 5. Cllr Brian Gate	N/A	1. Cllr Joyce Nickolay 2. Cllr Jean Lammiman 3. Cllr Mrs Camilla Bath 4. The Mayor 5. Cllr Brian Gate	
North West London Community Foundation	1 (+ 1 deputy)	Cllr Don Billson	Cllr Barry Macleod-Cullinane	Cllr Don Billson	Cllr Ashok Kulkarni
North West London Chamber Board	1	Cllr John Cowan		Cllr John Cowan	
Port of London Authority (Previously London Home and Water Safety Council)	1	Cllr Dinesh Solanki		Cllr Dinesh Solanki	
Prince Edwards Playing Fields Trust	1	Cllr John Cowan		Cllr Richard Romain	

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
Promotion of Public Transport Users' Group	4 (+4 reserves)	1. Cllr John Nickolay 2. Cllr Manji Kara 3. Cllr Mrinal Choudhury 4. Cllr Dinesh Solanki	1. Cllr Ashok Kulkarni 2. Cllr Mrs Sasi Saresh 3. Cllr Jerry Miles 4. Cllr Anthony Seymour	1. Cllr John Nickolay 2. Cllr Manji Kara 3. Cllr Mrinal Choudhury 4. Cllr Dinesh Solanki	1. Cllr Ashok Kulkarni 2. Cllr Mrs Sasi Saresh 3. Cllr Jerry Miles 4. Cllr Anthony Seymour
Relate London North West	3	1. Cllr Jean Lammiman 2. Cllr Margaret Davine 3. Cllr Lurline Champagne	N/A	1. Cllr Jean Lammiman 2. Cllr Margaret Davine 3. Cllr Lurline Champagne	
Reserve Forces and Cadets Association for Greater London	1	1. Cllr Mark Versallion		1. Cllr Mark Versallion	
Sir Lancelot Lake Charity	2	1. Cllr John Cowan 2. Cllr Nana Asante	N/A	1. Cllr John Cowan 2. Cllr Nana Asante	
Sir John Wolstenholme Charity	2	1. Cllr Camilla Bath 2. Cllr Christine Bednell	N/A	1. Cllr Camilla Bath 2. Cllr Christine Bednell	
St Dominic's College	1	1. Cllr Brian Gate	N/A	Cllr Brian Gate (May 2007 – May 2011)	
Stanmore College	1	Cllr Husain Akhtar	N/A	Cllr. Anjana Patel	
Staying Put Scheme Advisory Committee	1	Cllr Rekha Shah	N/A	Cllr Rekha Shah	
(Brent and Harrow) Trading Standards Joint Advisory Board	3 (+ 3 reserves)	1. Cllr Tom Weiss 2. Cllr Robert Benson 3. Cllr Keith Ferry	1. Cllr Mrs Kinnear 2. Cllr Vina Mithani 3. Cllr Thaya Idaikkadar	1. Cllr Tom Weiss 2. Cllr Susan Hall 3. Cllr Keith Ferry	1. Cllr Mrs Kinnear 2. Cllr Vina Mithani 3. Cllr Thaya Idaikkadar
Victoria Hall	1	Cllr Narinder Singh Mudhar	N/A	Cllr Narinder Singh Mudhar	
West House and Heath Robinson Museum Trust	1	Cllr Marilyn Ashton		Cllr Marilyn Ashton	

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
West London Alliance	2 (+ 1 deputy)	1. Cllr Chris Mote 2. Chief Executive	1. Cllr David Ashton	1. Cllr David Ashton 2. Chief Executive	1. Cllr Susan Hall
West London Waste Authority	1	1. Cllr Mrs Kinnear	N/A	1. Cllr Susan Hall	

London Councils Committees and Forums

Committees	Member 07/08	Deputy 07/08	Member 08/09	Deputy 08/09
Leaders' Committee (S.101 Joint Committee) (+2 deputies)	Cllr Chris Mote	Cllr David Ashton Cllr Marilyn Ashton	Cllr David Ashton	Cllr Susan Hall Cllr Paul Osborn
Associated Joint Committee (London Councils Transport and Environment Committee) (+4 deputies)	Cllr John Nickolay	Cllr Zeid Cllr Yogesh Teli Cllr Robert Benson	Cllr Susan Hall	Cllr Zeid Cllr Yogesh Teli Cllr Robert Benson Cllr Mrs Kinnear
Associated Joint Committee (London Councils Grants Committee) (+4 deputies)	Cllr Joyce Nickolay	Cllr Don Billson Cllr Mrs Anjana Patel Cllr Stanley Sheinwald	Cllr Chris Mote	Cllr Manji Kara Cllr Golam Chowdhury Cllr Joyce Nickolay Cllr Don Billson
Greater London Provincial Council (GLPC) (+2 deputies)	N/A		(Cllr David Ashton)	

APPOINTMENTS TO OUTSIDE BODIES 2008/09

Name	No of Reps	Current representatives (for 07/08 year)	Current deputies where applicable (for 07/08 year)	Proposed Appointee (for 2008/2009)	Proposed Deputy where applicable (for 2008/2009)
Forums		Member 07/08	Deputy 07/08	Member 08/09	Deputy 08/09
London Councils Health and Adult Services Forum (+2 deputies for 2008/09 Year)		Cllr Eric Silver	Cllr Mrs Myra Michael	Cllr Barry Macleod-Cullinane	Cllr Jean Lammiman Cllr Yogesh Teli
London Councils Housing Forum (+2 deputies for 2008/09 Year)		Cllr Mrs Camilla Bath	Cllr G Chowdhury	Cllr Barry Macleod-Cullinane	Cllr Yogesh Teli Cllr Jean Lammiman
London Councils Culture, Tourism and 2012 Forum (+1 deputy)		Cllr Christine Bednell / Cllr Anjana Patel	Cllr John Nickolay . Cllr Narinder Mudhar	Cllr Chris Mote	Cllr Golam Sobhan Chowdhury
London Councils Crime and Public Protection Forum (+1 deputy)		Cllr Mrs Kinnear	Cllr Mrs Vina Mithani	Cllr Susan Hall	Cllr Mrs Kinnear
London Councils Economic Development Forum (+1 deputy)		Cllr Marilyn Ashton	Cllr Mrs Camilla Bath	Cllr Marilyn Ashton	Cllr Joyce Nickolay
London Councils Children & Young People Forum (+1 deputy)		Cllr Paul Osborn	Cllr Camilla Bath	Cllr Christine Bednell	Cllr Husain Akhtar
Greater London Employment Forum 1 (+1 deputy)		Cllr Paul Osborn	Cllr Salim Miah	Cllr Paul Osborn	Cllr Camilla Bath

LICENSING
AND GENERAL
PURPOSES
COMMITTEE

REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE

(SPECIAL) MEETING HELD ON 12 MAY 2008

Chairman: * Councillor Mrs Lurline Champagne

Councillors: * Husain Akhtar † Mrs Kinnear
 * Robert Benson * Ashok Kulkarni
 * Mrinal Choudhury * Mrs Vina Mithani
 † G Chowdhury * Phillip O'Dell
 * Mano Dharmarajah * Raj Ray
 † Thaya Idaikkadar * Tom Weiss
 * Nizam Ismail * Jeremy Zeid

* Denotes Member present
 † Denotes apologies received

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES

71. **Welcome:**
 The Chairman welcomed former and new Members to the inaugural meeting of the Licensing and General Purposes Committee for the Municipal Year 2008/09.
72. **Appointment of Chairman:**
RESOLVED: To note the appointment at the Annual Council Meeting on 8 May 2008 of Councillor Mrs Lurline Champagne as Chairman of the Licensing and General Purposes Committee for the Municipal Year 2008/09.
73. **Attendance by Reserve Members:**
RESOLVED: To note that there are no Reserve Members appointed to this Committee.
74. **Declarations of Interest:**
RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.
75. **Arrangement of Agenda:**
RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-
- | <u>Agenda item</u> | <u>Special Circumstances / Grounds for Urgency</u> |
|---|--|
| 7. Establishment of Sub-Committees and Panels 2008/09 | This information was not available at the time the agenda was printed and circulated, as it was being consulted on. Members are requested to consider this item, as a matter of urgency, as the establishment of the Committee's subsidiary bodies was the main purpose of this Special meeting and would enable meetings of the Sub-Committees and Panels to be convened. |
- (2) all items be considered with the press and public present.
76. **Appointment of Vice Chairman:**
RESOLVED: To appoint Councillor Mrs Vina Mithani as Vice-Chairman of the Licensing and General Purposes Committee for the Municipal Year 2008/09.

77. **Minutes:**

RESOLVED: That the minutes of the Licensing and General Purposes Committee held on 3 March 2008 be deferred to the next ordinary meeting of the Committee.

78. **Establishment of Sub - Committees and Panels 2008 / 09:**

The Chairman referred to the number of Sub-Committees that would be meeting soon after their establishment and referred to those where the agendas had already been issued. In response to queries about the forthcoming Licensing Panels, she asked Members to speak directly to the clerk responsible for this area in order to clarify who would be serving on the Panels.

The Chairman urged Members to avail themselves of the document they had been sent by officers titled 'New Look LGPS in England and Wales for 2008'.

The Chairman informed the Committee of the change of date of the next Licensing and General Purposes Committee which would meet on 23 June instead of 12 June 2008.

RESOLVED: That the Panels and Sub-Committees of the Licensing and General Purposes Committee be established for the next Municipal Year 2008/09 with the memberships and Chairmen as detailed in the appendix to these minutes.

(Note: The meeting, having commenced at 6.35 pm, closed at 6.44 pm).

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE
Chairman

APPENDIXLICENSING AND GENERAL PURPOSES PANELS

(Membership in order of political group nominations)

ConservativeLabourLiberal Democrats

(1) CHIEF OFFICERS' EMPLOYMENT PANEL (5)

(3) [(2) Voluntary]

(2)

(1) [From Conservative Group allocation]

I.
Members1. Leader of Group

(Councillor David Ashton or nominee) (CH)

1. Leader of Group

(Councillor Navin Shah or nominee)

1. Leader of Group

Christopher Noyce

2. Deputy Leader of the Group

(Councillor Susan Hall or nominee)

2. Deputy Leader of the Group

(Councillor Bill Stephenson or nominee)

(2) EARLY RETIREMENT SUB-COMMITTEE (3) (Non-proportional)

(2)

(1)

I.
MembersMiss Christine Bednell
Richard Romain (CH)

Mano Dharmarajah

II.
Reserve
Members1. Mrs Lurline Champagnie
2. Narinder Singh Mudhar
3. Jeremy Zeid1. Keith Ferry
2. -
3. -

(3) EDUCATION AWARDS APPEALS PANEL (3)

(2)

(1)

I.
MembersMiss Christine Bednell (CH)
Mrs Lurline Champagnie

Keeki Thammaiah

II.
Reserve
Members1. Mrs Camilla Bath
2. Jean Lammiman
3. Mrs Vina Mithani1. Raj Ray
2. -
3. -

(4) LICENSING PANEL (3) (Pool of Members)

(To be selected from the following nominees)

Husain Akhtar	Mrinal Choudhury
Robert Benson	Mano Dharmarajah
Mrs Lurline Champagne	Thaya Idaikkadar
G Chowdhury	Nizam Ismail
Mrs Kinnear	Phillip O'Dell
Ashok Kulkarni	Raj Ray
Mrs Vina Mithani	
Tom Weiss	
Jeremy Zeid	

**(5) NATIONAL NON-DOMESTIC RATE: DISCRETIONARY RATE RELIEF APPEAL PANEL (3)
(Pool of Members)**

(To be selected from the following nominees)

Mrs Camilla Bath	Mrinal Choudhury
Don Billson	Bob Currie
John Cowan	Mano Dharmarajah
Mrs Myra Michael	Keith Ferry
Joyce Nickolay	Nizam Ismail
Dinesh Solanki	Krishna James
Mark Versallion	

(6) PENSION FUND INVESTMENTS PANEL (4)**(2)****(2)****I.
Members**

Tony Ferrari	Mano Dharmarajah
Richard Romain (CH)	Thaya Idaikkadar

**II.
Reserve
Members**

1. Mrs Lurline Champagne	1. Keith Ferry
2. Robert Benson	2. Nizam Ismail
3. John Cowan	

Harrow UNISON Co-optee (Non-voting): Mr R Thornton [Alternate: Mr J Rattray]
 GMB Co-optee: Mr S Karia
 Co-optee (Non-voting): Howard Bluston

(7) PERSONNEL APPEALS PANEL (3) (Pool of Members)

(To be selected from the following nominees)

Mrs Camilla Bath	Bob Currie
Don Billson	Mrs Margaret Davine
Mrs Lurline Champagne	B E Gate
John Cowan	David Gawn
Manji Kara	Mitzi Green
Jean Lammiman	Graham Henson
Salim Miah	Krishna James
Joyce Nickolay	Raj Ray
Mrs Anjana Patel	Bill Stephenson
Dinesh Solanki	
Jeremy Zeid	

(8) SOCIAL SERVICES APPEALS PANEL (3) or ((2)) (Pool of Members)

(2)	((1))
Mrs Lurline Champagne	B E Gate
Mrs Myra Michael	Mitzi Green
Mrs Vina Mithani	Asad Omar
Eric Silver	Mrs Rekha Shah
Dinesh Solanki	

(CH)
(VC)

= Chair

= Vice-Chair

* Denotes Group Members for consultation on Delegated Action and/or administrative matters.

LICENSING AND
GENERAL PURPOSES
PANELS

EARLY RETIREMENT SUB-COMMITTEE

13 MAY 2008

Chairman: * Councillor Richard Romain

Councillors: * Miss Christine Bednell * Mano Dharmarajah

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**41. **Declarations of Interest:**

RESOLVED: To note that there were no interests declared by Members present in relation to the business transacted at this meeting.

42. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present with the exception of the following item for the reasons set out below:

<u>Item</u>	<u>Reason</u>
9. Exercise Discretion under Regulations 5 & 6 of the Local Government (Early Termination of Employment) Discretionary Compensation (England and Wales) Regulations 2006.	The item contained exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended), in that it contained information relating to an individual.

43. **Minutes:**

RESOLVED: That the minutes of the meetings held on 8 April 2008 be taken as read and signed as a correct record.

44. **Public Questions, Petitions & Deputations:**

RESOLVED: To note that no public questions were put, or petitions or deputations received at the meeting.

45. **Exercise Discretion Under Regulations 5 and 6 of the Local Government (Early Termination of Employment) Discretionary Compensation (England and Wales) Regulations 2006.:**

The Sub-Committee considered a confidential report of the Interim Director Human Resources and Development, which detailed two cases suitable for consideration under Regulation 4 of the above Regulations.

The Chief Executive briefly introduced the history to the report advising that both arose out of the recently agreed Senior Management restructuring proposals and to contribute to his continuing measures to strengthen his Management Team, in line with the aims to be an excellent authority by 2012.

He then briefly set out the process that had been undertaken and which had led to the report submitted.

In response to queries from Members the Interim Divisional Director Human Resources outlined the key points of the two cases and advice was given with respect to the Statutory Actuarial Tables utilised to ascertain the final payment sums identified.

The Interim Divisional Director Human Resources referred to the case relating to JR stating that the figures detailed identified payment for carried over annual leave however, this required final verification and would form part of any final payment made.

RESOLVED: That (1) it be agreed that Case JR was a suitable case for consideration under Regulation 4 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006;

(2) it be agreed that Case YM was a suitable case for consideration under Regulation 4 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006;

(3) having determined that the two cases met the criteria approved for early retirement, it be agreed that discretion be exercised under Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006;

(4) the Panel requested that JR be thanked for her long service to the authority and its wishes for her future wellbeing be conveyed.

(Note: The meeting having commenced at 5.30 pm, closed at 5.54 pm)

(Signed) COUNCILLOR RICHARD DAVID ROMAIN
Chairman

LICENSING PANEL

13 MAY 2008

Chairman: * Councillor Mrs Lurline Champagne

Councillors: * Robert Benson * Nizam Ismail

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**282. **Appointment of Chairman:**

RESOLVED: That Councillor Lurline Champagne be appointed Chairman of the Panel for the purpose of this meeting.

283. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
7. Application for a review of Licence held by Crazy Horse, 43 Church Road, Stanmore, Middlesex, HA7 2RG	Councillor Marilyn Ashton	Ward Member

284. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present.

285. **Minutes:**
(See Note at conclusion of these minutes).286. **Public Questions, Petitions and Deputations:**

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 19, 16 and 17 (Part 4B of the Constitution) respectively.

287. **Licensing Procedures:**

The Chairman asked the Panel Members, officers, Responsible Authorities and other attendees at the meeting to introduce themselves and then outlined the procedure for the conduct of an oral hearing.

288. **Application for a review of Licence held by Crazy Horse, 43 Church Road, Stanmore, Middlesex, HA7 2RG:**

The Panel received a report of the Chief Environmental Health Officer, which sought the determination of a review application of Crazy Horse, 43 Church Road, Stanmore, Middlesex, HA7 2RG.

The application to review the licence had been made by Sergeant Carl Davis on behalf of the Metropolitan Police. The Premises Licence holder, Mr D O'Wide, was in attendance and was represented by Mr Stephen Walsh. Also present was Sergeant Carl Davis from the Metropolitan Police and he was represented by Mr Simon Perah.

Mr Perah, speaking on behalf of Sergeant Davis, stated that the police had become concerned with the Crazy Horse following a number of violent incidents. He detailed these events and informed the Panel that, between January and March 2008, police officers had been required to regularly attend the premises due to significant disturbances. He also informed the Panel that, in response to police intelligence reports, officers from Stanmore Park Safer Neighborhood Team had attended the Crazy Horse on 16 January to carry out a drug test using cocaine wipes. The results of this test were positive and indicated that cocaine had been present at the premises.

In response to questions by Mr Walsh, Sergeant Davis clarified that:

- before the incidents in early 2008, the police had not considered Crazy Horse to be a problem;
- since April 2008 the police had not been required to attend;
- the premises had previously operated under different names and the situation had, as far as the police were concerned, improved since the current licence holder had taken over;
- since the incidents in early 2008, the licence holder had engaged in discussions with the police in order to help combat the problems.

A number of residents in support of the review made representations to the Panel. The residents stated that they were worried about the violent and anti-social behavior exhibited by the patrons of Crazy Horse. A number of residents also commented that their sleeping patterns were being disrupted due to the loud music, screaming and shouting that often continued into the early hours of the morning. They stated that these noise problems were further compounded by taxis arriving and sounding their horn. Residents expressed concern that there was insufficient security present to deal with fights and other anti-social behaviour.

In response to questions by the Panel, the attending residents clarified that:

- whilst they would be happy to see the opening and licensable times scaled back, they would still be concerned about patrons loitering outside the front of the premises;
- it was felt that a lack of security needed to be addressed and that the situation would need to be closely monitored;
- they had noticed a decline in disturbances since April but felt that this was due to the review and that, following this, the situation would again worsen.

Mr Walsh, speaking on behalf of the licence holder, put his case to the Panel. He stated that the property the Crazy Horse currently occupied had been a licensed premise for a long time, operating under different names and management. Mr Walsh advised that though the venue had previously been considered a nuisance, it had, under the current licence holder's management, become a safe and responsible venue.

Mr Walsh accepted that though the incidents detailed by the police did occur, they were isolated events and not evidence of an ongoing problem. He also informed the Panel that the licence holder had acted in a responsible manner and had taken the following steps to resolve the matter:

- carried out an investigation into the allegations that door staff had behaved inappropriately and dismissed those involved;
- provided staff with additional training and a new handbook to help them deal with incidents of violence and drug use;
- installed a new CCTV system to better monitor the alleyway, car park and outside areas;
- introduced new signs asking patrons to respect the local residents;
- altered the smoking policy so that after 22:30 no more than 10 patrons can smoke outside;
- patrons are not allowed to use mobile phones, drink or eat outside after 22:30.

With regard to noise pollution, Mr Walsh informed the Panel that the licence holder had recently had the premises "acoustically sealed" after it was discovered that the original seal had failed. He stated that the licence holder also utilised a noise limiting device and that there should be no further "noise breakout". To further combat noise caused by individuals standing outside, a 12 foot high acoustic wall had also been erected and this was proving successful.

Mr Walsh reiterated that the current licence holder wanted to work with the local residents and, to demonstrate this, presented the Panel with 10 further proposed

conditions to his licence which he suggested could be applied. The proposed conditions were as follows:

1. Whenever licensable activities are taking place on the premises at least one personal licence holder shall be present.
2. The Premises will maintain a comprehensive CCTV system that ensures all entry and exit points and the street environment immediately outside the premises are recorded. The recording will enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. (ii) Recordings shall be made available to an authorized officer or a police officer together with the facilities for viewing. (iii) The recordings for the preceding two days shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998)
3. The premises licence holder shall provide and maintain a dedicated telephone number of the Designated Premises Supervisor for use by any person who may wish to make a complaint during the operation of the license, which shall be provided to the Licensing Authority and local Residents Associations. Any change to the number shall be notified to the Licensing Authority and to local Resident Associations within 7 days of the change. The premises license holder shall ensure that the details of complaints are recorded.
4. An age identification scheme will be established and maintained. The scheme shall require the production of evidence of age (comprising and PASS accredited card, passport or driving licence with a photograph) from any person that appears to be under the age of 21.
5. The Designated Premises Supervisor will liaise with the Metropolitan Police to ensure that reasonable arrangements are being made to reduce any possibility of crime and disorder at the premises, to include the sharing of information of forthcoming events.
6. All relevant members of staff shall receive training in crowd safety management, dealing with conflict, weapons and drug awareness.
7. A list of all SIA registered door supervisors on duty including details of each door supervisor's responsibilities shall be produced and retained for a minimum period of 31 days. This list is made available for inspection to the police or the licensing officers of the council on request.
8. The Management and licensees shall ensure all staff are trained to use and maintain the incident book to the satisfaction of the police. The incident book shall be properly maintained and it shall be produced to the police and the Licensing Authority upon request. The incident book shall record the following:
 - a. All crimes reported to the venue.
 - b. All ejections of patrons (all such ejections, wherever practical shall be recorded by a hand held camera in accordance with the Metropolitan Police recommendations).
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system or searching equipment or scanning equipment.
 - g. Any visit by a relevant authority or emergency service.
9. A zero tolerance policy to drugs shall be implemented. Signage confirming this will be displayed prominently at the entrance to the premises and in the WCs.
10. Any incidents of unlawful violence by or on customers (whether inside or immediately outside) shall be notified to the police as soon as is reasonable practicable.

In response to questions by local residents, Mr Walsh clarified that:

- the dedicated telephone line as detailed in proposed condition 3 would connect the caller to the Head of Security who will be outside using a mobile telephone. When asked about the cost of calling a mobile number, Mr O'Wide stated that he would be willing to reimburse residents for "a few calls", although no further details were given;
- when patrons wished to smoke they would be directed to a designated external area that was only accessible from within the premises and monitored by security staff.

In response to questions by the Panel, Mr Walsh clarified that:

- though the dedicated telephone number was already a condition of the licence, he considered the new proposed condition to be more robust;
- whilst the CCTV recommendation was similar to the current licence requirements, the new system was technically superior and allows frontal identification in all light conditions;
- the ban on smoking, drinking, eating or using mobile telephones outside after 22:30 would be enforced using clear signage and regular checks by staff;
- the Crazy Horse had between 4-6 SIA qualified Door Supervisors working at the weekend, and no less than one on weekdays;
- SIA Door Supervisors would always wear their badges.

Summing up, Mr Walsh stated that there had been no further incidents since April and that residents seemed happy with the current situation. He suggested that the "tidying up" of the premises was sufficient and that no further restrictions beyond the proposals made would be needed.

Summing up, Mr Perah stated that the episodes of violence the police had encountered constituted "serious incidents". He did not comment any further.

Summing up, the residents reiterated their concerns regarding the recent violent behavior witnessed and the issues surrounding noise pollution. They also stated that there had been many incidents that the police did not attend and that these, though unreported, still caused distress.

The Panel, having heard and considered all the evidence before it, reached the following decision to modify the conditions of the licence.

RESOLVED: That (1) the operating times of the premises be modified so that:

- on Sunday - Thursday, the premises to operate between 10:00 and 23:30;
- on Friday - Saturday the premises to operate between 10:00 and 00:00;

(2) the times the licence authorises the carrying out of licensable activities be modified so that:

- Sunday - Thursday, the sale of alcohol to cease at 23:00;
- Friday – Saturday, the sale of alcohol to cease at 23:30;
- Sunday - Thursday, live music to cease at 23:00;
- Friday and Saturday live music to cease at 23:30;
- on New Year's Eve the premises to operate until 02:00 of the following morning, with the sale of alcohol ceasing 30 minutes beforehand at 01:30.

(3) the conditions of the licence detailed in Annex 3 be modified so that:

- Condition 10 is changed to read: "No alcohol shall be consumed immediately outside the premises, including the forecourt, after 22:30."
- Condition 11 is changed to read: "No food shall be served or consumed immediately outside the premises, including the forecourt, after 22:30."

- Condition 14 is changed to read: "After 22:30, apart from for access, egress and in case of emergency, all doors and windows will be kept closed."
- Condition 20 is changed to read: "No rubbish, including bottles, will be moved, removed or placed in outside areas between 22:30 and 08:00."
- Condition 24 is changed to read: "No entry or re-entry of patrons after 23:00 from Sunday to Thursday or after 23:30 on Friday and Saturday."
- Condition 4, 5 and 6 are replaced by proposed condition 2.
- Proposed conditions 1, 4, 5, 6, 7, 8, 9 and 10 be added to the conditions of the licence, with proposed condition 10 changed to read: "Any incidents of unlawful violence by or on customers (whether inside or immediately outside) shall be notified to the police immediately."

REASON: The Panel in reaching its decision considered the seriousness of the incidents identified by the Metropolitan Police in their grounds for review, together with the supporting representations received from interested parties residing in close proximity to the premises.

The Panel also acknowledged the measures put in place by the Licence Holder following the incidents. However, it considered that the steps proposed were an appropriate response to the seriousness of the nature of incidents which occurred and were in line with the authority's Licensing Policy and in accordance with the guidance to the Licensing Act 2003.

(Note: The meeting having commenced at 7.08 pm, closed at 12.15 am)

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE
Chairman

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chairman for that meeting;
- (2) printed into the Council Minute Volume, published monthly;
- (3) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chairman and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

PENSION FUND INVESTMENTS PANEL

19 MAY 2008

Chairman: * Councillor Richard Romain

Councillors: * Mano Dharmarajah Thaya Idaikkadar
* Tony Ferrari

Co-optee (Non-voting): * Howard Bluston

* Denotes Member present

[Note: Other Attendance: (1) Councillor David Ashton attended in an observer role, as a Member of the Budget Review Working Group;

(2) Mr Andrew Elliott of Hymans Robertson LLP attended in an advisory role, as the Council's Actuary/Adviser.]

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**106. **Appointment of Chairman:**

RESOLVED: To note the appointment at the meeting of the Licensing and General Purposes Committee on 12 May 2008 of Councillor Richard Romain as Chairman of the Pension Fund Investments Panel for the Municipal Year 2008/2009.

107. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

108. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
12. Performance of Fund Managers – Quarter Ending 31 March 2008	Councillor Richard Romain	The Member declared a personal interest in that he had personal funds with the Council's Fund Managers. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
	Mr Howard Bluston	Mr Bluston declared personal interests in that he had dealings with various pensions advisers and fund managers. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
	Councillor David Ashton	Councillor David Ashton, who was not a Member of the Panel, declared a personal interest in that he was an expert witness for a group of Northern Rock Building Society depositors in their dealings with the Government. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.

109. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following items be admitted to the meeting by virtue of the special circumstances and grounds for urgency stated below:

<u>Item</u>	<u>Special Circumstances/Grounds for Urgency</u>
12. Performance of Fund Managers – Quarter Ending 31 March 2008	This report was not available at the time the agenda was printed and circulated, owing to a delay in receiving data from the Fund's Advisers. Members were requested to consider this item, as a matter of urgency, in order to be able to evaluate and respond to the information in a timely manner.
13. Actuarial Valuation of the Pension Fund as at 31 March 2007	This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency, in order to have up-to-date information on the Fund.

(2) all items be considered with the press and public present with the exception of the following item for the reasons set out below:

<u>Item</u>	<u>Reason</u>
12. Performance of Fund Managers – Quarter Ending 31 March 2008) These reports were considered to contain exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that they contained information relating to the financial or business affairs of the authority holding that information.
13. Actuarial Valuation of the Pension Fund as at 31 March 2007	

110. **Appointment of Vice Chairman:**

RESOLVED: To appoint Councillor Mano Dharmarajah as Vice Chairman of the Pension Fund Investments Panel for the Municipal Year 2008/2009.

111. **Appointment of Non-Voting Co-optee:**

RESOLVED: To appoint Mr Howard Bluston as a non-voting co-optee on the Pension Fund Investments Panel for the Municipal Year 2008/2009.

112. **Minutes:**

RESOLVED: That, subject to the following amendment, the minutes of the meeting held on 19 March 2008 be taken as read and signed as a correct record:-

Amend Minute 93 – Declarations of Interest – to include the following paragraph:-

In relation to agenda item 11, Fund Manager's Presentation – Baillie Gifford, Howard Bluston declared a personal interest in that several members of his family were depositors with the Northern Rock Building Society. Accordingly, he would remain in the room and take part in the discussion on this item.

113. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.

114. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 16.

115. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

116. **Funding Strategy Statement and Statement of Investment Principles:**
In relation to an item on the Funding Strategy Statement and Statement of Investment Principles, discussed at the 19 March 2008 meeting, the Corporate Director, Finance, agreed to report to the Panel on the differences between current and future statements, and to provide the Panel and the trade unions with information on the impact on the Pension Fund of transfers to other providers.
- RESOLVED:** To note the above.
117. **Terms of Reference:**
- RESOLVED:** To review the Panel's terms of reference at a future meeting.
118. **Training:**
- RESOLVED:** To note that the Corporate Director agreed to organise at least two training sessions for the Panel, to include Reserve Members, during the 2008/09 Municipal Year.
119. **Performance of Fund Managers - Quarter Ending 31 March 2008:**
The Panel received a confidential report of the Corporate Director, Finance, setting out the performance of the Pension Fund Managers for the quarter ending 31 March 2008. The Corporate Director introduced the report, and the representative of Hymans Robertson LLP, the Council's Adviser, presented the findings of the review of managers' performance, and answered questions from Members. The Panel noted the ongoing volatility of global market conditions in the period under review and significant differences in performance between two of the main fund managers. Hymans Robertson LLP would make recommendations to the Panel based on the results of a strategic review of investments to be carried out in the near future. The Corporate Director reported that the results of the review would be reported to the Panel.
- Answering questions from Members, the Corporate Director agreed in future reports to clarify the valuation basis of the Fund's individual portfolios. She also agreed to check that queries raised by Members about a change in strategy had been raised with one of the fund managers.
- Members were particularly concerned at the performance of one of the main fund managers, and the representative of Hymans Robertson LLP agreed to ask for more explanation of this and of a change in approach, to be circulated to the Panel as and when it was received. The representative of Hymans Robertson LLP also agreed to ensure that all performance was measured net of fees.
- RESOLVED:** To note (1) in general the performance of the Pension Fund Managers for the quarter ending 31 March 2008;
- (2) in particular, and with concern, the performance of the UBS portfolio.
120. **Actuarial Valuation of the Pension Fund as at 31 March 2007:**
The Panel received a confidential report of the Corporate Director, Finance, setting out the latest position in respect of the funding of the Pension Fund in the light of the actuarial valuation at 31 March 2007.
- The Corporate Director presented the report, informing Members that the funding level – the extent to which the Fund held sufficient assets to meet the estimated current cost of providing fund members' past service benefits – had increased from 82%, when last measured as part of the triennial process at 31 March 2004, to 87% at 31 March 2007. On this basis there remained an estimated shortfall of £68m, to be met by a gradual increase in the employers' contribution from around 18% to 19.4%. The increase would have implications for future budgets, which was why the Budget Review Working Group had been invited to attend this meeting.
- Members noted that the valuation would also be considered at a future meeting of the Licensing and General Purposes Committee.
- RESOLVED:** To note (1) the latest position of the funding of the Pension Fund as set out in the actuarial valuation at 31 March 2007;
- (2) in particular, and with pleasure, the fact that funding level had increased from 82% to 87% since the previous triennial valuation.

(Note: The meeting having commenced at 6.34 pm, closed at 7.49 pm)

(Signed) COUNCILLOR RICHARD DAVID ROMAIN
Chairman

OVERVIEW AND
SCRUTINY
COMMITTEE

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

(SPECIAL) MEETING HELD ON 12 MAY 2008

Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Ms Nana Asante (3) * Mrs Margaret Davine * Manji Kara * Ashok Kulkarni (2) * Jerry Miles * Mrs Vina Mithani	* Mrs Rekha Shah (4) Dinesh Solanki * Yogesh Teli * Mark Versallion * Jeremy Zeid (7)
Voting Co-opted:	(Voluntary Aided) † Mrs J Rammelt Reverend P Reece	(Parent Governors) * Mr R Chauhan Mrs D Speel

* Denotes Member present
(3), (2), (4) and (7) Denote category of Reserve Members
† Denotes apologies received

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES

315. **Welcome:**
The Chairman welcomed former and new Members of the Overview and Scrutiny Committee to the inaugural meeting of the Committee for the Municipal Year 2008/09. He stated that he looked forward to the year ahead and sought cooperation from all Members in relation to the work of the Committee.
316. **Appointment of Chairman:**
RESOLVED: To note the appointment at the Annual Meeting of Council on 12 May 2008 of Councillor Stanley Sheinwald as Chairman of the Overview and Scrutiny Committee for the Municipal Year 2008/09.
317. **Attendance by Reserve Members:**
RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-
- | <u>Ordinary Member</u> | <u>Reserve Member</u> |
|----------------------------|---------------------------|
| Councillor Brian Gate | Councillor Mrs Rekha Shah |
| Councillor Mitzi Green | Councillor Nana Asante |
| Councillor Janet Mote | Councillor Jeremy Zeid |
| Councillor Anthony Seymour | Councillor Ashok Kulkarni |
318. **Declarations of Interest:**
RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.
319. **Arrangement of Agenda:**
RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-
- | <u>Agenda item</u> | <u>Special Circumstances / Grounds for Urgency</u> |
|--|--|
| 7. Establishment of Sub-Committees 2008/09 | This information was not available at the time the agenda was printed and circulated, as it was being consulted on. Members were requested to consider this item, as a matter of urgency, as the establishment of the Committee's subsidiary bodies was the main |

purpose of this Special meeting and would enable meetings of the Sub-Committee to be convened.

8. Appointment of Lead Members for Scrutiny This information was being consulted on at the time the agenda was printed and circulated. Members are requested to consider this item, as a matter of urgency, so that the appointments can be made and the Lead Members can assume their areas of responsibility.

(2) all items be considered with the press and public present.

320. **Appointment of Vice- Chairman:**

RESOLVED: To appoint Councillor Mitzi Green as Vice-Chairman of the Overview and Scrutiny Committee for the 2008/2009 Municipal Year.

321. **Minutes:**

RESOLVED: That the minutes of the meeting held on 22 April 2008 be deferred to the next ordinary meeting of the Committee.

322. **Establishment of Sub-Committees for 2008/09:**

RESOLVED: That the Sub-Committees of the Overview and Scrutiny Committee be established for the Municipal Year 2008/09, as detailed in Appendix 1 to these minutes.

323. **Appointment of Lead Members for Scrutiny 2008/09:**

RESOLVED: That the Policy and Performance Lead Members be appointed for the Municipal year 2008/09, as detailed in Appendix 2 to these minutes.

324. **Dates of Meetings of the Overview and Scrutiny Committee for the Municipal Year 2008/09:**

RESOLVED: To note the dates of meetings of the Overview and Scrutiny Committee for the Municipal Year 2008/09.

(Note: The meeting, having commenced at 6.50 pm, closed at 6.55 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD
Chairman

APPENDIX 1**SCRUTINY SUB COMMITTEES**

(Membership in order of political group nominations)

Conservative**Labour****Liberal Democrat****(1) PERFORMANCE AND FINANCE SCRUTINY SUB-COMMITTEE (11)****(6)****(4)****(1)****I.**
Members**Ashok Kulkarni
Janet Mote
Anthony Seymour
Dinesh Solanki
Yogesh Teli
Mark Versallion (CH)****Ms Nana Asante
B E Gate
Philip O'Dell
Mrs Rekha Shah****Christopher Noyce****II.**
Reserve
Members1. Eric Silver
2. Manji Kara
3. Jeremy Zeid
4. Mrs Kinnear
5. Stanley Sheinwald
6. Julia Merison1. Mitzi Green
2. Bill Stephenson
3. Thaya Idaikkadar
4. Keeki Thammaiah

1. Paul Scott

(2) CALL-IN SUB-COMMITTEE (5)**(3)****(2)****I.**
Members**Anthony Seymour (CH)
Stanley Sheinwald
Mark Versallion****B E Gate
Mitzi Green *****II.**
Reserve
Members1. Janet Mote
2. Mrs Lurline Champagne
3. Dinesh Solanki
† 4. Narinder Singh Mudhar
† 5. Julia Merison1. Jerry Miles
2. Graham Henson
3. Keeki Thammaiah
† 4. Mrinal Choudhury

CH

= Chair

*

= Denotes Group Members for consultation on Administrative Matters

†

[Note: The appointed number of Reserves for each Group is in excess of the Committee Procedure Rule 3.2 provision, by virtue of Resolution 17: Overview and Scrutiny Committee (18.7.06).]

(3) CALL-IN SUB-COMMITTEE (Education)**(7)****(2)****I.**
Members

Mrs Lurline Champagnie
Janet Mote
Anthony Seymour (CH)
Stanley Sheinwald
Dinesh Solanki
Mark Versallion
Jeremy Zeid

B E Gate
Mitzi Green *

II.
Reserve
Members

- | | |
|--------------------------|-----------------------|
| 1. Mrs Vina Mithani | 1. Jerry Miles |
| 2. Yogesh Teli | 2. Graham Henson |
| 3. Ashok Kulkarni | † 3. Keeki Thammaiah |
| 4. Eric Silver | † 4. Mrinal Choudhury |
| 5. Robert Benson | |
| 6. Julia Merison | |
| 7. Narinder Singh Mudhar | |
| † 8. Mrs Camilla Bath | |
| † 9. Tom Weiss | |

Voting Co-opted Members:

- (1) Two representatives of Voluntary Aided Sector
 - Mrs J Rammelt/Reverend P Reece
- (2) Two representatives of Parent Governors
 - Mrs D Speel (Primary)/Mr R Chauhan (Secondary)

CH

= Chair

*

= Denotes Group Members for consultation on Administrative Matters

†

[Note: The appointed number of Reserves for each Group is in excess of the Committee Procedure Rule 3.2 provision, by virtue of Resolution 17: Overview and Scrutiny Committee (18.7.06).]

APPENDIX 2**LEAD MEMBERS FOR SCRUTINY 2008-09**

Policy Lead Member	Councillor
Adult Health and Social Care	Councillor Vina Mithani
Children and Young People	Councillor Mrs Margaret Davine
Corporate Effectiveness and Finance	Councillor Stanley Sheinwald
Safer and Stronger Communities	Councillor Anthony Seymour
Sustainable Development and Enterprise	Councillor Jeremy Miles

Performance Lead Member	Councillor
Adult Health and Social Care	Councillor Mrs Rekha Shah
Children and Young People	Councillor Janet Mote
Corporate Effectiveness and Finance	Councillor Mark Versallion
Safer and Stronger Communities	Councillor Ms Nana Asante
Sustainable Development and Enterprise	Councillor Dinesh Solanki

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

(SPECIAL) MEETING HELD ON 12 MAY 2008

Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Ms Nana Asante (3) * Mrs Margaret Davine * Manji Kara * Ashok Kulkarni (2) * Jerry Miles * Mrs Vina Mithani	* Mrs Rekha Shah (4) Dinesh Solanki * Yogesh Teli * Mark Versallion * Jeremy Zeid (7)
Voting Co-opted:	(Voluntary Aided) † Mrs J Rammelt Reverend P Reece	(Parent Governors) * Mr R Chauhan Mrs D Speel

* Denotes Member present
(2), (3), (4) and (7) Denote category of Reserve Members
† Denotes apologies received

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
325. Attendance by Reserve Members:

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Brian Gate Councillor Mitzi Green Councillor Janet Mote Councillor Anthony Seymour	Councillor Mrs Rekha Shah Councillor Nana Asante Councillor Jeremy Zeid Councillor Ashok Kulkarni

326. Declarations of Interest:

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

327. Arrangement of Agenda:

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
6. Corporate Improvement Programme Challenge Panel	This report was not available at the time the agenda was printed and circulated, as it was being consulted on and because the request for the piece of work to be undertaken came after the deadline for submission of reports. Members were requested to consider this item, as a matter of urgency, as the work which was being undertaken to a very tight timescale, needed to commence as soon as possible.

(2) all items be considered with the press and public present.

328. Minutes:

RESOLVED: That the minutes of the Committee's ordinary meeting held on 22 April 2008 and the earlier special meeting held on 12 May 2008 be deferred until the next ordinary meeting of the Committee.

329. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.

330. **Corporate Improvement Programme Challenge Panel:**

The Scrutiny Manager introduced the report, which outlined proposals to hold a Challenge Panel to support the development of the Council's Corporate Improvement Programme. In response to questions from a Member, she stated that the request for convening a Challenge Panel had come from the Interim Divisional Director of Strategy and Improvement. A robust challenge would be expected in relation to the content and focus of the Improvement Programme.

The key objectives of the Challenge Panel would be to:-

- challenge the assumptions upon which the revised corporate improvement programme will be based;
- challenge the focus of the action proposed;
- consider the appropriateness of the action proposed;
- challenge the effectiveness of the action proposed.

The Committee was also informed that the Corporate Improvement Programme would be considered by Cabinet on 19 June 2008 and there was a need to feed into the report before 7 June. It was therefore intended to hold the Challenge Panel, subject to the Committee's agreement on its establishment, between 21 May and 7 June 2008. It was noted that the Liberal Democrat Group had also been contacted with a view to one of their Members serving on this Panel. The Scrutiny Manager confirmed that the Directors had indicated their availability for a round table discussion to investigate four areas of the scope.

RESOLVED: That (1) Challenge Panel be held to support the development of the Council's Corporate Improvement Programme;

(2) in addition to the two Members from each of the Conservative and Labour Groups, a Member from the Liberal Democrat Group be invited to serve on the Challenge Panel;

(3) the scope set out at appendix 1 to the officer report be agreed.

(Note: The meeting, having commenced at 6.56 pm, closed at 7.05 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD
Chairman

THE CABINET
AND
CABINET ADVISORY PANELS

CABINET

REPORT OF CABINET

MEETING HELD ON 15 MAY 2008

Chairman: * Councillor David Ashton

Councillors: * Marilyn Ashton * Barry Macleod-Cullinane
* Miss Christine Bednell † Chris Mote
* Tony Ferrari * Paul Osborn
* Susan Hall * Mrs Anjana Patel

* Denotes Member present
† Denotes apologies received

[Note: Councillor Margaret Davine also attended this meeting to speak on the item indicated at Minute 408 below. Councillor Eric Silver also attended this meeting to speak on the items indicated at Minutes 411 and 412 below].

PART I - RECOMMENDATIONS

RECOMMENDATION I - Key Decision - Harrow Core Strategy Preferred Options - Draft for Public Consultation

The Portfolio Holder for Planning, Development and Enterprise introduced the report which provided options for how growth would be managed in Harrow up to 2025 in the draft Harrow Core Strategy Preferred Options. She advised that this work was a completely different process to that of the Unitary Development Plan as it was more of a vision statement for the Borough.

The Portfolio Holder advised Cabinet that Harrow's preferred options for consultation required Council approval. Following that approval, there would be a six week consultation period prior to inspection by the Secretary of State.

The Portfolio Holder outlined option A, Harrow Central Growth Corridor, and option B, Public Transport Growth Focus. She advised that either option was acceptable, as it would mean that Members would be able to justify their refusal of planning applications contrary to the Local Development Framework.

Resolved to RECOMMEND: (to Council)

That the draft Harrow Core Strategy Preferred Options be approved for the purposes of consultation.

Reason for Recommendation: To comply with the legal requirements for making such a document and to meet the agreed timescales with the Government Office for London for the development of the Council's Local Development Framework (LDF) documents.

PART II - MINUTES403. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
10. Adults and Housing Transformation Programme	Councillor Margaret Davine	The Member, who was not a member of Cabinet, declared a personal interest in that she had a relative who used Adult Services in the Borough. The Member remained in the room whilst the matter was considered and voted upon.
	Councillor Tony Ferrari	The Member declared a personal interest in that he had a relative in sheltered accommodation in the Borough. The Member remained in the room whilst the matter was considered and voted upon.
	Councillor Yogesh Teli	The Member, who was not a member of Cabinet, declared a personal interest in that he had a relative who used Adult Services in the Borough. The Member remained in the room whilst the matter was considered and voted upon.
15. Harrow Biodiversity Action Plan	Councillor Tony Ferrari	The Member declared a personal interest in that he was Chairman of the Harrow Weald Common Conservators. This was a Council appointment and the Member remained in the room whilst the matter was considered and voted upon.
16. Association of London Government TEC 101 Agreement Variation	Councillor Barry Macleod-Cullinane	The Member declared a personal interest in that he was an employee of London Councils. The Member, during the course of the meeting, decided that as the report was concerned with variations to the Freedom Pass, he would remain in the room whilst the matter was considered and voted upon.

404. **Minutes:**

RESOLVED: That the minutes of the meeting held on 10 April 2008, be taken as read and signed as a correct record.

405. **Arrangement of Agenda:**

RESOLVED: That all business be considered with the press and public present.

406. **Petitions:**

A representative of the Sangat BMER Carers Project presented a petition containing 42 signatures. He read the terms of the petition to the meeting, which were as follows:-

"Re: Sangat BMER Carers Project

We, the undersigned carers, totally disagree with Harrow Council's decision to close down BMER Carers Project.

As many of us have insufficient English, the project has been a lifeline for us and having fully participated in the Project, have felt very secure and welcome.

We urge the Leadership, for fairness and justice, to allow this project to continue instead of closing it down."

In response, the Leader of the Council gave an undertaking to respond, in consultation with the Portfolio Holder for Adults and Housing, directly to the petitioner.

RESOLVED: That the petition be received and noted.

407. **Public Questions:**

RESOLVED: To note that the following public questions had been received:

1.

Questioner: Yvonne Lee

Asked of: Councillor Barry Macleod Cullinane, Portfolio Holder for Adults and Housing.

Question: As an organisation, Harrow Mencap welcome and fully support the principles of the total transformation plan. However will the benefits of control and choice that Self Directed support be available to people with Learning Disabilities who are currently in residential care within the three years of the programme?

Answer: Yes is the short answer.

People with learning disabilities who are currently living in residential care are already included in the pilot phase of the project and as the pilot phase extends, this group of individuals will continue to be fully included and encouraged to take up the opportunities that a self-directed model of care could offer.

In addition, as an integral part of the Self Directed Support project we will be working with provider organisations to develop the market in order to offer more choice to individuals which is likely to include different models of accommodation based provision such as shared ownership.

Supplemental Question: Given the past and current contractual situation, will the Council be renegotiating the contract?

Supplemental Answer: We will endeavour to provide you with a written response but it is too early to say.

2.

Questioner: John Feldman

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: The Cabinet is to consider the report from Corporate Director, Community and Environment, regarding the development of Cedars Hall, which recommends disposal for residential development if a Community Hall is not viable.

Why are you considering such a disposal despite fundamental flaws:

- The land forms part of the Cedars Open Space, and the Council is committed to maintaining such spaces.
- Residential building will be contrary to your UDP, and

- A covenant on the land preventing residential building will need to be broken by the Council?

Answer: The Cedars Hall site does not form part of the "Cedars Open Space", as shown on the Harrow UDP Proposals Map. It is located adjacent to land designated as Green Belt, which runs along the western and southern boundary of the site. Cedars Hall has no specific land use designation

The Council is committed to provide all new homes on previously developed land and as a brown field site, the redevelopment of Cedars Hall for residential use is acceptable in principle

Harrow Council is the successor of London County Council who is the beneficiary of the Covenant. As such Harrow Council can consent to alternative uses of the site. Any statutory trust arising under the Open Spaces Act 1906 has been discharged through compliance with the advertisement procedure set out in Section 123 (2A) of the Local Government Act 1972.

Necessary advertisements were published in December 2006.

Supplementary Question: Could the Leader confirm the status of the land that Cedars Hall is built on?

Supplemental Answer: As far as I am concerned, what I described just now in answer to your first question is the correct status. If there is an error in that, which I do not believe to be the case, I am happy to discuss the matter with you.

3.

Questioner: Frances Pickersgill

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: The report on Cedars Hall from the Corporate Director Community and Environment to be presented to the Cabinet is clearly not a paper of options as originally promised.

It is being presented on a yes / no decision basis with no scope for the Cabinet to discuss options for investigation or, according to the Council leader, 'to decide which options they would like to see developed further'.

The paper only proposes a community hall scheme put forward by the local community with severe time and achievement criteria. Your fall back position is the sale of the land for residential development. According to your officer, no additions or amendments to the paper are to be contemplated.

Answer: The Officers report clearly sets out a broad range of options which were discussed at the residents meeting on 27 February 2008 and were then subject to careful consideration by officers, leading to the recommendations which will be considered at Cabinet on Wednesday 21 May.

I understand that the residents clearly indicated a preference for open space to be created through the demolition of the existing Cedars Hall structure.

I further understand that residents' second preference, as expressed at the meeting, was for a community use Hall.

The recommendation that will be considered before Cabinet on 21 May is clearly responding most positively to the views expressed by residents.

Given the work that the TRA, representing the local community,

have already undertaken; and this is evident at appendix 4 of the Cedars Hall report; I believe that adequate time, and importantly Council support, is being provided to enable the residents proposal to be properly developed.

I confirm that Cabinet on 21 May will consider Council officers' alternative recommendation, ie to dispose of the land for housing development, should the community hall scheme fail.

Supplemental Question: Can we ask for an extension to the deadline for the submission of public questions?

Supplemental Answer: I would hope that it would not be necessary since the paper develops many of the thoughts already existing.

4.

Questioner: Dr Alan Bender

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: If the Council breaks the Restrictive Covenant on the Cedars Hall land to build residential properties, why should we believe that it won't break the promise, given by Councillor Ferrari at the local public meeting on 7 May, to keep Cedars Open Space free from building, as building would then not be restricted on the whole site?

Answer: The Council will not, as I mentioned before, the Council will not be breaking the Covenant. Harrow Council is – I'm repeating what was said before – Harrow Council is the successor of London County Council, who is the beneficiary of the Covenant. As such, Harrow Council can consent to alternative uses of the site. Any statutory trust arising under the Open Spaces Act 1906 has been discharged through compliance with the advertisement procedure set out in section 123 (2A) of the Local Government Act 1972.

This administration will not – will not – be bringing forward plans to build houses or other structures, in parks, including the Cedars Open Space, which do not wholly support the development of the parks facility. And I make that as clear as I can.

Supplemental Question: Why does the Council believe it can break the trust of ownership given to it by the LCC?

Supplemental Answer: Firstly we are not breaking the trust of ownership. Secondly, we are not the supposed owner, we are the owner. And thirdly, as I mentioned in answer to your first question, we are not breaking the Covenant. We do not intend to, we are simply taking advantage of the rules.

As a Council we clearly want to do the right thing for local residents. At the same time we have a responsibility to look financially at the assets concerned. If we can find a way, working with you, of having a satisfactory local facility, we will do so. We will. Thank you.

5.

Questioner: Julie Browne, Kids Can Achieve

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance.

Question: In the report that they (Cabinet) will get from Andrew Trehern there are two options:

- a. Harrow Weald Residents' Association to submit proposals and plans etc. within a time-scale that we feel as regular funding applicants is more or less un-achievable.

- b. If these deadlines are not met then the site will be sold for development.

I was able to put forward a third proposal (copy of which sent to all cabinet members today [12 May 2008])

The attendees (of the public meeting on 7 May 2008) are asking that this and any additional options proposed by others should be considered?

Answer: It is understood that the contact was made with Andrew Trehern, the officer concerned, who put you in contact with Lee Choules, who is Vice Chair of the Weald TRA, who the Council is currently recognising to develop the community facilities option for this site and we would encourage you and frankly work with you, with them to see if we can mould that into the option on site.

Supplemental Question: Can any Council justify letting this community facility be taken away when our community groups and Harrow residents, desperately need space and resources, particularly when you are consulting on provision of public services, leisure and cultural facilities and protection of open space for future generations?

Supplemental Answer: We are entirely happy to find a way forward which is viable on that site for use of the local residents and wider public for Harrow. The difficulty is that we want to come to a conclusion. That site is deteriorating and it is necessary for all concerned to come to a sensible view.

[Note: In order to meet the requirements of the Constitution for the publication of the minutes, the supplemental questions and answers have been summarised. A full transcript of the supplemental questions and answers will appear on the Council's website as soon as possible.]

408. **Councillor Questions:**

RESOLVED: To note the following Councillor Question had been received:

1.

Questioner: Councillor Margaret Davine

Asked of: Councillor Barry Macleod Cullinane, Portfolio Holder for Adults and Housing

Question: The Adult and Housing Transformation Programme being considered at the Cabinet tonight lists one of the Adult Social Care performance targets at 2.12.1 – 'increase all service users with PCPs by 50% by March 2010'. Would the portfolio holder please tell us both the total number of service users and how many service users currently have person-centred plans?

Answer: Thank you for not being too brutal tonight on me. The total number of services users is approximately 4000 persons and that's spread across all client groups and all ages.

Currently person-centred planning is only being implemented within learning disability services as per the Valuing People Policy, although we do adopt person-centred approaches in other client groups such as the Care Programme Approach in Mental Health Services.

The total number of learning disability service users currently stands at 389, which is broken down into 226 community-based, 156 private residential, seven in nursing care. And the source of that is the RAP P1 Form 2007/08. And the number of those with person-centred Plans is approximately 70, representing 18% in total.

Supplemental Question: Do you not think, in the light of the large number of all users and the small number of currently person-centred plans held by them, the target of 50% for them over three years is quite small, if we're really going to implement this transformation plan and turn the service around. I notice for learning disabilities you have got 100%, but that would probably take you further than that anyway. So I just really wanted you to acknowledge that's quite a small amount – 50% of 70, and hope you would like to have a more stretching target.

Supplemental Answer: I think it represents a real step-change from where we are at the moment, a real improvement going forward. In terms of looking at the individuals with learning disabilities having person-centred planning, that's really important to pick up on, because everybody has very different needs and clearly learning disabilities, that's very much more apparent and marked and we have to respond in that way. In terms of actually increasing the larger number which are in terms of going up towards about a 50% target and hopefully beyond, we are not trying to push people into this and we want to get people to actually choose to take this as a real option, to improve and make sure that the services being offered are the correct and appropriate services for them and making sure that they're helped to make that transition. So it needs a target that we think is achievable, but it's one that we're not simply going to push onto people without thinking is it appropriate for the people involved in the person-centred planning process.

409. **Forward Plan 1 May - 31 August 2008:**

RESOLVED: To note the contents of the Forward Plan for the period 1 May – 31 August 2008.

410. **Reports from the Overview and Scrutiny Committee or Sub-Committees:**

RESOLVED: To note that there were no reports from the Overview and Scrutiny Committee or Sub-Committees.

411. **Inspection by CSCI - Independence, Wellbeing and Choice:**

The Leader of the Council welcomed Jean Hanson and Sue Bestjan from the Commission of Social Care Inspection (CSCI), John Ota from Harrow Primary Care Trust (PCT) and colleagues from the voluntary sector to the meeting. He advised that he would be inviting Councillor Eric Silver, the former Portfolio Holder, to comment on the presentation from CSCI and the Adults and Housing Transformation programme which appeared elsewhere on the agenda.

Jean Hanson, the Lead Inspector, presented CSCI's findings from their inspection carried out in January 2008. She drew attention to the easy to access version of the inspector's findings which had been made available at the meeting.

Jean Hanson outlined the strengths of the service and the areas for development. She reported the judgements of the inspectors as follows:-

- safeguarding of vulnerable adults was adequate;
- delivery of personalised services for people with learning disabilities was poor;
- Leadership, commissioning and capacity to further improve was uncertain.

Jean Hanson advised that CSCI's recommendations to address these judgements were set out as pages 5 and 6 of the report and that Sue Bestjan would be monitoring the action plan.

The Corporate Director of Adults and Housing, in thanking the inspectors, stated that the inspection was a good health check for the department and that he was particularly pleased at the findings in relation to safeguarding in that it had a good grounding.

Portfolio Holders made comments on the inspector's findings as follows:-

- the Council was committed to improving life for adults;
- the importance of keeping vulnerable people safe;

- there was concern in relation to the transition of vulnerable children reaching adulthood and being lost in the system between service areas;
- the relationship between the Council and the PCT was improving.

In response to the comments made by Members, Jean Hanson advised that:-

- services beyond Adult Services that required focus included areas such as Leisure Services and Transport;
- at the time of the inspection it had been felt that governance had been weak and she was unclear whether this issue had been addressed. This was an area that could be considered by scrutiny;
- she would forward any examples of good practice to the Corporate Director;
- the action plan addressed CSCI's recommendations;
- had the review been done a few months later, safeguarding of vulnerable adults might have been assessed as good.

John Ota welcomed the inspector's report and emphasised that the PCT were keen to look at all options to improve services.

Cabinet thanked the inspectors and accepted the recommendations.

412. **Key Decision - Adults and Housing Transformation Programme:**

Councillor Eric Silver, former Portfolio Holder for Adult Services, introduced the report which presented the Adult and Housing Services 3-year Transformation Programme Plan (TPP). This was a comprehensive strategy to renew, realign and enhance services to ensure that they met the future needs and aspirations of the people of Harrow.

Cabinet viewed a film on Adult Services in Harrow.

The Corporate Director of Adults and Housing detailed the key headlines of the programme including the concept of self directed support and the balance between choice and safety.

The Portfolio Holder for Adults and Housing commended the programme to Cabinet.

RESOLVED: That (1) the Adults and Housing Transformation programme be endorsed;

(2) authority be delegated to the Corporate Director of Adults and Housing, to initiate the implementation of the TPP.

- **Reason for Decision:** The TPP set out the framework which will enable Harrow's Adult and Housing Directorate to achieve a radical improvement in its national performance assessment rating and meet its aspiration to be assessed as providing an excellent service.

(See also Minute 403).

413. **Establishment of Committees, Advisory Panels and Consultative Forums:**

The Leader of the Council reported that the nominations for Chairman and membership of Cabinet's Committees, Advisory Panels and Consultative Forums were before Members for consideration and approval. He advised that, in accordance with Education (Admission Forum) (England) Regulations 2002, Regulation 7, the appointment of Chairman and Vice-Chairman of the Harrow Admissions Forum was a decision for that body.

RESOLVED: That appointments for the Municipal Year 2008/09 detailed in Appendix 1 to these minutes be approved.

414. **Timetable for the preparation and consideration of Statutory Plans and Strategies 2008/09:**

The Leader of the Council introduced the report, which set out the requirements of the Council's Constitution in terms of the development of the policy framework and sought approval to the timetable for statutory plans and strategies.

RESOLVED: That the timetable for the preparation and consideration of the statutory plans and strategies for 2008/09 set out at Appendix 2 to these minutes be approved.

Reason for Decision: To comply with the requirements of paragraph 3 of the Budget and Policy Framework Procedure Rules set out in Section 4C of the Council's Constitution.

415. **Annual Audit and Inspection Plan 2008-09:**

The Corporate Director of Finance introduced the report which provided Cabinet with an opportunity to comment on the Annual Audit and Inspection Plan. She drew Cabinet's attention to the increase in the Audit Commission fee of £38,000 (7%) to £608,000.

RESOLVED: That the Annual Audit and Inspection Plan be noted.

Reason for Decision: To ensure that Cabinet is aware of the planned audit and inspection activity for 2008-09.

416. **Key Decision - Harrow Core Strategy 'Preferred Options' Draft for Public Consultation:**

(See Recommendation I).

417. **Key Decision - Harrow Biodiversity Action Plan:**

The Portfolio Holder for Planning, Development and Enterprise introduced the Harrow Biodiversity Action Plan (BAP) which was to be implemented over the next 5 years, via the delivery of action plans specific to habitats and species of importance within Harrow, plus a generic action plan covering wider issues.

The Corporate Director of Community and Environment reported that there were no financial implications arising from the Plan and that the Plan was a critical component of the Corporate Assessment rating. The action plan had been developed with a broad range of organisations. Harrow's BAP was the Borough's contribution to the nationwide BAP.

RESOLVED: That the Harrow BAP be adopted.

Reasons for Decision: (1) To enable the Harrow BAP to be formally implemented;

(2) To enable the Harrow BAP to be formally recognised within the planning process, and to have greater weight when the BAP is used as a material consideration in determining planning applications;

(3) To enable the Harrow BAP to formally influence the development of the Harrow Local Development Framework.

(See also Minute 403).

418. **Association of London Government (ALG) TEC 101 Agreement Variation:**

The Corporate Director of Community and Environment introduced the report which sought to delegate further functions to the Association of London Government Transport and Environment Committee and to confirm that certain functions already undertaken by the Committee were delegated to it. He highlighted the reasons for the variation to the Agreement as detailed in his report.

RESOLVED: That the further variation of the Association of London Government Transport and Environment Committee Governing Agreement be approved.

Reason for Decision: The Council will join the other 32 London local authorities in empowering the Committee to discharge certain functions on behalf of those signatory authorities.

(See also Minute 403).

419. **Key Decision - Efficiency Reviews:**
The Portfolio Holder for Performance, Communication and Corporate Services introduced the report which provided the overarching context for the next round of efficiency reviews, a progress update on service reviews carried out in 2007/08 and presented lessons learnt and proposals for a refreshed programme of efficiency reviews for 2008-2011. The Reviews were required to address future funding gaps.

RESOLVED: That (1) the overarching context be noted;

(2) the findings of service reviews for 2007/08 be noted;

(3) the proposals for a new programme of efficiency reviews 2008-2011 be agreed;

(4) finalisation of the programme of review activity beyond the first 2 reviews be delegated to the Chief Executive/Deputy Chief Executive and Portfolio Holder Performance, Communications and Corporate Services.

Reasons for Decision: (1) To progress the delivery of efficiency savings and improvement through a strategic programme of reviews across the Council;

(2) to address the future funding gaps of £5.4m for 2009/10 and £6.9m for 2010/11.

420. **Key Decision - Local Involvement Networks:**
The Deputy Chief Executive introduced the report which outlined the local arrangements proposed for providing LINKs.

The Local Government and Public Involvement in Health Act had become law in October 2007 and requires the establishment of a Local Involvement Network (LINK) in each local area, including one in Harrow.

The Leader of the Council requested that a briefing note be circulated to all Members of the Council to explain LINKs and the relationship to the Adults and Housing Transformation Programme.

RESOLVED: That (1) the proposals for LINKs nationally be noted;

(2) the local progress made to set up LINKs in Harrow be noted;

(3) a contract be awarded for a three year period to commence on 2 June 2008 at a cost within the funding for LINKs provided by the Department of Health. To authorise the Deputy Chief Executive to award the contract;

(4) 10% of the Department of Health Grant be retained to fund the additional Council responsibilities associated with LINKs.

Reason for Decision: To ensure the Council meets its duty to tender for a contract with a 'host organisation' which will be commissioned to set up and support the LINK.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.20 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman

APPENDIX 1CABINET ADVISORY PANELS 2008/2009

(Membership in order of political group nominations)

ConservativeLabourLiberal Democrat**(1) BUSINESS TRANSFORMATION PARTNERSHIP PANEL (5)****(3)****(2)****I.**
Members**David Ashton
Narinder Singh Mudhar
Paul Osborn (CH)****Navin Shah
Bill Stephenson *****II.**
Reserve
Members1. Tony Ferrari
2. Robert Benson
3. Tom Weiss1. Thaya Idaikkadar
2. Keith Ferry
3. -

[Note: The Councillor representatives on the Partnership Board should be the same as the full-voting Members of the Business Transformation Partnership Panel.]

(2) CORPORATE PARENTING PANEL (6)**(4)****(2)****I**
Members**Husain Akhtar
Miss Christine Bednell
Janet Mote (CH)
Eric Silver****Mrs Margaret Davine
Mitzi Green****II.**
Reserve
Members1. Mrs Myra Michael
2. Mrs Vina Mithani
3. Julia Merison
4. Mark Versallion1. B E Gate
2. Raj Ray**(3) EDUCATION ADMISSIONS AND AWARDS PANEL (3)****(2)****(1)****I**
Members**Husain Akhtar
Anjana Patel (CH)****Mrinal Choudhury *****II.**
Reserve
Members1. G Chowdhury
2. Julia Merison
3. Narinder Singh Mudhar1. Asad Omar
2. -
3. -

(4) GRANTS PANEL (10)**(6)****(4)****I.**
Members

Don Billson
G Chowdhury
Ashok Kulkarni
Mrs Myra Michael
Chris Mote (CH)
Joyce Nickolay

Ms Nana Asante
Asad Omar
Mrs Rekha Shah *
Mrs Sasi Suresh

II.
Reserve
Members

1. Manji Kara
 2. Yogesh Teli
 3. Narinder Singh Mudhar
 4. Jeremy Zeid
 5. Susan Hall
 6. Julia Merison

1. Nizam Ismail
 2. David Gawn
 3. Thaya Idaikkadar
 4. Krishna James

(5) HARROW BUSINESS CONSULTATIVE PANEL (4)**(2)****(2)****I.**
Members

Susan Hall
Manji Kara (CH)

Mrinal Choudhury *
Keith Ferry

II.
Reserve
Members

1. Yogesh Teli
 2. Mrs Vina Mithani
 3. Mrs Myra Michael

1. Thaya Idaikkadar
 2. Mrs Sasi Suresh
 3. -

(6) LOCAL DEVELOPMENT FRAMEWORK PANEL (7)**(4)****(3)****I**
Members

Marilyn Ashton (CH)
Robert Benson
Manji Kara
Joyce Nickolay

Keith Ferry
Thaya Idaikkadar
Navin Shah *

II.
Reserve
Members

1. G Chowdhury
 2. Don Billson
 3. Dinesh Solanki
 4. Julia Merison

1. Mano Dharmarajah
 2. Jerry Miles
 3. Raj Ray

(7) SUPPORTING PEOPLE PANEL (5)**(3)****(2)****I.**
Members**Jean Lammiman
Barry Macleod-Cullinane
Eric Silver (CH)****Mrs Margaret Davine *
David Gawn****II.**
Reserve
Members1. Mrs Myra Michael
2. Jeremy Zeid
3. Mrs Vina Mithani1. Krishna James
2. Nizam Ismail
3. -**(8) TRAFFIC PANEL (10)****(6)****(4)****I.**
Members**Robert Benson
Susan Hall (CH)
Manji Kara
Mrs Kinnear
Yogesh Teli
Jeremy Zeid****Mrinal Choudhury
Nizam Ismail
Jerry Miles *
David Perry****II.**
Reserve
Members1. G Chowdhury
2. Ashok Kulkarni
3. Salim Miah
4. Mrs Vina Mithani
5. Husain Akhtar1. Bob Currie
2. Graham Henson
3. Raj Ray
4. Keith Ferry**(CH)**
(VC)

= Chair

= Vice-Chair

Denotes Group Members on Panels for consultation on administrative matters.

To note the membership of the following informal body.

BUDGET REVIEW WORKING GROUP (6)**(4)****(2)****I.**
Members**David Ashton (CH)
John Cowan
Richard Romain
Tom Weiss****Archie Foulds *
Bill Stephenson****II.**
Reserve
Members1. Salim Miah
2. Ashok Kulkarni
3. Yogesh Teli
4. Jeremy Zeid1. Thaya Idaikkadar
2. Mrinal Choudhury
3. -

CONSULTATIVE FORUMS**“ADVISORY” COMMITTEES ESTABLISHED UNDER SECTION 102(4) OF THE LOCAL GOVERNMENT ACT 1972, APPOINTED BY CABINET**

(Membership in order of political group nominations)

Conservative**Labour****(1) EDUCATION CONSULTATIVE FORUM (7)****(4)****(3)****I.**
Members**Mrs Camilla Bath
Miss Christine Bednell
Janet Mote
Anjana Patel (CH)****B E Gate
Raj Ray
Bill Stephenson *****II.**
Reserve
Members1. Husain Akhtar
2. Julia Merison
3. Mrs Vina Mithani
4. Jean Lammiman1. Keeki Thammaiah
2. Nizam Ismail
3. David Perry

(Representatives of the Teachers', Governors', Elected Parent Governor Representatives', Denominational Representatives' and Arts Culture Representatives' Constituencies)
(Mrs C Millard (Governor Representative) (VC))

(2) EMPLOYEES' CONSULTATIVE FORUM (7)**Council Representatives****(4)****(3)****I.**
Members**David Ashton
Mrs Camilla Bath
Susan Hall
Paul Osborn*****Bob Currie
Graham Henson
Navin Shah *****II.**
Reserve
Members1. Joyce Nickolay
2. Don Billson
3. Julia Merison
4. Tony Ferrari1. B E Gate
2. Keith Ferry
3. Mrs Sasi Suresh

[Note: In accordance with the Forum's Terms of Reference, the Council membership should include the Leader and/or Deputy Leader, Portfolio Holder with responsibility for human resources].

Employee Representatives

Six UNISON Representatives

Lynne Ahmad, Kerry Bubenzer, Mary Cawley, Steve Compton, G Martin, (Vacancy)

One GMB Representative:

Sanjay Karia

Three HTCC Representatives

(To be advised)

(Note: The Chairman of the Employees' Committee shall be a Council side representative in 2007/2008, and the Vice-Chairman is to be appointed by the Employees' side. These appointments shall thereafter alternate in succeeding years) (? (Employee Representative) appointed VC 2007/08).

(3) TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM (4)**(2)****I.**
Members**Barry Macleod-Cullinane (CH)**
Yogesh Teli**(2)****Bob Currie ***
Phillip O'Dell**II.**
Reserve
Members

1. G Chowdhury
2. Robert Benson
3. Mrs Kinnear

1. David Gawn
2. B E Gate
3. -

“ADVISORY” COMMITTEE ESTABLISHED UNDER SECTION 85A OF THE SCHOOLS STANDARDS FRAMEWORK ACT 1998

HARROW ADMISSIONS FORUM (3)

Conservative

(2)

**Anjana Patel
Dinesh Solanki**

Labour

(1)

Bill Stephenson *

Other Representatives

Community Schools (Governor)	-	Vacancy
Community Schools (Primary)	-	Sue Jones
Community Schools (Secondary)	-	Allan Jones
Jewish School	-	Mrs D Palman
Roman Catholic School	-	Mike Murphy
Church of England School	-	Mrs S Hinton
Church of England Diocese	-	Rev Paul Reece
Catholic Schools Diocese	-	Mr Billiet
Primary Elected Parent Governor Representative	-	Mrs D Speel
Secondary Elected Parent Governor Representative	-	Mr R Chauhan
Harrow Council for Racial Equality	-	Prem Pawar
Early Years Development Partnership	-	Helena Tucker
Children’s Services Representative	-	(Vacancy)

NB: Each school in the Borough is also entitled to appoint their own representative on this Forum.

(CH)
(VC)
*

= Chair
= Vice-Chair
Denotes Group Members on Panels for consultation on administrative matters.

**APPOINTMENT OF CHAIRS TO ADVISORY PANELS AND CONSULTATIVE FORUMS
FOR THE MUNICIPAL YEAR 2008-09**

Advisory Panel

Nominee

Budget Review Working Group
 Business Transformation Partnership Panel
 Corporate Parenting Panel
 Education Admissions and Awards Advisory
 Panel
 Grants Advisory Panel
 Harrow Business Consultative Panel
 Local Development Framework Advisory Panel
 Supporting People Advisory Panel
 Traffic Advisory Panel

Councillor David Ashton
 Councillor Paul Osborn
 Councillor Janet Mote
 Councillor Anjana Patel

Councillor Chris Mote
 Councillor Manji Kara
 Councillor Marilyn Ashton
 Councillor Eric Silver
 Councillor Susan Hall

Consultative Forum

Education Consultative
 Employees' Consultative *
 Tenants' and Leaseholders' Consultative

Councillor Anjana Patel
 To be appointed from employee side
 representation
 Councillor Barry Macleod-Cullinane

Other Forum

Harrow Admissions

To be decided by the Forum

[* Note: The appointment of the Chairman for 2008-09 will be an Employee side representative and the Vice Chair is to be appointed by the Employer's side].

REPRESENTATION ON OTHER SOCIAL SERVICES EXECUTIVE BODIES FOR THE MUNICIPAL YEAR 2008/09

<u>BODY</u>	<u>Nominee</u>
Adoption Panel	Councillor Miss Christine Bednell
Fostering Panel	Councillor Miss Christine Bednell

[Note: In relation to the Adoption Panel, the statutory guidance states that 'where possible, the Local Authority should appoint an elected member from the corporate parenting group or a member with responsibility for children's services.']

REPRESENTATION ON HOMES LIMITED (FORMERLY WARDEN HOUSING COMMITTEE AND RAYNERS LANE ESTATE COMMITTEE) FOR THE MUNICIPAL YEAR 2008/09

<u>BODY</u>	<u>Nominees</u>
Homes Limited (formerly Warden Housing Committee and Rayners Lane Estate Committee)	Councillor Bob Currie Councillor Graham Henson

[Note: The nominees are local Roxbourne Ward Councillors]

REPRESENTATION RE – PRIMARY CARE TRUST JOINT WORKING BODIES FOR THE MUNICIPAL YEAR 2008/09

<u>BODY</u>	<u>Appointment</u>
Health and Social Integration Board	Councillor Barry Macleod-Cullinane Councillor Mrs Margaret Davine
Adult Health and Social Care Partnership	Councillor Barry Macleod-Cullinane Councillor Mrs Margaret Davine
Children and Young People's Partnership	Councillor Miss Christine Bednell Councillor Bill Stephenson

[Note: There are two appointments for each body]

APPOINTMENT OF CABINET SUPPORT MEMBERS 2008/09

Cabinet Member	Assistant (Support Member)
<u>Cllr David Ashton</u> Leader (Strategy, Partnership and Finance)	(1) Cllr John Cowan (2) Cllr Tom Weiss
<u>Cllr Susan Hall</u> Deputy Leader, Environment Services & Community Safety	Cllr Julia Merison
<u>Cllr Marilyn Ashton</u> Planning, Development & Enterprise	Cllr Joyce Nickolay
<u>Cllr Christine Bednell</u> Children's Services	Cllr Husain Akhtar
<u>Councillor Tony Ferrari</u> Major Contracts & Property	(1) Cllr Richard Romain (2) Cllr Jeremy Zeid
<u>Cllr Barry McLeod-Cullinane</u> Adults & Housing	(1) Cllr Jean Lammiman (2) Cllr Yogesh Teli
<u>Cllr Chris Mote</u> Community & Cultural Services	(1) Cllr Manji Kara (2) Cllr Golam Chodhury
<u>Cllr Paul Osborn</u> Performance, Communication & Corporate Services	Cllr Narinder Mudhar Singh
<u>Cllr Anjana Patel</u> Schools & Children's Development	Cllr Husain Akhtar

APPOINTMENTS TO THE BTP PARTNERSHIP BOARD 2008/09

**I.
Members**

**David Ashton
Narinder Singh Mudhar
Paul Osborn (CH)**

**Navin Shah
Bill Stephenson**

**II.
Reserve
Members**

1. Tony Ferrari
2. Robert Benson
3. Tom Weiss

1. Thaya Idaikkadar
2. Keith Ferry

APPENDIX 2

STATUTORY PLAN/ STRATEGY 2008/9 (AND DEADLINE DATE)	OVERVIEW AND SCRUTINY COMMITTEE	CABINET MEETING	COUNCIL MEETING
1. BEST VALUE PERFORMANCE PLAN (30 JUNE 2008)	21 July 2008 (Finance and Performance Scrutiny Sub-Committee)	19 June 2008	10 July 2008
2. DEVELOPMENT PLAN a) Core Strategy	7 January 2009	15 January 2009	Tbc – January 2009
3. LOCAL IMPLEMENTATION PLAN	Approved in 2006 to 2008/2009 →		
4. CORPORATE PLAN	10 February 2009	12 February 2009	19 February 2009
5. COMMUNITY SAFETY PLAN (FORMERLY CRIME AND DRUGS REDUCTION STRATEGY)	29 July 2008	18 September 2008	30 October 2008
6. SUSTAINABLE COMMUNITY STRATEGY	4 November 2008	13 November 2008	19 February 2009
7. YOUTH JUSTICE PLAN	The Youth Justice Board have advised that a Youth Justice Plan will not be required this year (08/09)		
8. CHILDREN AND YOUNG PEOPLE STRATEGIC PLAN	Approved in 2006 for a 3 year period – Review 2009 →		
9. GAMBLING POLICY	Approved in 2006 for a 3 year period – Review 2009 →		
10. LICENSING POLICY	Approved in 2007 for a 3 year period – Review 2010 →		

REPORT OF CABINET

(SPECIAL) MEETING HELD ON 21 MAY 2008

Chairman: * Councillor David Ashton

Councillors: * Marilyn Ashton * Barry Macleod-Cullinane
 * Miss Christine Bednell * Chris Mote
 * Tony Ferrari * Paul Osborn
 * Susan Hall * Mrs Anjana Patel

* Denotes Member present

[Note: Councillors Paul Scott and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 426 below. Councillors Husain Akhtar and Mitzi Green also attended this meeting to speak on the item indicated at Minute 427 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

421. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

Agenda items 9/10 – Future Organisation of West Lodge First School and West Lodge Middle School/Harrow's Vision for Education and the Primary Capital Programme

- (i) Councillor Husain Akhtar, who was not a Member of Cabinet, declared a personal interest in that he was a governor of Bentley Wood School.
- (ii) Councillor Miss Christine Bednell declared personal interests arising from the fact that she was a governor of Vaughan First and Middle School, a governor of Whitmore High School and a non-LEA representative of Stanmore College.
- (iii) Councillor Robert Benson, who was not a Member of Cabinet, declared a personal interest in that he was a governor of Cedars Manor School.
- (iv) Councillor Mitzi Green, who was not a Member of Cabinet, declared a personal interest in that she was a governor of Kenmore Park First and Middle School.
- (v) Councillor Susan Hall declared a personal interest in that she was a governor of Priestmead First School.
- (vi) Councillor Barry Macleod-Cullinane declared personal interests in that he was a governor of Canons High School and that his sister was a teacher at Hatch End High School.
- (vii) Councillor Julia Merison, who was not a Member of Cabinet, declared a personal interest in that she was a governor of Newton Farm First and Middle School.
- (viii) Councillor Janet Mote, who was not a Member of Cabinet, declared a personal interest in that he she was a governor of St. John Fisher First & Middle School.
- (ix) Councillor Chris Mote declared a personal interest in that he had friends at West Lodge School.
- (x) Councillor Mrs Anjana Patel declared a personal interest in that she was a governor of St Dominic's College.
- (xi) Councillor Bill Stephenson, who was not a Member of Cabinet, declared a personal interest in that he was a governor of Hatch End High School and Marlborough First and Middle School.

Accordingly, they would all remain in the room to listen to the debate, take part in the discussion and decision-making, as appropriate, on these items.

422. **Minutes:**

RESOLVED: That the minutes of the meeting held on 15 May 2008 be deferred until the next ordinary Cabinet meeting.

423. **Arrangement of Agenda:**

The Leader of the Council stated that in light of the public attendance at the meeting, he would re-order the agenda and take item 9 - Future Organisation of West Lodge First and Middle School and West Lodge Middle School and item 11 - Development of Cedars Hall Site, Uxbridge Road, Harrow, after item 6 - Councillor Questions. For clarity business is recorded in the order set out on the agenda.

The Leader added that due to the large number of questions received, supplemental questions would not be answered at the meeting but that the questioners would be sent written responses.

It was noted that there was no exempt report at item 13 - Development of Cedars Hall, Uxbridge Road, Harrow.

The Leader explained the reasons behind the need to suspend Executive Procedure Rule 8.2.2 and it was

RESOLVED: That (1) all items be considered with the press and public present with the exception of the following item for the reason set out below:

<u>Item</u>	<u>Reason</u>
14. Street Lighting Private Finance Initiative	This report was exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

(2) Executive Procedure Rule 8.2.2 be suspended to allow the submission of petitions and the asking and answering of public and Councillor questions;

(3) that supplemental questions be answered in writing rather than at the meeting.

424. **Petitions:**

RESOLVED: To note that the following petitions had been received and were considered alongside the relevant reports on the agenda.

1. Mr Brian Stoker presented a petition, signed by two people, concerning the Cedars Hall site proposed development. He read out the terms of the petition to the meeting, which were as follows:-

“We request that the paper on the proposed development be deferred and revised on the grounds that:

- This paper requires a yes/no decision; you are not being given the promised choice to explore options, as declared in Cabinet and residents’ meetings.
- The residential development is contrary to your UDP; the previous residential planning application for the site was withdrawn before it could be rejected for this reason.
- The land forms part of Cedars Open Space which the Council is committed to protect.
- A residential development will require the Council to break the trust vested in it by the LCC covenant to maintain use for community purposes.
- Breaking the covenant opens the whole green open space of 9 acres to residential development. The covenant is actually for the benefit of the community, not the Council.

- Residential housing at Cedars is not to the benefit of the community.
- The option from residents' meeting, to return to open space, is not put forward.
- Other credible alternative options available (eg children's charity) are not addressed at all.
- The report has been 6 months in production, missed the Cabinet deadlines for this meeting (9th May final report, 13th May for Agenda) and was published Friday 16th May, only hours before the public questions deadline for this meeting.
- The unilaterally imposed deadlines for a WTRA proposed are unrealistic and will result in bringing residential build foremost as the only option.
- Correspondence from the public to your Democratic Services and Mr Trehern was promised to be presented to you: it is not seen.
- You are being asked to approve a legalistic document which has factual errors.

We request that the contents of this petition be recorded in the Minutes of this Cabinet meeting”.

2. Councillor Miss Christine Bednell presented a petition from teaching and non-teaching staff of West Lodge Middle School. The petition contained 24 signatures. She read out the terms of the petition, which were as follows:-

“We, the undersigned, of West Lodge Middle School, once again write to you to express our support of the Middle School Governing Body decision not to amalgamate with West Lodge First School”.

425. **Public Questions:**

RESOLVED: To note that the following public questions had been received:

1.

Questioner: Mr Lee Choules, Weald Tenants' and Residents' Association

Asked of: Councillor Chris Mote, Portfolio Holder for Community and Cultural Services

Question: Weald TRA warmly and unreservedly welcomes the decision of Cabinet to support our wish to submit a formal proposal for the development and management of the Cedars Hall site, as a “community hall” and we understand that our draft proposals must clearly demonstrate that there is reasonable prospect of the necessary capital funding of between £500,000 and £750,000 being secured no later than 30 November 2008.

Towards this objective, will the Council undertake the following, as its partnership commitment in helping to develop what will remain a Council owned asset, to draft, manage and develop in consultation with Weald TRA the proposed legal documentation, including an Options Agreement that gives us the legal right to seek the necessary capital and revenue funding, noting that the Options Agreement is needed immediately, the architectural plans, building control, planning environmental applications, an application or partner in an application, to the European Social Fund and/or to allocate any existing funds under its management from the ESF to the maximum value of £400,000, that may be needed as part of any formal applications that may be submitted?

Pending a positive answer to the above issues, Weald TRA on behalf of the local community are confident that by 30 November 2008, we would be able to confirm to the Council that we have secured all necessary capital and revenue resources to enable comprehensive refurbishment of cedars hall site (internal and external) to enable it to be brought into use as a "community hall".

Answer: Mr Choules, I would firstly like to thank you and the members of Weald TRA, for the work you have undertaken to date, to take forward your vision and plans for Cedars Hall, as a centre for the Harrow Weald community.

The Officer recommendation which Cabinet will consider this evening, actually requires Weald TRA to 'clearly demonstrate that there is reasonable prospect of the necessary capital funding of between £500,000 and £750,000 being secured', by 30 June 2008.

As you note in the final part of your question, the November date requires Weald TRA, to confirm to the Council that you have actually secured the necessary money - the funding.

What the Council is looking for in June, is simply confirmation of the funding sources that you intend to approach, together with an indication from these sources that the relevant funding scheme is available, and that the Cedars Community Hall project, meets the criteria for any application for a grant to be considered.

The Council's intention in respect of the development of a community hall option, is for Cedars Hall to remain in Council ownership. Once necessary funds and planning permission have been secured by Weald TRA, and the legal process completed, Weald TRA would be required to enter into a lease with the Council, to take over the development and management of the Cedars Community Centre.

The Terms of the Agreement (legal documentation) between Weald TRA and the Council have yet to be negotiated and it would not be appropriate to give a specific undertaking in respect of this in my reply to your question.

However, you have my absolute assurance that Council Officers, will work with you, to ensure that Weald TRA's bids to grant funding organisations or other financial institutions, include all necessary Council support in respect of the property agreement to be completed between us. This is one of the reasons why the Officers have targeted agreement of the legal terms, including the lease, by 31 July 2008.

The Council will provide you with copies of existing plans of the site, but cannot undertake any design of the new facility. We will of course be able to offer advice for example in respect of environmental and sustainability matters, access for all, health and safety, secured by design, and all other things that go with that.

The Council has already offered to provide planning advice, to ensure that your planning application can be compliant with all relevant policies.

You or your architect will be required to submit plans to the Council's Planning Department, including the Building Control Service, and to ensure that all design and building work is undertaken in accordance with relevant regulations.

Assuming that the Council officers are able to advise you that your long term business plan is viable and sustainable, and that your approach to funding organisations is compliant with the relevant Council policies, the Council will, following this evening's Cabinet decision on the matter, wholeheartedly support Weald TRA's application for funding from appropriate funding organisations.

However, the Council cannot commit any resources directly to this project.

I confirm that I am personally very keen to see what you put forward and that the Weald TRA's innovative plans for this site coming to fruition.

Supplemental Question:

I'd like to ask that seeing as there are going to be no resources available, we are a voluntary organisation. I know in the report pack it says we have £4,000 in our account, we don't have £400. I'm just wondering where the Council expects us to find in the region of about £40,000 prior to receiving grants to engage an architect to actually draw up the plans which will enable proper costings of the refurbishment of Cedars Hall.

Answer:

A written response would be provided.

2.

Questioner:

Dr Alan Bender

Asked of:

Councillor Chris Mote, Portfolio Holder for Community and Cultural Services

Question:

Andrew Trehern's paper for Cabinet on 21 May titled "Development of the Cedars Hall site, Uxbridge Road, Harrow" is based very heavily on one assumption that the Weald Tenants' and Residents' Association acts as the lead group for all current interest in the Cedars Hall site.

This is a false assumption and the Council and the Association have not properly assessed the views of residents that live much closer to the site than most of the Association members. In addition, Andrew Trehern has repeatedly failed to communicate with all such residents within timescales that give adequate time for consideration, reasoned response and preparation of constructive submissions to Cabinet.

As a result, his paper is an inadequate analysis of the possible approaches to a solution that will be acceptable to the Council and the local residents.

Therefore, in order to produce a better balanced and reasoned paper, would Cabinet agree to a three month period for further and proper consultation and consideration of options?

Answer:

The future of the Cedars Hall site, has effectively been subject to public debate, since 9 November 2006, when Cabinet first considered its future use, following the closure of the Wembley Rugby Club.

Following a public meeting at Kingsley High School on 3 October 2007, the proposal for an emergency accommodation hostel, was not taken forward.

Residents' views were being clearly heard by this administration.

On 20 February 2008, that is 12 weeks ago, officers presented various options for the development of the Cedars Hall site, at a meeting with local residents.

Clearly the preferred course of action indicated by residents at this meeting, was to return the site to open space.

Council Officers advise that there is no requirement to do this, given the sufficiency of open space in the surrounding area.

I understand that the community hall option was discussed in some detail at the meeting on 20 February, and was the only other option supported by residents at that meeting.

Following the meeting on 20 February, the Weald TRA began work to develop their vision and plans for Cedars Hall.

This approach could have been adopted by any other resident or group of residents in the area but was not. There has been an approach from a charitable enterprise, to develop a nursery on the site, and this enterprise has been referred to the Weald TRA.

The options to be considered by Cabinet this evening are substantially the same as those presented on 20 February.

Approximately 80 residents attended the second meeting on Wednesday 7 May, where a copy of the report as presented this evening, save for the inclusion of the Weald TRA proposal at appendix 4, and the notes of the meeting at appendix 3, was available to residents.

The views of the residents have clearly been heard, this administration listened to the views of residents last year, we have listened over the past 12 weeks and we will make a reasonable decision tonight.

Supplemental Question:

There have been many delays, all on the Council's part, and lack of an appropriate wide distribution of consultation requests. Cabinet of 13 December 2007 was petitioned that the promised consultation be started. The first public meeting was only two months' later on 20 February, with just 4 days' notice and with limited publicity. The next meeting on 2 April was changed 3 days' later to 7 May with the Council reason being given information not available and the report delayed from 2 April, to 7 May and then to 14 May, so why is the time allowed for consideration of the issues all one sided towards the Council with the public being given short shrift and why are things not being done in a more equitable and democratic fashion?

Answer:

A written response would be provided.

3.

Questioner:

Brian Stoker

Asked of:

Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question:

In the matter of Cedars Hall future, I refer to my question to the previous Council Leader at the Cabinet meeting of 10 April regarding lack of opportunity for the public to comment to the Cabinet on the officers' report, we were assured there was sufficient time. However, as of the 16 May the report is not in the published Cabinet papers placed on the Council website in the statutory notice period for the 21 May meeting, and your deadline for questions on it is today, Friday 16 May! So we must assume it is not being considered at Cabinet.

A paper copy was given to a few individuals who happened to be present at the last Cabinet meeting, and a few individuals were e-mailed a version, but we await its formal publication. Factual errors in it, including the notes of the 7 May public meeting, need correcting.

This paper was referred to by the Leader in the minutes of the 8 November 2007 Cabinet meeting, some 6 months ago, so why 6 months to produce, and no days for comments by the public?

Answer:

I am sorry that the Cedars Hall report was not published on the Council website by the scheduled date.

Council Officers are expected to meet reporting deadlines and on this occasion failed to meet the scheduled date of Tuesday 13 May, which is not acceptable to this administration. However I am advised that the report was published on the Council website

last Thursday 15 May at 5.00 pm.

The report author, was in fact responsible for leading the Council's response to the very serious and most tragic incident which occurred in Stanley Road, South Harrow, following the Harrow Weald residents' meeting on Wednesday 7 May.

100 copies of the Cedars Hall report were taken to the residents meeting on 7 May. At the end of the meeting only 19 copies of the papers were left. I suggest therefore that there was good attendance at the meeting by local residents.

The report contained within this evening's Cabinet papers is virtually identical to the papers presented at the resident meeting, the exceptions being appendix 3, the notes of the meeting, and Appendix 4 The Weald TRA draft proposal.

The notes of the 7 May residents meeting have been published as drafted 'independently' by our Committee Services staff. Any comments in respect of factual accuracies can be addressed to Hugh Peart, Director of Legal & Governance Services who will ensure that any necessary amendments are made as appropriate.

The timing of the consideration of this matter by Cabinet has in part been determined to ensure sufficient time for local residents to advise the Council of their views.

Cabinet will be considering the Officers' report this evening and will make a decision regarding the future development and use of this important site.

Supplemental Question:

Why are you actually considering this paper now when it was not available to the public in time when it contravenes your own Constitution Access to Information Procedure Rules, Rule 5.1, as it was on the published agenda, not added later, but the paper was not on the Council website until Friday 16 May? It also contains factual errors which will need to be corrected before you can approve a legalistic document.

Answer:

A written response would be provided.

4.

Questioner:

Frances Pickersgill

Asked of:

Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question:

In his response to a public question at the Cabinet meeting on 15 May, Mr Ashton said that the Council would be discussing the future of Cedars Hall with the Weald Tenants' and Residents' Association. This, he said is the recognized organization representing the local community. Since when has the WTRA been 'recognised' in this way when there are other organisations eager to use the hall but are not included in the proposal?

Answer:

The Council is recognising Weald TRA in respect of the development of the Cedars Community Hall option for two reasons:

1. The Weald TRA have proactively embraced the opportunity formally to submit high-level proposals for the development of the Harrow Weald site as a community hall.
2. And secondly the Council is willing to recognise the Weald TRA as it is a properly constituted local community group.

Supplemental Question: Why has the Council not explored whether other not for profit, voluntary and charitable organisations with which it has links or even contracts, would be interested in bidding to use the Cedars facilities?

Answer: A written response would be provided.

5.

Questioner: Catherine Kittredge MBE

Asked of: Councillor Christine Bednell, Portfolio Holder for Children's Services

Question: The recent ballot of stakeholders can be said to have upheld the original decision of West Lodge Middle School Governors because that result indicates that the majority of West Lodge Middle School Parents, Staff and Governors are in favour of remaining as a separate school.

We therefore ask for an explanation as to why the Local Authority is doing its best to prevent the appointment of a Headteacher, when all members of the recent interview panel attempting to make such an appointment, Local Authority members included, considered the candidate to be experienced and very well qualified for the position.

Answer: The local authority has advised the governing body of their responsibilities to manage the school budget in accordance with Financial Regulations. Making an appointment to a post that may be deleted would potentially incur redundancy costs and be contrary to good management of public funds.

The local authority, with the Governing Body has made further interim arrangements for an acting headteacher to be in post until December 2008.

Through the appointment process an appropriate candidate was interviewed and the Governing Body has offered the post to the candidate, subject to the outcome of the Cabinet Decision.

Supplemental Question: It is our opinion that the local authority appears to be acting on two different levels here. It would appear that within the same timeframe as the West Lodge Schools' consultation period, another school in the Borough voted against amalgamation. That was accepted by the local authority on the proviso that the headteacher be appointed by a given date. Why then is the local authority applying a different standard to West Lodge Middle School, where but for the interventions of the local authority an experienced headteacher could have been appointed for the start of the academic year 2008/2009 and still could be for the start of January 2009?

Answer: A written response would be provided.

6.

Questioner: Pamela Fitzpatrick

Asked of: Councillor Christine Bednell, Portfolio Holder for Children's Services

Question: Cabinet has stated that it intended to conduct a fair and transparent consultation which would be in the hands of the stakeholders. Why is it then that the Local Authority appointed Steering Group charged with the responsibility of conducting a stage one consultation under the statutory guidance made no new investigations into how an amalgamation would affect two very successful schools.

Answer: The Steering Group agreed a consultation process to gather views

of the stakeholders of the two schools. The Steering Group were satisfied that they had sufficient information necessary to undertake the consultation. The information was included in a suite of papers sent to Stakeholders which included the consultation paper, an Executive Summary of the Feasibility Study and the Feasibility Study.

Supplemental Question: Why did the local authority allow an officer of the Council to write the feasibility report and send it to parents before it was seen, or even signed off, by members of the steering committee?

Answer: A written response would be provided.

7.

Questioner: Julie Browne

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question: How can Cabinet believe that they are getting best benefit for the community by not considering all of the available options? (relating to Cedars Hall).

Answer: I am aware of your Kids Can Achieve enterprise interest in the Cedars Hall site.

I understand that you have discussed your interest with Andrew Trehern and that he provided you with contact details for the Weald TRA.

The Cedars Hall site is a substantial property and the Council believes that the success of the community enterprise may be best achieved by more than one organisation working together, so that in particular the costs associated with development, management and operation of this substantial site can be shared, thereby increasing opportunities for the financial and operational sustainability.

I would therefore encourage you to consider how you may be able to work with the Weald TRA.

Supplemental Question: There are other organisations, and not just mine, who desperately need this facility and we feel we are being denied the opportunity to express an interest or bid for the use of this facility. Could we be considered?

Answer: A written response would be provided.

[Notes: (1) In accordance with Executive procedure Rule 34.1, Cabinet suspended Committee Procedure Rule 16.2 – Time limit for Questions – to allow all questions to be put to the meeting. Answers to supplemental questions would be provided in writing;

(2) The Leader of the Council stated that questions received from members of the public after the deadline for receipt of questions would be responded in writing;

(3) The Leader of the Council explained that in order to meet the requirements of the Constitution for the publication of the minutes, it was not possible to transcribe supplemental questions and answers. A full transcript of the supplemental questions and answers would appear on the Council's website as soon as possible].

426. **Councillor Questions:**

RESOLVED: To note the following Councillor Questions had been received:

1.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: At the Cabinet meeting on February 14, I asked your predecessor Councillor Camilla Bath to state how many of Harrow's major housing estates (and out of what total) have been fully externally decorated in the last (i) seven years, (ii) nine years, and (iii) eleven years. In a supplementary question I made it clear I was interested in the major blocks of flats and, asked when the major blocks of flats in the Kingsfield Estate in my ward, would be externally re-decorated as the last time was eleven years ago. In her reply Councillor Bath said this information was 'necessary' and 'would take 14 days to collate' and Councillor Chris Mote said that 'as soon it was we would have chat about it and look at all areas that do need doing.' Since then I have heard absolutely nothing.

Can you provide me with the response promised by your predecessor and confirm the promise made to one of my constituents in writing that the Kingsfield estate will be externally re-decorated in this financial year?

Answer: At 31 March 2008 the Council owned 5068 tenanted homes and managed 1106 leaseholds.

In the seven year period to March 2008 records indicate that 3184 properties were included on the external decoration programme. Records are not available for earlier periods.

Allerford Court, Apsley Close and Holsworth Close on the Kingsfield Estate are programmed to be externally redecorated this year and instructions for that work to take place have been issued.

Supplemental Question: I welcome that. Could I ask Councillor Macleod-Cullinane to make sure leaseholders are contacted well in advance about costs of what their share will be.

Answer: Yes.
(A written response would be provided).

2.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: When external re-decoration or major repairs are carried out on Council tenanted homes and managed leases only Kiers can quote for the work with no competitive tendering and the price which they quote has to be paid by leaseholders pro rata irrespective. Several leaseholders have stated to me that despite what the Council says that they have never agreed to such a one-sided system and that the prices quoted are excessive. Would you provide me with the documentation to show that all the leaseholders were fully and thoroughly consulted about this matter and agreed to the current system which replaced the previous system of competitive tendering? In addition can you tell us how leaseholders can be sure that they are not being overcharged and having to pay excessive prices.

Answer: When the Council re-tendered the contract for minor and major works to Council Homes in 2006, a public notice was published in the Official Journal of the European Union inviting such tenders. A Section 20 Consultation Notice was sent to all leaseholders informing them of this on 17 July 2006 and inviting their comments. Competitive tenders were received by Harrow Council. Leaseholder representatives were part of the panel that selected Kier Building Maintenance. On 14 March 2007, a Section 20 Consultation Notice was sent to all Leaseholders informing them that Harrow would now enter into a contract with Kier Building Maintenance for all maintenance works. The minor works contract is effective for five years and the major works contract for four

years with effect from 1 July 2007. The process for that the Council applied provided opportunity for necessary competition and met the requirements of the Commonhold and Leasehold Reform Act 2004.

When the Council wishes to appoint Kier, as the major works contract partner, to undertake specified work, a Section 20 Notice is always issued. That notice provides a description of the work, an explanation about why the work is necessary, an estimate of the likely cost and an invitation to all leaseholders to make comments within 30 days.

Further with the service charge demand all leaseholders are advised that they have the right to ask a Leasehold Valuation Tribunal (LVT) to determine whether any costs that Harrow Council intend charging are reasonable. Leaseholders are advised that they may ask the LVT to make the determination before or after the cost has become payable.

Supplemental Question: Thank you for his comment in saying precisely what happened but having talked to leaseholders, none of them seem to understand the system. Would the Council begin to learn how to communicate and communicate more clearly to leaseholders who clearly misunderstand this and still feel that they're being charged excessive prices which is very difficult for them to overturn other than going through a Leasehold Variation Tribunal.

Answer: A written response would be provided.

3.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: When external re-decoration or major repairs are carried out on leases managed by the Council, the leaseholders have to pay a 20% administrative charge to the Housing Department. This was recently raised from 10% and according to the minutes of the Council supported Leaseholders' Support Group will possibly rise to 37%. Could you justify in detail this extremely high charge to leaseholders and can you assure them that there are absolutely no proposals to further increase this charge?

Answer: A review of the cost of providing leasehold services in 2006 indicated that the cost of providing these services significantly exceeded the annual charge to leaseholders. The financial information to confirm this was submitted to the Leaseholder Support Group and discussed at the Forum. The administration charge was increased from 10% to 20% of the actual costs. At the time of the review the Leaseholder Support Group was provided with information that confirmed that the administration charge would need to increase to 37% of costs in order to ensure that the Housing Revenue Account recovered from leaseholders the cost of providing the services those leaseholders. This administration charge is reviewed annually and at the present time there are no proposals to increase that charge.

Supplemental Question: I welcome that assurance. Can I just give an example of a case in my own ward where the roofing is being replaced at Atherton Place, a cost of £160,000. 20% of that is £32,000. Wouldn't Councillor Macleod-Cullinane say for that you could employ a lower level member of staff with on-costs for perhaps the whole year, a higher level member of staff for half a year. What is the justification for such a high charge for just putting the roof on one building and would he look at this again as to how we do charge leaseholders to make sure we're doing it fairly.

Answer: A written response would be provided.

4.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing

Question: As there is no mention of this in the Cabinet's Forward Plan could you give an outline of the timetable for the determination of the future of Wiseworks including the proposals to fully and thoroughly consult all stakeholders.

Answer: Members will recall that the Council entered into a Section 75 Agreement with Central and North West London Foundation NHS Trust to deliver an integrated Mental Health Service. At the point of transfer the decision was taken to exclude Wiseworks from this, pending clarity about the future of that service. CNWL have now requested that Wiseworks be included in the Section 75 Agreement. Proposals (including a timetable for implementation) are currently being developed prior to consultation with service users, carers, stakeholders and staff. It is anticipated that a report on this matter will be submitted to Cabinet in October later this year.

This will be linked with the work being currently undertaken through the Mental Health Partnership Board to develop vocational strategy for people with mental health illnesses and health issues. This work is being led by users and carers supported by the Council, PCT and CNWL, and staff from Wise Works have contributed to this process. The development of a vocational strategy is a work stream within your future, our future, and the adult and housing training programme plan was approved by Cabinet last week.

5.

Questioner: Councillor Paul Scott

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question: In answer to a question put to you by John Feldman last Thursday, you gave assurances that your administration will not build on any park, including Cedars Open Space. Can you inform us of the status of Cedars Youth Centre as regards this question? Is it, like Cedars Hall, considered separate from Cedars Open Space and therefore a potential site for future development?

Answer: Cedars Youth Centre does not form part of Cedars open space. However the Council has no current plans for development on this site.

6.

Questioner: Councillor Paul Scott

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnerships and Finance

Question: Why, when both the Weald TRA (the Council's supposed partner), and an established local charity that is interested in the Cedars Hall site, have stated publicly that the timescale set out in the officer report cannot be met, is Cabinet still considering a recommendation which seems to require much more work than has yet been done and in its present form seems likely to lead to a residential development on the site – the one option that all local residents are united against?

Answer: Firstly there is no assumption on the part of myself or this administration which is based on a housing development on the Cedars Hall site being our preferred option.

Our position in respect of this matter will become clear once we have considered and decided upon the Officers report in respect of this matter.

The Officers report sets down a clear timescale for the development option based on a community use hall. The timescale is challenging, and rightly so, but Officer advice is that the timescale remains realistic, particularly given the progress that has already been made by the Weald TRA.

This view now seems to be supported by Mr Choules given the wording of the question.

Supplemental Question: Why have Cabinet spent 18 months considering, proposing, withdrawing, reconsidering and reproposing plans for this site? Are you now apparently unwilling to grant further time, particularly in response to Kids Can Achieve, in order to reach a result that will enhance facilities for the area?

Answer: A written response would be provided.

[Notes: (1) In accordance with Executive procedure Rule 34.1, Cabinet suspended paragraph 2 of Committee Procedure Rule 17.1 – Questions with Notice – to allow all questions to be put to the meeting. Answers to supplemental questions would be provided in writing;

(2) Questioners 4 and 5 did not ask supplemental questions;

(3) The Leader of the Council explained that in order to meet the requirements of the Constitution for the publication of the minutes, it was not possible to transcribe supplemental questions and answers. A full transcript of the supplemental questions and answers would appear on the Council's website as soon as possible].

427. **Review of Cultural Services - Beacon Centre Case Study:**

Cabinet considered a report of the Director of Community and Cultural Services, responding to the findings and recommendations of the Scrutiny Review Group that had investigated the operation of the Beacon Centre in Rayners Lane.

The Chairman of the Review Group stated that the case study on the Beacon Centre was the final element of the review of cultural services undertaken during 2007. She stated that the Cultural Strategy Review Group had visited the Beacon Centre in 2007 and, as the Centre had just opened at that time, it had been agreed that the study would be carried out in six months' time in order to allow a 'true' assessment of its impact.

The Chairman of the Review Group stated that the development of the Beacon Centre was very welcome and the facilities provided were of a very high standard. She stated that some of the evidence presented to the Group during the review had shown tensions between Home Group and the local community over access to the Centre and participation in its activities. Amongst the recommendations set out in the report of the Review Group, she drew particular attention to recommendation 6, which requested that the Council convene a 'Summit' to set out a new strategic vision for the Beacon Centre. She thanked those involved, in particular Home Group and Harrow College, for their contributions, and the scrutiny officer for his work on the report.

Another Member of the Review Group also addressed Cabinet and explained that the remit of the Review Group was specific to the operation of the Beacon Centre. The wider relationships with the Rayners Lane Estate, including housing and regeneration issues, had not been part of its remit. He added that the Beacon Centre was an excellent and valuable resource for Harrow and that the Review Group had looked to ascertain whether the provision was compatible with the needs of residents. The focus had been on the users and therefore the evidence base had been limited to that area only. Whilst there might not have been anything wrong with the provisions at the Beacon Centre, evidence had shown that so far it did not fully meet with the aspirations of local residents.

The Portfolio Holder for Schools and Children's Development speaking in her capacity as the former Portfolio Holder for Community and Cultural Services during which the Review Group had met, stated that whilst the Council had a role to play in this matter, the Beacon Centre was actually owned and run by Home Group. She added that the

£330k had been a one-off capital investment at the Beacon Centre with no commitments to any ongoing capital or revenue support. She acknowledged that there had been teething problems but that the residents, Home Group and the Council needed to move forward on this matter with the Council acting as a mediator.

The Director of Community and Cultural Services outlined the actions that had been taken since the report of the Review Group. He was working together with colleagues in housing services on the recommendations of the Review Group, which had helped to improve co-ordination. A closer liaison with the Arts Centre had also evolved helping the Beacon Centre learn from best practice. It was intended to hold a 'Summit' for Home Group and Council departments in the first instance, and to develop a cultural strategy for Rayners Lane by late 2008. It was noted that the Beacon Centre Management Committee would also be considering the report of the Review Group in detail at its meeting on 29 May 2008.

The Leader of the Council stated that this was an excellent example of scrutiny working as a 'critical' friend in challenging areas. He stated that the Administration intended to ensure a positive relationship with scrutiny. He thanked the Chairman and the Member of the Review Group for their contributions at the meeting.

RESOLVED: That (1) the content and recommendations of the Scrutiny Review Group's report be noted and it be referred to the Portfolio Holder for Community and Cultural Services to inform future cultural services provision;

(2) the Council work to support the Home Group and partners to help develop appropriate services at the Beacon Centre, which reflected local needs.

Reasons for Decision: (1) In accordance with Overview and Scrutiny Procedure Rules, Cabinet shall consider reports produced by the Committee;

(2) to address the recommendations of the Scrutiny Review Group.

428. **Key Decision - Revenue Income Optimisation:**

The Corporate Director of Finance introduced the report, which set out progress on the Revenue Income Optimisation (RIO) project and recommended changes to fees and charges in 2008-09. She added that a framework for charging had been approved by Cabinet in February 2008, and that the RIO was a major piece of work, which would generate income for the Council. Future such reports would be submitted to Cabinet in due course, and Business Cases for some short to medium term projects would also be developed.

The Corporate Director referred to the 'top down' analysis that would be conducted to compare charges with other boroughs and identify why Harrow's income was lower than those of its neighbours. It would help identify discrepancies.

The Leader of the Council stated that the RIO was a long term programme and would entail the consideration of 'rolling' reports by Cabinet.

RESOLVED: That the proposals in relation to fees and charges, set out in Appendix 1 to the officer report, be agreed.

Reason for Decision: To maximise income opportunities.

429. **Key Decision - Future Organisation of West Lodge First School and West Lodge Middle School:**

Cabinet received a report of the Director of Schools and Children's Development, which set out the outcome of the statutory consultation about the future organisation of West Lodge First School and West Lodge Middle School, and the recommendations of the Future Organisation of West Lodge Schools' Steering Group.

Prior to the consideration of the report, the Leader of the Council asked if an outstanding complaint under stage 2 of the Corporate Complaints procedure, which had alleged procedural improprieties and had requested the Council to stop any amalgamation process, impacted on any decision to be taken by Cabinet that evening.

The Portfolio Holder for Children's Services who had dealt with this matter under her previous portfolio remit of Schools and Children's Development during 2007/08, responded to the Leader's question as follows:-

- Council was currently investigating a complaint under Stage 2 of the Corporate Complaints procedure which alleged procedural improprieties and requested the Council to stop any amalgamation process.
- The investigation had not been concluded in time to report to this Cabinet. The complaint was confidential to the complainant and disclosure of this would lead to a possibility of identification.
- The decision for Cabinet that evening regarding the future of two successful schools in Harrow was very important, and the Cabinet had considered this whole situation in detail prior to this Cabinet meeting. The Cabinet had concluded that it should not delay making a decision about whether to publish statutory notices because further uncertainty was not in the best interests of the children or the schools.
- The statutory notices, if published, would return to Cabinet for a decision in September 2008. Any relevant recommendations arising from the complaint could be looked at then.

The Portfolio Holder made the following statement in relation to the report submitted to Cabinet:-

"In January 2008, Cabinet decided:-

- o *to consult to gather views of stakeholders; and*
- o *that these views would be reported back to Cabinet.*

The decision that the local authority would conduct a consultation was made only after all avenues had been explored with the governing bodies of the two schools to find a way forward, on which they were unable to agree. The report today was about the outcome of the consultation, and Cabinet now needed to decide on the future organisation it proposed for the two schools.

I would like to start by saying that I am most impressed by the response to the consultation from stakeholders, and by the extensive range of comments received. Over half of the consultation response forms that were returned contained comments for us to consider. This was most helpful, and reflected the strong level of interest and commitment among all associated with the schools.

I am also most grateful for the work of the Steering Group that was established to conduct the consultation, and for the recommendations that it had made, and I will say more about this work in a moment.

Cabinet considered the organisational and educational reasons for amalgamation in October 2007 when it decided its Strategic Approach to School Organisation and agreed its new Amalgamation Policy. The consideration of amalgamation in this instance was in the context of two successful schools. The educational reasons for and against amalgamation have been covered by the Steering Group in the consultation papers, and are contained in the responses to the consultation.

The educational reasons for amalgamation include:

- *Organisational structure was aligned with the National Curriculum Key Stages, and enables planning as a coherent whole for the primary phase and provides greater flexibility across and between Key Stages.*
- *Reducing the number of changes for children in a school system strengthens continuity and progression for children and families in the primary phase, both in terms of the curriculum and pastoral experience.*
- *For younger children the presence of older children would provide aspirational role models and also mentoring support.*
- *Teachers and classroom staff would have access to the whole primary curriculum. This would support and inform whole school planning, assessment, pastoral systems, etc., and provide opportunities for wider staff development and experience across the full primary phase.*

The educational reasons against amalgamation include:

- *It would be hard to sustain a primary ethos and there would be a danger of the school becoming impersonal.*
- *The larger size of a combined school would raise issues about the changed role of the headteacher who would become more remote.*
- *The larger size of a combined school would create challenges for the younger children and potential scope for bullying by older children.*
- *Educational benefits could be achieved by effective communication and working together of staff and governing bodies in separate schools.*

I am very mindful of the difference of views among stakeholders that is very clear from the consultation responses, and has been apparent for some time prior to this consultation.

The range and difference of views expressed during the consultation was captured in full in the background papers for Cabinet to see.

I have also met with West Lodge Middle School staff and governors at their invitation to hear their views first hand, and I have been able to inform Cabinet colleagues about these views.

When reading the responses to the consultation, I have been struck by the many comments made about the need to resolve the issue one way or the other and without further delay. The second recommendation of the Steering Group reflected this, and it emphasised the need for support to the schools in moving forward. This support would be needed whatever decision Cabinet made in order to help the schools to put behind them all that has happened and to be able to move forward.

It was very clear to me that the decision Cabinet makes must be in the best interests of the children.

Following the decision made by Cabinet in January 2008, the local authority set up a fair, open and transparent process for the consultation.

A Steering Group was established to undertake the consultation, which had equal numbers of representatives from each school and from the local authority.

The Steering Group met five times, and maintained a clear focus only on the best interests of the children at both schools. It had:-

- o *conducted a consultation of the school communities and of all interested parties.*
- o *kept the school communities informed about their work.*
- o *worked hard on the feasibility study and on the other documents that were distributed.*
- o *It conducted three consultation meetings for parents and staff from the two schools.*
- o *analysed the responses from parents, staff and governors to the consultation response forms.*
- o *made recommendations for Cabinet to consider today.*

Cabinet needed to consider the recommendations of the Steering Group, which is that West Lodge First School and West Lodge Middle School become a combined First and Middle School.

Cabinet then needed to decide:

- o *whether to publish statutory notices that was the next step towards combining the two schools*
- o *or whether to leave the schools as separate First and Middle schools.*

I said at the Overview and Scrutiny Call-in Sub-Committee (Education) meeting on 30 January 2008 that the local authority would accept the view of the majority of those

consulted, and, before I give my recommendation to Cabinet, I would like to highlight some key points from the consultation responses.

I am aware that the Middle School Governing Body engaged Electoral Reform Services to conduct a ballot about the future organisation of West Lodge Middle School. This was the initiative of the Middle School Governing Body alone, and did not form part of the local authority's consultation.

The local authority did not conduct a ballot, but rather it invited the key stakeholders of both schools to state their views and to make comments they would wish to have considered. This afforded us the benefit of a wider range of information on which to make a decision.

All the views and comments received are available to Cabinet.

Annexe A of the Cabinet report and the Appendices give information about the analysis of the consultation response forms, and give a helpful overview of all the responses.

579 consultation response forms were distributed.

291 completed consultation response forms were received, which is an overall response rate of just over 50%.

A key point for me is that 75% of families who expressed a view are in support of combining the two schools. Also, almost 60% of staff and governors who expressed a view were in support of combining the two schools. I recognise that there were differences contained within the responses, and I have given much thought to the views expressed by Middle School staff and governors, the majority of whom are not in support of the proposals. I am also mindful that many responses asked that a decision be made quickly one way or the other, and be upheld by all whatever the outcome so things can move on.

The Steering Group has recommended that the two schools should amalgamate. The next step towards a decision on amalgamation is the publication of statutory notices. This will lead to a further period of formal representations and those outcomes will be reported to Cabinet in September 2008 for decision.

I propose that Cabinet decide to publish statutory notices for these reasons:

- This listens to the views of stakeholders as expressed during the consultation, and is the clear view of the majority of families of children attending the schools.
- I made it clear when it was decided to conduct a consultation that the local authority would give great weight to the view of the majority of those consulted.
- There are strong educational reasons for combining the schools and I consider important points have been made about the benefits to children of a combined school in relation to transition issues and the benefits of curriculum continuity.
- The schools need to move forward, and to be supported in doing so.
- It is in the best interests of the children that a decision is made as quickly as possible so that the uncertainty is removed."

The Leader of the Council stated that the Steering Group had planned and conducted the consultation from 17 March 2008 until 4 April 2008.

The Portfolio Holder having moved a recommendation, which was duly seconded, it was

RESOLVED: That having considered the consultation responses and outcomes, and the recommendations of the Steering Group, and based on the reasons provided by the Portfolio Holder for Children's Services, statutory notices proposing (1) to close West Lodge Middle School with effect from 31 December 2008 (2) to extend the age range of West Lodge First School with effect from January 2009 be published.

Reason for Decision: (1) To consider the outcome of the consultation undertaken by the Future Organisation of West Lodge Schools' Steering Group;

(2) to exercise the local authority's statutory responsibility in relation to school organisation and consider whether to publish statutory notices to effect the change.

(See also Minute 421 and 424(2))

430. **Key Decision - Harrow's Vision for Education and the Primary Capital Programme:**

Cabinet considered the report of the Director of Schools and Children's Development, which presented Harrow's Vision for Education. The report also provided an outline of the Department of Children, Schools and Families (DCSF) Primary Capital Programme and proposed principles to identify schools to receive capital funding.

The Portfolio Holder for Children's Services stated that the report was seeking approval of two important issues for Children's Services and Schools in Harrow – the vision for education in Harrow and the primary strategy for change. It was recognised that Harrow's schools were a success, and that the views of all stakeholders had been gathered to influence and inform Harrow's vision.

The Portfolio Holder made the following statement:

"Vision for Education

- *The Harrow Vision for Education was an important statement about how the community of schools and partners see education in Harrow and where our aspirations are. It brought together all the key elements that contributed to making schools successful in Harrow.*
- *It was relevant to all phases of education in Harrow, including Early Years and pre-school provision, special schools, community and voluntary aided schools and partners.*
- *The vision recognised the wide ranging partnerships and their contributions. The view of stakeholders, including headteachers, governors and young people, had been gathered to influence and inform the vision.*
- *Realising the vision was central to guiding and influencing all strategies and developments within schools. In particular, this vision would be central to submissions made to the Department for Children, Schools and Families for strategic funding including primary Capital Programme and Building Schools for the Future.*

Primary Capital Programme

- *The government's Primary Capital programme was a long term investment strategy. It was about transforming primary schools and achieving the government's target for the programme of 50% of all primary schools and in particular schools in the worst condition serving areas of deprivation. The local authority was required to prepare a Primary Strategy for Change and submission to the DCSF to secure Primary Capital Programme funding.*
- *Funding was available from April 2009 and Harrow had been allocated approximately £9m in the first two years of this programme. Harrow was expected to receive approximately £45m over the fourteen years of the programme.*
- *The Strategy for Change would be based on the Vision for Education and would include the identification of schools to receive funding in the first four years. Guiding principles had been proposed, and set criteria to identify schools once these had been agreed by Cabinet would be applied to Harrow's schools to identify those which would receive funding in the first wave."*

The Portfolio Holder added that the report brought together the vision for education as the driver to inform investment and would enable the completion of the Primary Capital Programme submission, as well as future submissions to the DCSF. It was noted that the submission had to be made by 16 June 2008. In addition, the recent meeting with the headteachers and governors of schools to discuss this report had been productive.

The Leader of the Council stated that the figures quoted by the Portfolio Holder above were small in terms of the requirements for Harrow schools.

RESOLVED: That (1) Harrow's Vision for Education, set out at Annexe 1 to the officer report, be agreed;

(2) the general principles for identifying schools to receive capital funding through the DCSF Primary Capital Programme, set out in Part B of the officer report, be agreed;

(3) authority be delegated to the Portfolio Holder for Schools and Children's Development to agree the final submission to the DCSF for Primary Capital Programme and the Primary Strategy for Change.

Reasons for Decision: (1) To realise the Vision for Education. Realising this vision was central to guiding and influencing all strategies and developments within schools. In particular, this vision would be central to submissions made to the DCSF for strategic funding, including Primary Capital Programme and Building Schools for the Future;

(2) the Local Authority was required to prepare a Primary Strategy for Change submission to the DCSF to secure Primary Capital Programme funding. The Strategy for Change would be based on the vision and would include the identification of schools, using the proposed criteria, to receive Primary Capital Programme funding. Funding was available from April 2009 and was subject to DCSF approval. The report/decision would enable the completion of the submission.

(See also Minute 421)

431. **Key Decision - Development of the Cedars Hall Site, Uxbridge Road, Harrow:**
Cabinet considered the report of the Corporate Director of Community and Environment, which set out the options available to the Council in respect of the development of the Cedars Hall site.

The Portfolio Holder for Community and Cultural Services stated that the report was comprehensive and explained the reasons why the Council had gone out to consultation in regard to this site. The Portfolio Holder added that Cedars Hall site had remained vacant since 2006 and that the building was in disrepair and an eyesore. He outlined matters that the Council was responsible for as a 'guardian' and spoke in support of Recommendation 3. He added that officer support would be provided to the Weald Tenants' and Residents' Association (TRA) in this regard. However, should the Weald TRA not be able to realise the requirements set out under option 3, then option 2, subject to Cabinet's agreement that evening, would be pursued.

The Portfolio Holder suggested that the representative from 'Kids Can Achieve' who was present at the meeting and had expressed an interest in bidding for this site should liaise with the TRA with a view to working jointly on option 3.

RESOLVED: (1) That the action below be agreed:-

Option 3 – Community Use hall –

- a) The Weald Tenants and Residents' Association (Weald TRA), acting as the lead group for all current "Community Use" interest in the Cedars Hall site, submit a formal proposal for the development and management of the Cedars Hall site, as a "Community Hall". The proposal document must clearly demonstrate that there was reasonable prospect of the necessary capital funding of between £500,00 and £750,000, being secured.

The Weald TRA proposal to be submitted to the Council (Corporate Director, Community and Environment Services) no later than 30 June 2008.

- b) The Weald TRA to agree, with the Council's Estates Manager and Legal Department, the terms and form of the proposed legal documentation, including lease agreement – noting that the Council would require a commercial rent to be realised from the property.

The terms and form of the proposed legal documentation, including lease agreement, to be agreed with the Council no later than 31 July 2008.

- c) The Weald TRA to submit to the Council (Corporate Director, Community and Environment) for independent audit and validation, a comprehensive and long-

term business plan (10 years), which clearly demonstrated that the "Community Hall" enterprise, could be financially viable and commercially successful over the long term, without any reliance on support, financial or otherwise, from the Council.

The Weald TRA business plan to be submitted to the Council no later than 31 July 2008.

- d) The Weald TRA to confirm, to the Council, no later than 30 November 2008, that they have secured all necessary capital resources, to enable the comprehensive refurbishment of the Cedars Hall site (internal and external), to enable it to be brought into use as a "Community Hall".
- e) The Weald TRA to submit a full planning application to the Council for the development of the Cedars Hall site no later than 30 November 2008.

(2) That, if any of the above requirements were not realised, it be agreed that the Community Use hall option be abandoned; this decision being taken by the Corporate Director, Community and Environment, in consultation with the Portfolio Holder, Community and Cultural Services.

(3) That, in event of resolution (2) above, the following be agreed:

Option 2 – Build houses – private housing

- (a) Authorise the Corporate Director, Community and Environment, to conclude disposal of the Cedars Hall site for residential development at best consideration, including placing all necessary advertisements; and
- (b) authorise the Corporate Director, Community and Environment, in consultation with the Portfolio Holder, Community and Cultural Services to invest up to £100,000 from the sale proceeds, to improve local community facilities.

Reason for Decision: To enable the development of the derelict Cedars Hall site.

(See also Minute 424(1))

432. **Key Decision - Harrow on the Hill Conservation Areas Supplementary Planning Document and Harrow on the Hill Conservation Areas Sustainability Appraisal:**

Cabinet received a report of the Corporate Director of Community and Environment, which related to the final drafts of the Harrow on the Hill Conservation Areas Supplementary Planning Document and the Harrow on the Hill Conservation Areas Sustainability Appraisal.

The Portfolio Holder for Planning, Development and Enterprise drew Members' attention to the recommendation in the report, and commended the extensive piece of work in relation to the Harrow on the Hill Conservation Area. It was recognised that conducting such pieces of work on a geographical basis was a positive change in policy, and that the Supplementary Planning Document (SPD), once adopted, would assist the Council's case at any future planning appeals. She added that the next piece of work would be for Pinner.

The Portfolio Holder for Performance, Communication and Corporate Services congratulated all for this piece of work and, as Ward Councillor, looked forward to the SPD for Pinner.

RESOLVED: That the Harrow on the Hill Conservation Areas Supplementary Planning Document and the Harrow on the Hill Conservation Areas Sustainability Appraisal be adopted following the recommendation of the Local Development Framework Panel of 9 April 2008.

Reasons for Decision: (1) To enable the Supplementary Planning Document, together with its supporting documents, to have greater weight as a material consideration in determining planning applications both at planning committees and at appeals.

(2) To provide useful guidance to applicants, planning consultants and relevant Council departments when dealing with issues relating to Harrow on the Hill conservation areas.

433. **Key Decision - Street Light Private Finance Initiative:**

The Portfolio Holder for Major Contracts and Property introduced the revised confidential report of the Corporate Director of Community and Environment, which sought various approvals in this regard. The revised report had been circulated with the supplemental agenda.

The Leader of the Council stated that this area would involve a great deal of work which the Council would need to carry out.

RESOLVED: That (1) an increased bid to Department of Transport for PFI credits for the sum set out in the officer report, subject to confirmation, be approved;

(2) an additional procurement budget for the sum set out in the officer report be approved:

(3) the funding of the revised base case affordability gap for the sum per annum (2010/11 prices), set out in the officer report, be approved for the duration of the contract term and as set out within the Council's Outline Business Case.

Reason for Decision: Following a request by PRG for Harrow to resubmit its PFI proposal, the Council had been advised by DfT of their willingness to consider an increased bid to cover likely increases in lighting column connection charges. As a result, the base case affordability gap had been amended due to the increased bid, and PRG had recommended a review of the procurement budget.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.03 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman

CABINET
ADVISORY
PANELS

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****7 MAY 2008**

Chairman: (Vacancy)

Councillors: * Mrinal Choudhury (Vice-Chairman in the Chair) * Joyce Nickolay

Advisers: Ms V Swaida
(Vacancy)

* Denotes Member present

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Admissions to County Schools**

On 7 May 2008, there were 5 children for whom admissions staff could make no reasonable offer of a school place. The Education Admissions and Awards Advisory Panel was requested to authorise the admission of these pupils to a school, where no place existed in the relevant year group.

Resolved to RECOMMEND:

That offers of admission to schools be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H175	10	Harrow High
H176	9	Rooks Heath
H177	10	Canons High
H178	10	Hatch End High
H179	9	Nower Hill

[Notes: That (1) case H177 was replaced with case H178 assuming the reference number H177 (2) two additional cases were added to the agenda after case H177; they became cases H178 and H179].

PART II - MINUTES330. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

331. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

332. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the meeting by virtue of the special circumstances and grounds for urgency stated below:

<u>Item</u>	<u>Special Circumstances / Grounds for Urgency</u>
8a. Admissions to County Schools	The applications detailed in this report were received after the main agenda was printed and circulated. Members were asked to consider the applications, in order to allocate an appropriate place to the applicants.

(2) all items be considered with the press and public present with the exception of the following item for the reason set out below:

-
- | <u>Item</u> | <u>Reason</u> |
|---------------------------------|--|
| 8. Admissions to County Schools | This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals. |
333. **Minutes:**
RESOLVED: That the minutes of the meetings held on 12 December 2007, 2 January, 16 January, 30 January, 13 February, 27 February, 12 March, 26 March, 7 April and 23 April 2008 be deferred until printed in the next Council Bound Minute Volume.
334. **Public Questions:**
RESOLVED: To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 16 (Part 4E of the Constitution).
335. **Petitions:**
RESOLVED: To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).
336. **Deputations:**
RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).
337. **Admissions to County Schools:**
(See Recommendation 1).

(Note: The meeting having commenced at 5.00 pm, closed at 5.15 pm)

(Signed) COUNCILLOR MRINAL CHOUDHURY
(Vice-Chairman in the Chair)

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****21 MAY 2008**

Chairman: * Councillor Mrs Anjana Patel

Councillors: * Husain Akhtar * Mrinal Choudhury

Advisers: Ms V Swaida
(Vacancy)

* Denotes Member present

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Admissions to County Schools**

On 21 May 2008, there were 7 children for whom admissions staff could make no reasonable offer of a school place. The Education Admissions and Awards Advisory Panel was requested to authorise the admission of these pupils to a school, where no place existed in the relevant year group.

Resolved to RECOMMEND:

That offers of admission to schools be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H180	9	Whitmore High
H181	10	Harrow High
H182	10	Rooks Heath
H184	10	Park High
H185	9	Whitmore High
H186	9	Whitmore High
H187	10	Canons High

[Notes: That (1) case H183 was withdrawn before the hearing; (2) three additional cases were added to the agenda after case H184; they became cases H185, H186 and H187].

PART II - MINUTES338. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

339. **Declarations of Interest:**

RESOLVED: Councillor Husain Akhtar declared a personal interest in that he was a governor of Bentley Wood School.

340. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the meeting by virtue of the special circumstances and grounds for urgency stated below:

<u>Item</u>	<u>Special Circumstances / Grounds for Urgency</u>
9. Admissions to County Schools	The applications detailed in this report were received after the main agenda was printed and circulated. Members were asked to consider the applications, in order to allocate an appropriate place to the applicants.

(2) all items be considered with the press and public present with the exception of the following item for the reason set out below:

<u>Item</u>	<u>Reason</u>
8. Admissions to County Schools	This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals.

341. **Minutes:**

RESOLVED: That (1) the minutes of the meetings held on 12 December 2007, 2 January, 16 January, 30 January, 13 February, 27 February, 12 March, 26 March, 9 April and 23 April 2008 be deferred until printed in the next Council Bound Minute Volume.

(2) the minutes of the meetings held on 7 May be taken as read and signed as a correct record.

342. **Public Questions:**

RESOLVED: To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 16 (Part 4E of the Constitution).

343. **Petitions:**

RESOLVED: To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

344. **Deputations:**

RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

345. **Admissions to County Schools:**
(See Recommendation 1).

(Note: The meeting having commenced at 2.30 pm, closed at 2.59 pm)

(Signed) COUNCILLOR ANJANA PATEL
Chairman