

2003 – 2004  
January 2004 Volume 8



**CABINET  
AND  
COUNCIL  
MINUTES**



**CABINET AND COUNCIL MINUTE BOOK**

**VOLUME 8: JANUARY 2004**

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THE CABINET,  
CABINET PANELS  
AND  
CONSULTATIVE FORUMS



CABINET





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**REPORT OF CABINET**


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**MEETING HELD ON 13 JANUARY 2004**


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Chair: \* Councillor Foulds

Councillors: \* D Ashton \* C Mote  
 \* Burchell \* O'Dell  
 \* Margaret Davine \* N Shah  
 \* Dighé \* Stephenson  
 † Miss Lyne

\* Denotes Member present  
 † Denotes apologies received

[Note: Councillor Stephen Thornton also attended this meeting in a participatory role].

**PART I - RECOMMENDATIONS TO COUNCIL**
**RECOMMENDATION I - Calculation of Council Tax Base for 2004-2005**

The Director of Business Services introduced the report and advised Members that the law required the Council to formally agree its Council Tax Base for 2004-2005 and pass this information to the precepting authorities by 31 January 2004. The detailed calculation of the Band D equivalent properties is set out at Appendix 1.

The Director of Business Services drew Members attention to the proposal to introduce the option of twelve monthly instalments and the resulting effects on cashflow for the Council, the details of which are set out in Appendix 2.

Members expressed the view that it needed to be made clear within the recommendation that Council Tax payers had the option of moving to paying their Council Tax by 12 monthly instalments and accordingly

**Resolved to RECOMMEND:**

- (1) That Band D equivalent number of taxable properties is calculated as shown in Appendix 1 in accordance with the Government regulations;
- (2) that the provision for uncollectable amounts of Council Tax for 2004-2005 be agreed at 1.5%, producing an expected collection rate of 98.5%;
- (3) that subject to (1) and (2) above, a Council Tax taxbase for 2004-2005 at 83,652 Band D equivalent properties (being 84,926 x 98.5%) be approved, allowing for payment in lieu of Ministry of Defence properties;
- (4) that, in addition to the current statutory 10 instalment payment scheme, from 2004-05 the Council offer taxpayers who pay by direct debit the option of paying by 12 monthly instalments.

**Reason for Recommendation:** To fulfil the Council's statutory obligation to set the Council Tax Base for 2004-2005. A decision on the number of instalments to be allowed is requested to enable Council Tax billing preparations to commence.

**RECOMMENDATION II - Housing Revenue Account 2004/5**

The ALMO Project Director introduced the report and drew Members' attention to the recommendation from the Tenants' and Leaseholders' Consultative Forum held on 8 January 2004 and the addendum report and appendices which had been circulated on the third and fourth supplemental agendas. It had been necessary to circulate the addendum report and appendices as the Housing Revenue Account subsidy information had been received after the Cabinet agenda had been published.

The ALMO Project Director indicated that the Tenants' and Leaseholders' Consultative Forum had made no significant comments on the Housing Revenue Account 2004/5 report. In response to a Member's question in relation to the ODPM Rent Restructuring guidance, the ALMO Project Director stated that it would be unwise to veer away from this guidance.

**Resolved to RECOMMEND:**

- (1) To note the comments made by the Tenants' and Leaseholders' Consultative Forum held on 8 January 2004;
- (2) that there be a rent increase for Council dwellings of an average of 2.7%, calculated in accordance with the Government's Rent Restructuring Guidance, to take effect from 5 April 2004;
- (3) that a revised charge for garages, carports and car spaces to take effect from 5 April 2004, in line with (2) above, and as set out in Appendix D to the addendum report of the Executive Director (Urban Living) be approved ;
- (4) that revised charges for community halls/room lettings and the nightly charge for guest rooms to take effect from 5 April 2004, in line with (2) above, and as set out in Appendix C to the addendum report of the Executive Director (Urban Living) be approved;
- (5) that the facilities charges as set out in Appendix E to the addendum report of the Executive Director (Urban Living) take effect from 5 April 2004, be approved;
- (6) that the proposed rents for short-life properties managed by housing associations in line with (2) above as set out in Appendix B to the addendum report of Executive Director (Urban Living) be approved.

**Reason for Decision:** To enable the Council to recover an appropriate level of income from rents and associated charges during 2004/05.

**RECOMMENDATION III - Early Years Development and Childcare Strategy 2004-2006**

The Portfolio Holder for Education and Lifelong Learning introduced the report which set out the Early Years and Child Care Strategy for 2004-6. He congratulated the Early Years and Childcare Services Manager and her team for preparing the strategy, delivering targets and setting even more challenging targets.

The Portfolio Holder for Social Services emphasised the importance of the strategy, particularly for those children experiencing domestic difficulties.

**Resolved to RECOMMEND:** That the Early Years and Childcare Strategy 2004-2006 be approved.

**Reason for Decision:** To comply with Harrow's statutory duty in accordance with Part V Section 118-123 of the School Standards and Framework Act 1998 as amended by Part 9 Section 149-150 of the Education Act 2002.



Previous Years' Taxbase calculation figures:-	Gross figure BEFORE non-collection rate applied
Band D equivalent for taxbase calculation 2003-2004 was	84205
Band D equivalent for taxbase calculation 2002-2003 was	82880
Band D equivalent for taxbase calculation 2001-2002 was	82669
Band D equivalent for taxbase calculation 2000-2001 was	82361
Band D equivalent for taxbase calculation 99/00 was	81692
Band D equivalent for taxbase calculation 98/99 was	81777
Band D equivalent for taxbase calculation 97/98 was	81951
Band D equivalent for taxbase calculation 96/97 was	81490
Band D equivalent for taxbase calculation 95/96 was	81517
Band D equivalent for taxbase calculation 94/95 was	81706

\* Likely bands Estimated on ratio of existing properties

\*\* These are properties currently under construction or for which planning permission has been granted that are not already on our database. The figures shown is the proportion of these properties that will be completed AND BANDED during the year. Therefore Band @ - this is the tax set for properties in Band A that qualify for Disabled Reduction (there are none at present)

LONDON BOROUGH OF HARROW  
COUNCIL TAX INSTALMENTS PROFILE

APPENDIX 2

FOR CURRENT YEAR USING CURRENT PAYMENT PROFILES

2003-2004 current position	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04	TOTAL PAYMENTS DUE
Monthly 10	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£8,783,667	£91,770,013.16
Annual	£398,713					£1,684,450							£1,939
Six monthly	£1,684,450												
Quarterly	£1,400			£1,400									
Fortnightly	£560	£560		£560	£560								
Weekly	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£1,119.98
	£10,884,246	£8,799,683	£8,799,683	£8,801,083	£8,799,683	£10,484,133	£8,801,083	£8,799,683	£8,799,683	£8,801,083	£0	£0	£91,770,041

FOR CURRENT YEAR IF DIRECT DEBIT IS 12 INSTALMENTS AND REST ARE 10

2003-2004 if Direct Debit only 1	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04	TOTAL PAYMENTS DUE
Direct Debit 12 ALL	£3,650,574.81	3650574.81	3650574.81	3650574.81	3650574.81	3650574.81	3650574.81	3650574.81	3650574.81	3650574.81	3650574.81	3650574.81	£3,650,574.81
Monthly 10	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	£4,453,600	
Annual	£338,234					£1,462,694							
Six monthly	£1,462,694												
Quarterly	£840	£840		£840									
Fortnightly	£560	£560		£560	£560								
Weekly	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	£15,456	
	£9,921,959	£8,120,191	£8,120,191	£8,121,031	£8,120,191	£9,582,885	£8,121,031	£8,120,191	£8,120,191	£8,121,031	£3,650,575	£3,650,575	£91,770,041
Cumulative Variation	-£962,287	-£1,641,779	-£2,321,271	-£3,001,322	-£3,680,814	-£4,362,062	-£5,043,114	-£5,724,166	-£6,405,218	-£7,085,770	-£7,766,322	-£8,446,874	
Interest "Loss"	-3,208	-5,473	-7,738	-10,004	-12,269	-15,274	-17,540	-19,805	-22,070	-24,337	-26,602	-28,867	-£149,887
Council Tax equivalent													-£1.81

FOR CURRENT YEAR IF ALL PAYERS PAY OVER 12 MONTHS

Monthly 12 inc annual/six-m/9	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04	TOTAL PAYMENTS DUE
Annual	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	£7,634,157	
Six monthly													
Quarterly	£467	£467	£467	£467	£467	£467	£467	£467	£467	£467	£467	£467	
Fortnightly	£12,880	£12,880	£12,880	£12,880	£12,880	£12,880	£12,880	£12,880	£12,880	£12,880	£12,880	£12,880	
Weekly	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£7,647,503	£91,770,041
Cumulative Variation	-£3,236,742	-£4,388,922	-£5,541,101	-£6,694,680	-£7,846,860	-£9,000,039	-£10,152,218	-£11,304,397	-£12,456,576	-£13,608,755	-£14,760,934	-£15,913,113	
Interest "Loss"	-10,789	-14,530	-18,470	-22,316	-26,156	-30,002	-33,848	-37,694	-41,540	-45,386	-49,232	-53,078	-£334,340
Council Tax equivalent													-£4.03

Interest / mth

4

do not delete this table	Value each
Monthly 12	0.08
Monthly 10	0.10
Annual	1.00
Six monthly	0.50
Quarterly	0.25
Fortnightly	0.10
Weekly	0.10

**PART II - MINUTES**

400. **Javed Khan:**  
The Chair welcomed Javed Khan, who had recently been appointed as Director of Learning and Community Development (People First), to the meeting.

401. **Declarations of Interest:**

**RESOLVED:** To note that no interests were declared.

402. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 16 December 2003, having been circulated, be taken as read and signed as a correct record.

403. **Arrangement of Agenda:**

The Chair indicated that item 11, Fees and Charges 2004/5 had been withdrawn from the agenda and would now be submitted to Cabinet in February 2004.

The Chair indicated that he was prepared to consider the recommendations from the Tenants' and Leaseholders' Consultative Forum and the addendum report in relation to the Housing Revenue Account 2004/5 as a matter of urgency to enable the comments of the Forum and the updated information to be considered in conjunction with the officer report which appeared on the Cabinet agenda.

The Chair indicated that he was prepared to consider the recommendation from the Unitary Development Plan Advisory Panel held on 12 November 2003 as a matter of urgency to enable those recommendations to be considered in conjunction with the recommendations of the Panel meeting held on 5 January 2004.

The Chair indicated that Councillor Paddy Lyne had submitted apologies and that Councillor Stephen Thornton was attending the meeting in a participatory role. Councillor Thornton would be able to speak and ask questions but not be able to vote.

**RESOLVED:** That all business 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>
23. Key Decision – Approval to enter into partnering contracts for the responsive repairs and gas servicing and maintenance work, on the Council's permanent housing stock.	The report contained exempt information under Paragraphs 7 and 8 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the financial affairs of a person other than the Authority and the amount of expenditure to be incurred by the Authority under a contract for the supply of service.

404. **Petitions:**

Councillor D Ashton presented a petition containing 18 signatures from residents of Cherchefelle Mews, Stanmore. Councillor Ashton read the terms of the petition to the meeting which were as follows:-

“Re: Application for Music and Dancing by Crazy Horse, 43, Church Road, Stanmore.

The undersigned are all senior citizens resident in the retirement complex at Cherchefelle Mews, 1 Green Lane, Stanmore in close proximity to the applicants premises, and are unanimous in our protest against the granting of the proposed licence.

This is a quiet residential area and the prospect of disturbance caused by large groups of people partying until the early hours is an environmental set back not to be contemplated.

We trust that our views will receive favourable support for which we thank you in anticipation.”

**RESOLVED:** That the petition be received and referred to the Portfolio Holder for Environment and Transport.

405. **Public Questions:**

The Chair indicated that he was prepared to allow public question time to continue until all the questions had been put and responded to. He advised Cabinet that one of the questioners, Mr Daver, was unable to be present at the meeting and that a written answer would be provided to his question.

In response to a Member's question, the Chair indicated that written answers would be circulated to all Members of Cabinet.

**RESOLVED:** To note the following public questions:

1.

**Questioner:** Mr David Page

**Asked of:** Councillor Sanjay Dighé (Portfolio Holder for Finance and Human Resources and Performance Management)

**Question:** "In the spreadsheet \$Budget20045appendicesAandB, why was the People First - Schools "Funding up to passport level" for 2004-05 increased from the initial figure of £1,124,000 (Column 2, Sheet 5a, Effect of previous policy decisions) to £2,899,000 (Column 3) before falling to £211,000 (instead of 0) in 2005-06 and then back up to £1,963,000 in 2006-07?"

If these are due to the Central Government requirement to pass on increases in the Education element of the FSS directly to schools budgets, why is this offset not shown in the proposed Budget?"

2.

**Questioner:** Mr David Stanley

**Asked of:** Councillor Keith Burchell (Portfolio Holder for Planning, Development, Housing and Best Value)

**Question:** "The 'Harrow People' magazine was originated and funded by this Labour Council when it came into power.

Will the councillor state the cost to produce, print and deliver the magazine plus the staff salary cost per annum?"

3.

**Questioner:** Mr Stanley Sheinwald

**Asked of:** Councillor Archie Foulds (The Leader of the Council and Chair of Cabinet)

**Question:** "In spite of the 20% increase in Council Tax that you levied on residents, Harrow's schools say that you short changed them this year and have asked the Council to use political pressure to ensure that the Govt and not Harrow's taxpayers give them more money.

In what way and by how much did you short change them and why are you now asking Council Tax payers and not Govt to pay another £1.2m next year?"

4.

**Questioner:** Mr Pravin Seedher

**Asked of:** Councillor Archie Foulds (The Leader of the Council and Chair of Cabinet)

**Question:** "Is it possible for residents to express little or no confidence in the 2004/05 Labour Budget for Harrow via the so called Budget Consultation exercise?"

5.

- Questioner:** Mr Michael Fitzgerald
- Asked of:** Councillor Archie Foulds (The Leader of the Council and Chair of Cabinet)
- Question:** “Re: Harrow Council Re-cycling & Refuse booklet delivered to every household in the borough.  
 Could you let me know the cost of Design, printing, and distribution of this booklet, and would it not have been prudent considering the high cost of Council tax last year to have had this booklet printed in one colour not 4 colours which has cost a lot more. Also is it the Council policy to support local business whenever possible”

6.

- Questioner:** Mr John Mitchell
- Asked of:** Councillor Archie Foulds (The Leader of the Council and Chair of Cabinet)
- Question:** “It was reported that on 29<sup>th</sup> August 2003 the High Court ruled that Unaccompanied Asylum Seeking Children (UASC) should receive services under Section 20 of the Children Act and at present this cost would have to be met by the Council Taxpayer. It was also stated that representations are being made to Central Government to provide additional funding to cover these costs.  
 Has Central Government agreed to cover these costs in full? If not. What is the impact on our cash limited Revenue Budget 2003/4? What will be the effect on Revenue Budget 2004/5?”

[Note: Oral answers were provided to the above questions and, under the provisions of Executive Procedural 15.4, Mr Page, Mr Seedher, Mr Fitzgerald and Mr Mitchell asked one supplementary question which was additionally answered.

Councillor Dighé indicated that he would provide Mr Page with a written answer and that a meeting to discuss the issues could be arranged if the questioner so wished.]

406. **Forward Plan 1 January - 30 April 2004:**

**RESOLVED:** To note the contents of the Forward Plan for the period 1 January – 30 April 2004.

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

**RESOLVED:** To note that no reports had been received.

408. **Comprehensive Performance Assessment:**

The Executive Director (Organisational Development) introduced the report which advised Cabinet of the outcome of the Comprehensive Performance Assessment score for Harrow. The report also proposed that the Council should apply for a corporate reassessment in 2004.

The Executive Director (Organisational Development) reported that the Audit Commission 's Relationship Manager's letter had now been received, the contents of which were summarised in the report. The full letter would be submitted to Cabinet in February alongside the Annual Audit letter.

The Executive Director (Organisational Development) reported that the Council had now been assessed as fair. However, the Council was not automatically eligible for a corporate reassessment in 2004. In relation to a question about the likely cost of applying for reassessment, she confirmed that there would be no additional cost.

The Executive Director (Organisational Development) advised Members that there would be a new process in place for 2005/6 and the whole basis of Comprehensive Performance



Assessment would be changing.

The Chair highlighted that the Council had now been deemed as 'Fair' which could be seen as an indication that the Council was making progress.

**RESOLVED:** That (1) the outcome of the Comprehensive Performance Assessment for 2003 be noted;

(2) the Council apply for a corporate reassessment under the exceptional circumstances provisions of the Audit Commission's Guidance – Applying for a Corporate Assessment.

**Reason for Decision:** To enable progress within the Corporate Performance Assessment Framework.

409. **Budget Consultation - Public Meeting:**

The Chief Executive tabled a paper which set out the proposed arrangements for the public meeting on 27 January 2004. She confirmed that, subject to Members' agreement, it was hoped that publicity for the meeting would commence as soon as possible.

Members expressed the view that members of the public should be able to ask questions of the Panel without notice as well as in writing in advance.

**RESOLVED:** That a public consultation meeting be arranged, as set out in paragraphs (a) – (h) of the tabled report of the Chief Executive, and held at 7.30 pm on Tuesday 27 January at Kadwa Patidar Hall.

**Reason for Decision:** To assist the consultation process.

410. **Calculation of the Council Tax Base 2004/5:**

(See Recommendation I).

411. **Internal Audit Strategic Plan 2004-2007:**

The Chief Internal Auditor introduced the report which set out an outline strategic plan for future audit coverage. She advised Members that the full delivery of the plan would require 3 additional audit staff. The medium term budget strategy proposed the phasing in of these staff over a three year period.

In response to a Member's question, the Chief Internal Auditor advised that she hoped to discuss the Plan with the External Auditor during February. She added that the primary purpose of the Plan was to assist the authority in managing risk and driving improvement, not to make savings on the external audit fee.

In response to a Member's suggestion that the Overview and Scrutiny Committee consider the report, the Executive Director (Business Connections) advised that Audit was a key function of the Executive and that it was important that Cabinet considered the report on an annual basis.

Members welcomed the plan and the proposed areas of coverage.

**RESOLVED:** That, subject to decisions on the budget, the proposed Strategic Plan and level of internal audit coverage required to reduce the Council's exposure to risk be approved.

**Reason for Decision:** There was a statutory requirement to ensure adequate audit coverage and need for risk based auditing to support the delivery of the improvement agenda.

412. **ICT Strategic Partnership:**

The Director of Business Services drew Members' attention to the consultant's report, attached as an appendix to the officer report, which recommended that the Council should procure an ICT and Major Projects Partner to enable the delivery of a significant proportion of the ICT strategy.

**RESOLVED:** That (1) the procurement of an ICT and Major Projects Partner be approved;

(2) that the procurement route be via the negotiated procedure advertising in the Official Journal of the European Union (OJEU).

**Reason for Decision:** In order that the work outlined in the approved ICT Strategy can be delivered.

413. **Key Decision - Recommendations from the Grants Advisory Panel held on 26 November 2003 - Grants to Voluntary Organisations Budget 2004/5 and Grant Funding 2004/2005:**

Members considered the recommendations from the Grants Advisory Panel held on 26 November 2003 in relation to the Grants to Voluntary Organisations Budget 2004/2005 and Grant Funding 2004/2005.

Members noted that the Panel proposed agreement to the grants in respect of Harrow Marquetry Group and Pinner Centre Pre-school and they be funded from the unallocated fund but that this would be dependent on Cabinet agreeing to carry the funds forward from 2003/4 to 2004/5 (see resolutions 2 and 8 below).

**RESOLVED:** (1) To note that the existing grants to voluntary organisations budget for 2003/2004 was £1,004,430 and that the budget for 2004/2005, subject to the Council approving its overall Revenue Budget for 2004/5, was £1,034,630;

(2) that £5,500 from the unallocated fund for 2003/4 be carried forward and added to the 2004/2005 grants budget;

(3) to note that the amount of grant funding requested by applicants for 2004/2005 was £1,283,119;

(4) to note that requests for growth from currently funded groups amounted to £169,026, growth requests for Service Level Agreement funding amounted to £20,251, and growth through grant applications from new applicants seeking funding amounted to £92,123;

(5) to note that the reserved grant funding recommended by the Panel was £7,500;

(6) to agree the amount £14,845 for inflation additions for salaries;

(7) to note that the total recommended funding for 2004/5 was £1,013,230;

(8) to agree to the "in principle" decisions on grants funding and reserved funding in relation to the individual grant applications, as set out in the Appendix to the Recommendation Report, subject to the Council's approval of the overall revenue budget for 2004/2005 including the grants in respect of Harrow Marquetry Group and Pinner Centre Pre-school;

(9) to agree to grant a £15,000 Heritage Grant to Harrow Heritage Trust from the Capital Fund.

**Reason for Decision:** To enable the provision of grants to voluntary organisations in 2004/2005 and to enable the allocation of funding to voluntary organisations in 2004/2005.

414. **Best Value Performance Indicators - Quarterly Monitoring Report:**

The Executive Director (Organisational Development) introduced the report which presented the first quarterly monitoring report of the Best Value Performance Indicators for 2003/4. She advised that the three main concerns related to performance in respect of Special Educational Needs statementing timescales, Housing Benefits and Planning. However, action was being taken to address each of these areas of concern.

In response to a question in relation to rights of way in the Borough, the Director of Professional Services (Urban Living) reported that a comprehensive survey had been carried out and that it was hoped that the work would be finished shortly.

In response to a question in relation to the submission of more up to date performance indicator information to Members, the Executive Director (Organisational Development) advised that she hoped to submit the next report to Members in February.

**RESOLVED:** That the report be noted.

**Reason for Decision:** To note the report of the first step of the Council's approach for the corporate monitoring and reporting of the Best Value Performance Indicators on a quarterly basis.

415. **Key Decision - Approval to enter into partnering contracts for the responsive repairs and gas servicing and maintenance works on the Council's permanent housing stock:**

The ALMO Project Director advised Cabinet that there was a Part II section to the report for Members only which set out the tender reports for the responsive repairs contracts and for the gas servicing and maintenance contract.

The Chief Executive drew Members' attention to the letter from R Taylor and Son, one of the

Council's existing fencing contractors, which had been circulated by the Borough Solicitor. The Borough Solicitor advised that he had also circulated his response to the contractor to Cabinet and that Members were able to take a decision on the report of the Executive Director (Urban Living).

In response to a Member's question, the ALMO Project Director advised that the contracts required development and although an end date was not proposed, the contracts would include a termination clause.

**RESOLVED:** That the recommendation of the selection panel to enter into partnering contracts with A E Williams and Sons (Builders) Ltd, Ian Williams Ltd and Village Heating Ltd, with effect from 1 April 2004 be approved.

**Reason for Decision:** To implement the previous policy decision to develop partnering contracts for responsive repairs and gas servicing and maintenance.

416.

**Canons Park Historic Restoration Scheme:**

The Director of Professional Services (Urban Living) introduced his report which detailed the many activities and achievements that had taken place since July 2002, including the formation of a Friends' group and a local partners and stakeholders group. He informed Members of the latest situation on partnership funding and explained the need to secure the future funding of the scheme's security provision. He added that there was a need to agree a landscape agreement with North London Collegiate School and also sought approval for submission of the stage 2 bid.

In response to a Member's question, the Director of Professional Services (Urban Living) confirmed that the project did not currently include provision of lighting at night.

**RESOLVED:** (1) To authorise the submission of the Stage 2 bid to the Heritage Lottery Fund (HLF) for the Canons Park Historic Restoration Scheme;

(2) to agree, in principle, the additional capital funding of £55,700 in 2005-06, the need for which could be mitigated partly or wholly by partnership funding which was currently being sought;

(3) to maintain a full-time park keeper service and part-time security night patrol in Canons Park for a period of 10 years after completion of the restoration scheme;

(4) that the Council enter into a legal agreement with the North London Collegiate School for a peppercorn consideration that would define how the school would maintain trees and shrubs on their own land for a period of 10 years in order to open up and maintain views of the Canons mansion from the park.

**Reason for Decision:** To secure the restoration of Canons Park through grant aid from the Heritage Lottery Fund, to provide evidence of commitment to maintain security staff as required by the HLF, and to enable historic park vistas to be recreated and maintained.

417.

**Key Decision - Housing Revenue Account 2004/5:**  
(See Recommendation II).

418.

**Recommendations from the Unitary Development Plan Advisory Panel - 12 November 2003 and 5 January 2004 - Harrow Unitary Development Plan Review:**

Members considered the recommendations from the Unitary Development Plan Advisory Panel meetings held on 12 November 2003 and 5 January 2004 in relation to the review of the Unitary Development Plan. Members noted that extracts of the minutes of the UDP Advisory Panel meetings held on 12 November 2003 and 5 January 2004 had been tabled for information.

The Chair drew Members' attention to the request that the UDP Panel's decision of 5 January 2004 in relation to Schedule 6 – Car Parking standards be amended, following consultation with Councillors Burchell and M Ashton, with the wording detailed in the 3<sup>rd</sup> supplemental agenda which had been inadvertently omitted from the Chief Planning Officer's report.

A Member expressed the view that the minutes of the Panel were an integral part of the way the recommendation report was presented to Cabinet as they were important background information. In response, the Portfolio Holder for Planning, Housing, Development and Best Value stated that Cabinet should not be considering the details of the Panel's discussion and that the minutes of 5 January 2004 were still in draft format.

**RESOLVED:** (1) That in relation to Schedule 6 – Car Parking Standards

- Section on Car Parking Standards or Non-Residential Development

That the words 'Maximum space per 10 bedrooms with separately designated parking for employees, visitors and customers' under C2 Hospitals should not be deleted.

(2) Consideration of the Inspector's Report on the Public Local Inquiry

That the responses to the recommendations contained in the Inspector's report considered by the Panel at its meeting on 12 November 2003 be approved.

(3) Major Revisions to Policies and Reasoned Justifications to be included in Proposed Modifications

That the revised wording of Policies and Reasoned Justifications set out in the report of the Chief Planning Officer considered by the Panel at its meeting on 5 January 2004 be approved and brought forward as Proposed Modifications to the Plan subject to those amendments set out in the preamble to recommendation 2 of that Panel meeting.

(4) Draft Proposed Modifications

That the draft schedule of the Council's Proposed Modifications to the Replacement HUDP be agreed, subject to the inclusion of the recommendations set out under Recommendation 1 (UDP Advisory Panel Meeting – Special – held on 12 November 2003) and Recommendations 2 and 4 (UDP Advisory Panel Meeting held on 5 January 2004), and for these to be placed alongside on deposit the Statement of Decisions.

(5) Statement of Decisions on the Inspector's Report on the Public Local Inquiry

That the Council's Statement of Decisions on the Recommendations contained in the Inspector's Report be agreed, subject to amendment of the comments under the headings 'LBH Response' and 'Reason for Response' on page 146 of the report relating to sites of Nature Conservation Importance, and the Statement be placed on deposit subject to the inclusion of the recommendations set out under Recommendation 1 (UDP Advisory Panel Meeting – Special – held on 12 November 2003) and Recommendations 2 and 3 (UDP Advisory Panel Meeting held on 5 January 2004).

**Reason for Decision:** To expedite adoption of the replacement HUDP after completion of all statutory procedures.

(Note: Councillor D Ashton wished to be recorded as having voted against the above resolutions).

419. **Key Decision - Early Years Development and Childcare Strategy 2004-2006:**  
(See Recommendation III).

420. **Twinning:**  
The Chief Executive reported that Members needed consider how they wished to respond to the letter from Sahyog, which requested that Harrow Council consider the twinning of the London Borough of Harrow with Bhuj in Gujarat State of India. She advised that there was guidance on twinning and that there would be a need to investigate the proposal and to consider the costs involved.

The Chair indicated that the major minority Group welcomed the suggestion from Sahyog and proposed that officers be requested to prepare a report outlining the processes and issues. Members noted that this work may take some time to complete and the Chair indicated that he would like the twinning, if it were pursued, to be self - financing.

The Portfolio Holder for Partnership and Property expressed the view that the proposal offered exciting prospects in the year that the Borough celebrated its 50<sup>th</sup> Anniversary.

**RESOLVED:** That the Chief Executive be requested to submit a report to a future meeting of Cabinet outlining the issues and processes around the proposed twinning.

**Reason for Decision:** To consider opportunities for broadening twinning links.

421. **Approval to enter into Partnering Contracts for the Responsive Repairs and Gas Servicing and Maintenance Works on the Council's Permanent Housing Stock:**

Members considered a confidential report from the Executive Director (Urban Living) in relation to the partnering contracts for the responsive repairs and gas servicing and maintenance works on the Council's permanent housing stock.

**RESOLVED:** That the report be noted.

**Reason for Decision:** To implement the previous policy decision to develop partnering contracts for responsive repairs and gas servicing and maintenance.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.40 pm).

(Signed) COUNCILLOR A T FOULDS  
Chair



CABINET  
ADVISORY  
PANELS





**UNITARY DEVELOPMENT PLAN ADVISORY  
PANEL**
**5 JANUARY 2004**

Chair: \* Councillor Burchell

 Councillors: \* Marilyn Ashton  
\* Mrs Bath  
\* Idaikkadar

 \* Mrs Kinnear  
\* N Shah  
Anne Whitehead

\* Denotes Member present

**PART I - RECOMMENDATIONS**
**RECOMMENDATION 1 - Replacement Harrow Unitary Development Plan - Major Revisions to Policies and Reasoned Justifications to be included in Proposed Modifications**

The Panel received a report of the Chief Planning Officer, which highlighted certain issues not covered in the report submitted to the Panel's meeting held on 12 November 2003. The report before the Panel at its meeting held on 5 January 2004 accordingly suggested revised wording of Policies and Reasoned Justifications and for these to be brought forward as Proposed Modifications to the HUDP. Those recommendations listed at paragraph 6 of the officer report were discussed at the meeting and, where appropriate, individual votes were taken. Details of these are set out in Part II of the minutes below (Minute 75 below refers). Following the votes, the majority of the revised wording of Policies and Reasoned Justifications set out in the officer report were agreed and in some cases, amendments made. These are set out below:

SCHEDULE 6 – CAR PARKING STANDARDS

- Section on Car Parking Standards or Non-Residential Development:

It was unanimously agreed that the words 'Maximum of 1 space per 10 bedrooms **with separately designated parking for employees, visitors and customers**' under C2 Hospitals (see table in the report) should not be deleted;

[Note: Cabinet, at its meeting held on 13 January 2004, was asked to add the bold and underlined point above which was inadvertently omitted from the Chief Planning Officer's Report and was inserted after consultation with Councillors Marilyn Ashton and Burchell.]

MAXIMUM RESIDENTIAL OFF-STREET PARKING

- Section on Car Parking Standards for Residential Development (Class C3: Dwelling Houses)

It was agreed that the word 'private' had been erroneously included in the table and should therefore be deleted;

H6: AFFORDABLE HOUSING AND H7: HOUSING FOR KEY WORKERS AND AFFORDABLE HOUSING TARGET:

- Section on Replacement Affordable Housing Policy H6

That the explanation from the Group Planner as to why the words 'in perpetuity' had not been included be noted and that the following wording be included for approval by Cabinet:

Insert before the final paragraph in the replacement Policy H6 the following wording:-

**THE COUNCIL WILL ENSURE, THROUGH THE USE OF PLANNING OBLIGATIONS, THAT THE OCCUPATION OF AFFORDABLE HOUSING IS RESTRICTED TO PEOPLE WHO ARE REGARDED BY THE COUNCIL AS IN NEED OF AFFORDABLE HOUSING.**

Add at the end of the policy the wording:-

**THE REQUIREMENT SET OUT IN THE LAST TWO PARAGRAPHS ABOVE WILL BE DEEMED TO HAVE BEEN MET IF THE AFFORDABLE HOUSING IS TRANSFERRED TO A REGISTERED SOCIAL LANDLORD APPROVED BY THE COUNCIL.**

Within the reasoned justification, include the following wording based on paragraphs 6.36 - 6.38 in the draft replacement HUDP, in relation to occupation:-

**Government guidance stresses the importance of retaining the affordability of housing units. Therefore the Council will need to be satisfied that the affordable housing will be available for occupation by those defined by the Council as in need of such housing during the lifetime of the property. The Council will seek the involvement of Housing Associations or RSLs in the management of affordable housing and by the use of Planning Obligations will ensure that developers transfer ownership of a proportion of the site or units to these bodies. Such agencies' continuing interest in the property will ensure control over subsequent changes in occupation.**

**The Council will expect that appropriate housing development proposals should be managed by RSLs. Where this is not the case, the owners/developers are expected to demonstrate, to the satisfaction of the Council, that the scheme's terms and conditions are at least equal to those administered by the Council or RSLs.**

NEW PROPOSAL SITE – BAE SYSTEMS, WARREN LANE, STANMORE

- \* Members noted that the site was approximately 35,000 sq m (375,000 sq ft) and that this figure be inserted in the relevant paragraph.

**Resolved to RECOMMEND: (to Cabinet)**

That the revised wording of Policies and Reasoned Justifications set out in the report of the Chief Planning Officer and for these to be brought forward as Proposed Modifications to the Plan be agreed subject to those amendments set out above.

**Reason for Decision:** To expedite adoption of the replacement Harrow UDP after completion of all statutory procedures.

[Note: Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear did not support the recommendation in its entirety – Minute No. 75 also refers].

**RECOMMENDATION 2 - Replacement Harrow Unitary Development Plan - Draft Proposed Modifications**

**Resolved to RECOMMEND: (to Cabinet)**

That the draft schedule of the Council's Proposed Modifications to the Replacement HUDP be agreed subject to the inclusion of the recommendations set out under UDP Advisory Panel Meeting – Special – held on 12 November 2003 (Minute No. 66 refers) and recommendations 1 (above) and 3 (below) (UDP Advisory Panel Meeting held on 5 January 2004) and for these to be placed on deposit alongside the Statement of Decisions.

**Reason for Decision:** To expedite adoption of the replacement Harrow UDP after completion of all statutory procedures.

[Note: Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear did not support the recommendation in its entirety – Minute No. 75 also refers].

**RECOMMENDATION 3 - Replacement Harrow Unitary Development Plan - Statement of Decisions on the Inspector's Report on the Public Local Inquiry**

**Resolved to RECOMMEND: (to Cabinet)**

That the Council's Statement of Decisions on the Recommendations contained in the Inspector's Report be agreed subject to amendment of the comments under the headings 'LBH Response' and 'Reason for Response' on page 146 of the report relating to Sites of Nature Conservation Importance, and the Statement be placed on deposit subject to the inclusion of the recommendations set out under UDP Advisory Panel Meeting – Special – held on 12 November 2003 (Minute No. 66 refers) and recommendations 1 and 2 (above).

**Reason for Decision:** To expedite adoption of the replacement HUDP after completion of all statutory procedures.

[Note: Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear did not support the recommendation in its entirety – Minute No. 75 also refers].

**PART II - MINUTES**68. **Attendance by Reserve Members:**

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

69. **Declarations of Interest:**

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

70. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
12. Residents' health fears and masts – query update to Harrow's policies.  (Minute 79 refers)	That it had not been possible to include this item on the agenda as the Member concerned was not certain about its despatch date. Additionally, the Member concerned wished to discuss further the response she had received from the Chief Planning Officer concerning a petition in relation to telephone masts and whether a policy could be included in the HUDP or a report submitted to the next UDP Advisory Panel meeting.

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

71. **Minutes:**

**RESOLVED:** That the minutes of the Special meeting held on 12 November 2003, be confirmed as a correct record and that the signing of the minutes be deferred until printed in the next Council Bound Minute Volume (Vol. 7).

72. **Public Questions:**

**RESOLVED:** To note that there were no public questions to be received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

73. **Petitions:**

**RESOLVED:** To note that there were no petitions to be received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

74. **Deputations:**

**RESOLVED:** To note that there were no deputations to be received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

75. **Replacement Harrow Unitary Development Plan - Major Revisions to Policies and Reasoned Justifications to be included in Proposed Modifications:**  
(Recommendation 1 above also refers).

Those recommendations listed at paragraph 6 of the report were discussed at the meeting and, where appropriate, individual votes taken. Following the votes, the majority of the revised wording of Policies and Reasoned Justifications set out in the officer report were agreed and, in some cases, amendments made. These are marked with an asterisk below.

A - POLICY SH1 – HOUSING PROVISION AND HOUSING NEED  
 • Section on Housing Provision and Housing Need

Note: (1) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted against the deletion of the words ‘The Borough’s Residents’ and their replacement by ‘Prospective Occupants’;

(2) It was moved and seconded that under criterion E and paragraph 2.81 the words ‘and some low cost market housing as part of a development on a site not suited in particular circumstances for rented provision’ be included after ‘and shared ownership’ accommodation, as suggested in the Inspector’s report (page 128, para 6.51).

Following a vote, this was lost; the Chair having exercised his second and casting vote.

(3) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted for the motion set out in (2) above.

B - T13 & SCHEDULE 6: PARKING STANDARDS AND T14 AND PARA 5.32: NEW DEVELOPMENT AND ON-STREET PARKING  
 • Section on Replacement Policy T13

Note: (1) Councillor Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted against the inclusion of the word ‘maximum’ in the preamble of Schedule 6 and in the 6th line of paragraph 5.31 of the report;

(2) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted against the inclusion of ‘The reduction in the number of parking spaces is a strong incentive to promoting and seeking alternative modes other than the car’ in paragraph 5.32.

C - SCHEDULE 6 – CAR PARKING STANDARDS  
 • Section on Car Parking Standards or Non-Residential Development:

Note: \* (1) It was unanimously agreed that the words ‘Maximum of 1 space per 10 bedrooms **with separately designated parking for employees, visitors and customers**’ under C2 Hospitals (see table in the report) should not be deleted; *(the addition of the bold underlined point above, which was inadvertently omitted from the Chief Planning Officer’s Report has been inserted after consultation with Councillors Marilyn Ashton and Burchell and Cabinet has been recommended to agree its inclusion).*

(2) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted against the inclusion of the word ‘maximum’ throughout the table.

- Section on Exceptional Operational Requirements

Note: (1) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted against the inclusion of the words ‘maximum level’ in the 2<sup>nd</sup> paragraph).

D - MAXIMUM RESIDENTIAL OFF-STREET PARKING  
 • Section on Car Parking Standards for Residential Development (Class C3: Dwelling Houses)

Note: (1) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted against the inclusion of the words ‘maximum level’ as they considered levels of parking as very low;

\* (2) it was agreed that the word ‘private’ had been erroneously included in the table and should therefore be deleted;

(3) Councillors Marilyn Ashton, Mrs Bath and Kinnear wished to be recorded as having voted against the deletion of the following last paragraph under this section - ‘Conversions will not normally be allowed if the generated car parking/traffic demand cannot be safely accommodated on-site, or on local roads in a manner which leaves 5% residual available kerbside capacity’.

E - H 5: RESIDENTIAL DENSITY

Note: (1) It was moved and seconded that the statement ‘The Council will expect that

residential densities in new development should be not less than 150 habitable rooms per hectare' be replaced with 'The Council will expect that residential densities in new development should not be more than 200 habitable rooms per hectare or less than 125 habitable rooms per hectare. Following a vote, this was lost;

(2) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion in (1) above;

(3) it was moved and seconded that the following last paragraph under this section be deleted:

'With the emphasis in the Plan being placed on a design-led approach to development, it is considered that it is inappropriate to include a maximum density figure'.

Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(4) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion in (3) above.

F - H6: AFFORDABLE HOUSING AND H7: HOUSING FOR KEY WORKERS AND AFFORDABLE HOUSING TARGET:

- Section on Replacement Affordable Housing Policy H6

Note: (1) It was moved and seconded that the words 'which should include key worker accommodation, shared ownership and low cost market housing' should be added after 'full range of affordable housing need' in the last paragraph of the preamble to this section. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(2) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion in (1) above.

(3) It was moved and seconded that the figure of '15' be replaced with '25' in the first paragraph of this section. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(4) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion in (3) above.

(5) It was moved and seconded that the statement 'The Council considers that the likely minimum percentage of affordable housing to be negotiated on suitable sites should be 30%, set out under criterion B of the policy be deleted and replaced with 'The Council considers that, where appropriate and only on suitable sites, a percentage of 25% affordable housing will be encouraged'. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(6) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion in (5) above.

(7) It was moved and seconded that an additional criterion (criterion C) be included in the policy as follows: 'The Council will encourage low cost market housing where appropriate'. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(8) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion set out in (7) above.

(9) During discussion on the housing needs of key workers, it was agreed that a copy of a standard Section 106 Agreement be sent to Members of both the Panel and the Development Control Committee and that this should address the concerns about whether property for key workers would remain in perpetuity; the Chair of the UDP Panel be so informed should this not be the case prior to a report being submitted to the Development Control Committee.

(10) In referring to note (9) above, the Chair stated that where there was evidence that a Section 106 Agreement was being flouted, Members should report this to the Chief Planning Officer or the Borough Solicitor for further investigation. The Chair stated that details could be also sent directly to him.

\* (11) That the explanation from the Group Planner as to why the words 'in perpetuity' had not been included be noted and that the wording (to be prepared by Officers) be included for approval by Cabinet. This is set out below:

**THE COUNCIL WILL ENSURE, THROUGH THE USE OF PLANNING OBLIGATIONS, THAT THE OCCUPATION OF AFFORDABLE HOUSING IS RESTRICTED TO PEOPLE WHO ARE REGARDED BY THE COUNCIL AS IN NEED OF AFFORDABLE HOUSING.**

Add at the end of the policy the wording:-

**THE REQUIREMENT SET OUT IN THE LAST TWO PARAGRAPHS ABOVE WILL BE DEEMED TO HAVE BEEN MET IF THE AFFORDABLE HOUSING IS TRANSFERRED TO A REGISTERED SOCIAL LANDLORD APPROVED BY THE COUNCIL.**

Within the reasoned justification, include the following wording based on paragraphs 6.36 – 6.38 in the draft replacement HUDP, in relation to occupation:-

**Government guidance stresses the importance of retaining the affordability of housing units. Therefore the Council will need to be satisfied that the affordable housing will be available for occupation by those defined by the Council as in need of such housing during the lifetime of the property. The Council will seek the involvement of Housing Associations or RSLs in the management of affordable housing and by the use of Planning Obligations will ensure that developers transfer ownership of a proportion of the site or units to these bodies. Such agencies' continuing interest in the property will ensure control over subsequent changes in occupation.**

**The Council will expect that appropriate housing development proposals should be managed by RSLs. Where this is not the case, the owners/developers are expected to demonstrate, to the satisfaction of the Council, that the scheme's terms and conditions are at least equal to those administered by the Council or RSLs.**

- Section on Reasoned Justification

(12) It was moved and seconded that the sentence 'It is however important to acknowledge that in Harrow low cost market housing is unlikely to address any housing needs in the Borough, whilst shared ownership is only affordable to a decreasing number of those in need as a result of rising land and property prices' be deleted from paragraph 2. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(13) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion set out in paragraph (12) above.

(14) It was moved and seconded that the paragraph 4 which states 'Reflecting the government's latest thinking and ...' and ends with 'incorporating 15 or more dwellings' be deleted. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(15) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion set out in paragraph (14) above.

(16) That it be noted that a Member urged caution at the use of the words 'cash-in-lieu' in paragraph 6 of this section.

(17) It was moved and seconded that the following second and third sentences of paragraph (9) of this section be deleted: 'On qualifying sites, the Council will normally seek a mix of family and non-family accommodation and a split of 35% : 15% of social rented to intermediate housing, consistent with the scale of identified housing need. This split also reflects the guidance set down in the draft London Plan'. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(18) Councillors Mrs Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion set out in (17) above.

(19) That it be noted that a Member was of the view that a number of paragraphs under this section were over prescriptive, that this may prove to be detrimental and may not achieve the desired agenda. She was of the view that these paragraphs did

not provide a proper mix of housing.

G - AFFORDABLE HOUSING TARGET

Note (1) It was moved and seconded that the policy 'The Council will aim to secure an average annual affordable housing provision of at least 165 net additional units in the 10 year period from the adoption of the plan' be replaced with 'The Council will encourage an increase in the affordable housing stock by aiming for 165 net additional units in the 10 year period from the adoption of the plan with a particular emphasis on key-worker accommodation in the form of shared-ownership and low-cost market housing where appropriate'. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(2) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion set out in paragraph (1) above.

(3) That it be noted that Members of the Conservative Group on the Panel were of the view that they did not agree with the target set out in this policy.

H - H10: CONVERSION OF HOUSES AND OTHER BUILDINGS TO FLATS AND SCHEDULE 8

Note: (1) It was moved and seconded that the following paragraph which had been deleted should be reinstated:

'That Council, however, whilst accepting the need for more conversions, will carefully consider the scale and concentration of conversions in any locality. The need to limit the number of conversions in any area will help to ensure a mixed and balanced community. The Council acknowledges that there are some areas in which the level of conversions historically is already high and it is therefore the Council's intention to continue to encourage a good spread of conversions on individual roads and throughout the Borough rather than a concentration of these on any particular area'.

Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(2) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion in (1) above because they considered the deletion of the statement as a retrograde step.

I - SCHEDULE 8 – WORKING INTERPRETATIONS IN RESPECT OF POLICY H10 CONVERSIONS OF HOUSES AND OTHER BUILDINGS INTO FLATS

Note: (1) It was moved and seconded that none of the text under this section should be deleted. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(2) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion in (1) above.

J - NEW PROPOSAL SITE – BAE SYSTEMS, WARREN LANE, STANMORE

Note: \* (1) Members noted that the site was approximately 35,000 sq m (375,000 sq ft) and that this figure be inserted in the relevant paragraph.

(2) It was moved and seconded that reference to 'Affordable housing policy would apply. In view of the site's isolated location, public transport services and other measures to improve the site's accessibility for housing will be sought' be deleted as a private vehicle would be required in what was an isolated area. Upon being put to a vote, this was lost; the Chair having exercised his second and casting vote.

(3) Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted in favour of the motion set out in (2) above.

(4) The following comments in relation to (2) above be noted:

- (a) That the BAE systems site should be seen in conjunction with other similar sites such as the RNOH redevelopment, where funding could be secured through Section 106 Agreements which could be used to introduce a permanent bus service;

(b) that other measures in sites of this nature were also being examined, such as the provision of a local/convenient shopping facility.

76. **Replacement Harrow Unitary Development Plan - Draft Proposed Modifications:**  
(Recommendation 2 above refers).
77. **Replacement Harrow Unitary Development Plan - Statement of Decisions on the Inspector's Report on the Public Local Inquiry:**  
(Recommendation 3 above refers).
78. **Annual Monitoring Report:**

The Panel received a report of the Chief Planning Officer, which provided the Planning Services end of year statement for 2002/03 and a commentary on the statement. In particular the report examined performance against key indicators and targets, the knock-on implications for the Planning Delivery Grant for 2004/05, and the implications regarding the 'naming and shaming' of the Council as a 'planning standards authority'. The report also reviewed workload trends and the implications in all service areas of increasing numbers of applications, legislative changes and regional/sub-regional working.

Members noted that the report before them was for information only and that it had already been considered by the Development Control Committee at its meeting held on 10 December 2003.

During the discussion which followed, a Member stated that it was regrettable that Harrow may not receive the much needed funding which was required to improve its performance. She was concerned that Harrow was not being treated sympathetically by central government. She praised the planning staff for having done an excellent job in the face of difficult circumstances.

The Chair also praised the work done by officers.

A Member stated that unless Harrow improves its performance, the Planning Delivery Grant (PDG) would be lost and that he would not want Harrow to go along the path of being 'named and shamed' as the worst performing local authority.

In response, the Chair suggested that a cross party Member-level meeting ought to be held to identify improvements that could be made when the report from the consultant commissioned by the Council, was available.

A Member stated that Members of the Development Control Committee should not be seen as having acted irresponsibly and that any such implications should be rebutted. She added that Members were responsible to the electorate and had a duty to themselves, the planning team and residents and that it was not necessarily easy to make judgements. She added that dealing with the increase in the number of planning applications for extensions to properties was in itself labour intensive and that the general increase in the number of planning applications received combined with the increase in the number of objections received from local residents had had a knock-on effect on performance as a whole.

A Member stated that the real problem had been with the recruitment/retention of staff over the past few years and that she was amazed that the consultant would be looking into the performance of Members. She added that she was also surprised that the report had even been commissioned.

The Chair responded by saying that Members should not pre-judge the outcome of the report and that they ought to await the findings of the consultant.

In praising the staff in both Forward Planning and Building Control Sections for their dedication and commitment, a Member stated that the Development Control Committee should look at ways in which improvements made could be sustained. He added that Building Control too had experienced problems with recruiting staff and that it was no longer acceptable to say that because of the problems in recruitment/retention of staff, it was not possible to improve performance. He acknowledged that planning applications for larger sites were time consuming but added that special meetings had been held to deal with such applications. He suggested a review of the delegated powers in order to improve the situation.

A Member added that Officers had done an admirable job in the circumstances and that she had no issue with Members being assessed by way of the report being



prepared by the consultant. She pointed out that her Group could not support any further extension of the Chief Planning Officers' delegated powers. She added that only 10-15% of planning applications were submitted to the Development Control Committee for decision with the majority being decided by the planning officers.

Finally, the Chair stated that once the report of the consultant was available, a cross party Member-level informal meeting ought to be held should there be any issues that needed discussing further.

**RESOLVED:** That the report and the discussion, set out in the preamble above, be noted.

79. **Residents' Health Fears and Masts - Query Update to Harrow's Policies:**

Councillor Kinnear, who had requested for this item to be added to the agenda (Minute No. 70 refers), stated that she was not satisfied that criterion E of policy D26 (on pages 122/123) of the replacement Harrow Unitary Development Plan addressed her concerns and requested that a report be submitted to the next meeting of the Panel by the Chief Planning Officer.

In response, the Chief Planning Officer stated that officers in Planning and Legal Services were satisfied that criterion E of policy D26 of the replacement HUDP was adequate and was consistent with the rulings of the Courts. He stressed that health issues were a consideration where the public perception was that health considerations were legitimate reasons for refusing planning applications for telephone masts.

Councillor Kinnear referred to the research carried out on this issue and requested that a review of Harrow's position with a report be submitted to the Panel's next meeting.

The Chair stated that the existing Policy was adequate in dealing with such applications.

**RESOLVED:** That the discussion, set out in the preamble above, be noted.

80. **Special Meeting of the Unitary Development Plan Advisory Panel:**

Members were advised that a special meeting of the Panel might be necessary should it not be possible for the report setting out objections to the proposed modifications to the HUDP Panel to be submitted to the scheduled meeting on 18 March 2004. The 1 April 2004 was suggested and it was

**RESOLVED:** That the Committee Administrator be requested to consult Members of the Panel on their availability and confirm the date in writing.

(Note: The meeting having commenced at 7.30 pm, closed at 9.45 pm)

(Signed) COUNCILLOR KEITH BURCHELL  
Chair



**EDUCATION ADMISSIONS AND AWARDS  
ADVISORY PANEL**
**6 JANUARY 2004**

Chair: \* Councillor Toms

Councillors: \* Choudhury \* Janet Cowan

Advisers: Mr D A Jones  
(Vacancy)

\* Denotes Member present

**PART I - RECOMMENDATIONS**
**RECOMMENDATION 1: Admission to County Schools**

On 6 January there were 3 children for whom the 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 an offer of admission to a school be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H68	9	Harrow High
H69	10	Canons
H70	10	Nower Hill

**PART II - MINUTES**
**164. Attendance by Reserve Members:**

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

**165. 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.

**166. Arrangement of Agenda:**

**RESOLVED:** That the item appearing in Part II of the agenda be considered with the Press and Public excluded on the grounds indicated below:

<u>Item</u>	<u>Reason</u>
8. Admissions to County Schools	This item was considered to contain exempt information as defined in Paragraph 4 of Part I to Schedule 12A to the Local Government (Access to Information) Act 1985 in that it contains information relating to any particular applicant for, or recipient of, any service provided by the Authority.

**167. Minutes:**

**RESOLVED:** That the minutes of the meetings held on 2 December 2003 and 16 December 2003, having been circulated, be taken as read and signed as a correct record.

**168. Public Questions:**

**RESOLVED:** To note that there were no public questions to be received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

169. **Petitions:**

**RESOLVED:** To note that there were no petitions to be received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

170. **Deputations:**

**RESOLVED:** To note that there were no deputations to be received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

171. **Admissions to County Schools:**

See Recommendation 1.

(Note: The meeting having commenced at 5.30 pm, closed at 5.45 pm)

(Signed) COUNCILLOR KEITH TOMS  
Chair

CONSULTATIVE  
FORUMS



**TENANTS' AND LEASEHOLDERS'  
CONSULTATIVE FORUM****8 JANUARY 2004**

Chair: \* Councillor Currie  
Councillors: \* Billson \* Knowles  
\* Burchell

\* Denotes Member present

Tenant and Leaseholder Representatives

Representatives from the following Associations were in attendance:

Alexandra Avenue Tenants' and Residents' Association  
Antoney's Close Tenants' and Residents' Association  
Brookside Close Tenants' and Residents' Association  
Harrow Federation of Tenants' and Residents' Associations  
Eastcote Lane Tenants' and Residents' Association  
Association of Harrow Miscellaneous Properties

In total, 14 tenants/representatives attended the meeting.

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - Housing Revenue Account 2004/05**

The Forum received a report of the ALMO Project Director which outlined the HRA (Housing Revenue Account) Budget for 2004/05 with associated rent and other charges. The Forum were requested to submit their comments to Cabinet on 13 January 2004.

An Officer reminded the Forum that this was an annual report each January and that similar issues arose most years. However, rent restructuring meant a more restricted and less flexible budget.

Officers reminded the meeting that the HRA acted as an income and expenditure account for landlord services and that the account had to at least break even. The budget cycle itself required year round work, with revisions being made to estimates throughout the year and proposals for the following year being formulated.

The HRA could only received income from tenants, leaseholders or government subsidy. Traditionally, roughly one third of the HRA was from government subsidy, mainly to pay for Housing Benefit. However, from this year, Housing Benefit would be paid directly into the General Fund, resulting in a loss for the HRA because subsidy on overpayments would be lost.

It had been expected that revisions to the management and maintenance funding formulas would favour Harrow, possibly by up to £1.5 million. However, the formula was further revised, with Harrow eventually receiving an increase in management and maintenance of roughly £900,000. The Government had also introduced a rent restructuring programme. This programme meant that both registered social landlords (RSL) and local authority landlords had to apply a formula in calculating their rent levels, based upon relative local earnings and relative property value. The programme was designed to eliminate the differences in rent between local authorities and RSL's, leaving the authority with little discretion in the setting of rents. The reduction in HRA Subsidy in respect of rent income, due to the introduction of Rent Restructuring, more than offsets the £900,000 subsidy gain relating to management and maintenance.

An officer informed the meeting that a change needed to be made to paragraph 6.5.3, as a lat minute change to government subsidies meant that the average rent increase would be £2.03 per week. It was also proposed that other fees and charges referred to in the report, should therefore be increased by 2.7%, rather than 2.8%.

In discussion of the current housing stock, officers commented that the administrative costs involved in procuring capital receipts (the Right to Buy Team) could be off-set against the capital receipts from the sale of Council dwellings. However, the sale of Council dwellings meant less tenants and therefore less rent income.

In response to a question from the Chair, officers explained that 'supervision and

management special expenses', highlighted in an expenditure pie chart, were services for particular Groups of residents including the Warden Service, Caretaking and Grounds Maintenance.

Following a question from a Tenants' representative, Officers confirmed that Harrow had improved its void turnaround to an average of 36 days, meaning that rent lost through voids was kept to a minimum. However, officers commented that they did have isolated problem properties that they were aware of and were trying to remedy. In response to further questions, Officers confirmed that there were no residents in bed and breakfast accommodation.

In response to a comment from a representative of Eastcote Lane Residents' residents' association (ELTRA), officers confirmed that stairwell cleaning had not been included in the budget and that, if introduced it would probably be charged as a direct service. In response to further questions, officers confirmed that provision of £66,000 had been made for ALMO accommodation costs.

During discussion of charges for community halls, officers confirmed that a review of community halls and rooms was under way. Following comments from a Member of the Overview and Scrutiny Committee, present to speak on this item, officers confirmed that they would consider charges for community halls and rooms would be considered as part of a review. Concerns had been raised that the HRA was subsidising the letting of these facilities. Officers commented that rents for these premises needed to be based on what it is worth, not on what people can pay.

A Member commented that he understood that changes to subsidies and rent restructuring had left the authority with little leeway, he was concerned that pensions had not increased at the same levels as rent.

In response to a question from a Member, Officers confirmed that over £5 million had been allocated for new capital investment, maintenance and repair schemes. Consultation on potential schemes would be meaningful, with potential works identified for discussion with residents. Workshops would be held and residents would have the opportunity to raise problems they have noted. Overall, residents and residents' associations would have a much clearer picture of what to expect from the works programme. Officers confirmed that Ward Councillors would be kept informed of developments and would be invited to local meetings.

A representative of ELTRA commented that he had little time to consult fellow tenants on the HRA as he had received the documents for this meeting over Christmas. Officers commented that it was not possible to publish the documents any earlier but they were investigating the possibility of changing the consultative process for future years. The Chair noted that he was surprised that the Forum had not received comments on behalf of the federation.

**Resolved to RECOMMEND:** (To Cabinet)

That Cabinet note the comments of the Tenants' and Leaseholders' Consultative Forum on the draft Housing Revenue Account budget.

## **PART II - MINUTES**

112. **Attendance by Reserve Members:**

**RESOLVED:** To note that there were no reserve Members in attendance.

113. **Declarations of Interest:**

**RESOLVED:** To note the following declarations of interest:

- Councillors Currie and Knowles declared an interest in the ALMO shadow board in their capacity as Council representatives, but in accordance with Paragraph 12.2 of the Council's Code of Conduct for Councillors they remained and took part in discussions on the agenda item in question.
- Councillor Currie declared a personal interest in the Matters Raised by the Eastcote Lane Tenants and Residents Association by virtue of his role as Acting Chair of the Association and remained and took part in the discussions and voting on the agenda item in question.



114. **Arrangement of Agenda:**

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

115. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 9 October, having been circulated, be taken as read and signed as a correct record.

116. **Deputations:**

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

117. **Petitions:**

**RESOLVED:** To note that no petitions had been received.

118. **Public Questions:**

**RESOLVED:** To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.

119. **Matters Arising from the Last Meeting:**

Officers introduced a report of the ALMO Project Director which updated the meeting on issues raised at the last meeting.

Officers informed the forum that issues with water on the grassed area facing Field End Road and lighting in stairwells on the Brookside Estate had now been resolved.

Officers reported that they were currently following due process regarding the absence of the tenant at a flat linked to complaints of anti-social behaviour on the Brookside Estate. Officers advised that the tenant was responsible for any actions that took place at the flat. The meeting was informed that injunctions against visitors had been used in similar cases, and was often a successful short term solution.

In response to questions regarding levels of rent arrears, Officers confirmed that an item with information on this topic would be presented to the March meeting.

**RESOLVED:** That the report be noted.

120. **Procurement of the Responsive Repairs Contract - Progress Report:**

The Forum received the report of the ALMO Project Director which provided information on the progress made in the procurement of the responsive repairs contract since the last meeting.

Officers reported that the procurement process had continued to progress, and was now at a stage to make recommendations to Cabinet. The process had been robust and included representatives of key stakeholder groups. Officers commented that the process had been a successful exercise in everyone working together.

For repairs, two contractors had been recommended for appointment. The contract for repairs for two districts had been recommended for award to A E Williams, while the contract for the other district and void properties had been awarded to Ian Williams Ltd. The contracts for both the gas servicing and gas maintenance had both been recommended for award to Village Heating.

All three contractors had previously done work under a partnering framework, and were all committed to work with the Council to improve service. Officers commented that the new contracts would mean Ian Williams Ltd would be responsible for managing repairs to void properties. Currently, several contractors worked on properties, managed by Council Officers. It was hoped that the change in arrangements would further improve the turnaround time of void properties. In other boroughs, the contractors had managed to secure the turnaround of voids in 10-15 days.

Workshops would be held with the new contractors to develop arrangements. Officers emphasised that it was intended to have a more 'open' approach to working with contractors, and it was accepted that these companies would make a profit. The contractors had been assessed in terms of performance indicators rather than price, and would continue to be assessed on this basis. Problems and mistakes would be confronted in an open manner, and dialog with tenants would be seen as essential in

rectifying any mistakes. Officers confirmed that regular performance reports would be presented to the Forum.

In response to question from a member of the Forum, an Officer confirmed that the proposed contractors all had extensive experience of working with Local Authorities and Social Landlords. Following further questions, Officers confirmed that both the responsive repairs services were required to have a local base. The Council were encouraging the two contractors to work together and arrange a shared stores/resources facility. Both contractors had commented that they would carry out both formal and informal estate inspections to continue to ensure the expected standards of work. A representative of Eastcote Lane Tenants' and Residents' Association commended the work Council's work in the procurement of the responsive repairs contract.

In discussion of the gas contracts, Officers commented that they considered the package offered very carefully. It was decided that the benefits of combining the maintenance and servicing contracts outweighed the disadvantages, and would lessen the dilution of profit.

In response to a question from a Forum member, Officers confirmed there had been lengthy discussions with the contractors over respect for tenants homes. Employees of the contractors would all have clear IDs and uniforms. In addition, Village Heating had requested to contribute to tenant newsletters.

Officers commented that this process had illustrated that the Council had been expensive to work for. The department needed to look closely at their IT systems and develop an interface with the contractors. It was planned that much of the paperwork associated with contracts would be replaced with electronic communication.

**RESOLVED:** That the report be noted.

121. **Arms Length Management Organisation (ALMO) Update Report:**  
The Forum received a report of the ALMO Project Director which provided an update on the progress in establishing an Arms Length Management Organisation (ALMO).

Officers informed the meeting that progress toward establishing the ALMO was continuing, but not at the rate previously planned. The Officer drew the Forum's attention to the report, as it outlined the services that would be delegated to the ALMO. The Council wanted to carry out further consultation with tenants to ensure they supported the ALMO. It was planned that a 100% postal survey would be carried out at the end of February, and for the Council to ensure this was completed successfully, the message of what the ALMO was needed to be got across to residents. A report would be submitted to February Council, and the scheme would probably now go live in the summer.

In response to questions regarding support for the ALMO, Officers commented that a survey carried out early on in the process had indicated  $\frac{2}{3}$  support. A 10% telephone survey had been recently carried out, and the result had been that many residents had not yet made up their minds yet, as they felt they had not yet received enough information. Officers reiterated their commitment to ensure all residents had the opportunity to fully participate in consultation on the ALMO.

**RESOLVED:** That the report be noted.

122. **Matters Raised by Eastcote Lane Tenants' and Residents' Association:**  
Officers began by informing the meeting that a special meeting had been arranged to discuss consultation on the installation of replacement windows on Eastcote Lane Estate.

Officers informed the Forum that smoke alarms were being hard wired into flats as part of the rewiring programme. It was also suggested that carbon-monoxide testing could be developed with the new contractor. Members of the Forum suggested that hardwiring of smoke alarms should be a priority for disabled residents. Officers confirmed that the checking of smoke detectors was the part of the gas servicing contract, and the contractors were aware of this.

In a general discussion regarding access to properties to carry out work, Officers commented that they had previously taken legal advice, and deliberate refusal may constitute a breach of tenancy. There were usually 12 - 15 properties where access was a problem, with the residents often vulnerable people. This year, increased publicity would be given to the importance of allowing access to your property, and the new

contractors had several new ideas to tackle the problem, including texting residents.

**RESOLVED:** That the report be noted.

123. **Questions from Tenants/Leaseholders:**

A Member of the forum highlighted the case of a resident of the Northolt Road Estate. The resident's heater had caught fire, causing extensive damage to the house. During repairs, the resident had to put up with several embarrassing situation with the workers and had to wait six weeks for hot water to be restored. Officers suggested that this matter could be discussed away from the meeting. The Chair suggested that if the resident was unhappy, she could complete the appropriate forms and go through the formal complaints procedure.

A resident of Brookside Close commented that he had been recently involved with development officers discussing potential new doors. However, the door design favoured by residents in the first stage of consultation was not available at the second consultation stage. Officers explained that this was due to Health and Safety guidelines relating to fire escape routes. Officers noted that in these circumstances, it was important to err on the side of caution.

**RESOLVED:** That Members of the Forum be given copies of the relevant Health and Safety Reports.

124. **Extension To and Termination of the Meeting:**

In accordance with the provisions of Advisory Panel and Consultative Forum Procedure Rule 12 (Part 4E of the Constitution) it was

**RESOLVED:** That (1) at 10:00 pm the meeting be extended until 10:15 pm;

(2) at 10:15 pm the meeting be extended until 10:30 pm;

(3) at 10:30 pm the meeting be extended until 10:45 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.34 pm)

(Signed) COUNCILLOR BOB CURRIE  
Chair



COUNCIL  
AND  
COUNCIL  
COMMITTEES



DEVELOPMENT  
CONTROL  
COMMITTEE





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**REPORT OF DEVELOPMENT CONTROL COMMITTEE**


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**MEETING HELD ON 14 JANUARY 2004**


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Chair: \* Councillor Anne Whitehead

Councillors: \* Marilyn Ashton \* Kara  
 \* Mrs Bath \* Knowles  
 \* Bluston \* Miles  
 \* Choudhury \* Mrs Joyce Nickolay  
 \* Idaikkadar \* Thornton

\* Denotes Member present

[Note: Councillors Burchell, Dighé, Vina Mithani, John Nickolay and N Shah also attended this meeting in a participating role. See Minute 469].

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

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

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

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

Councillor Burchell	Applications 3/02 and 4/01
Councillor Dighé	Application 2/08
Councillor John Nickolay	Application 3/02 and Main Agenda Item 22 – 18a Gilbert Road
Councillor Vina Mithani	Application 2/08
Councillor N Shah	Application 2/08
Councillor Williams	Main Agenda Item 22 – 18a Gilbert Road

**470. Declarations of Interest:**

**RESOLVED:** To note the following declarations of interest arising from the business to be transacted at this meeting:

- (i) Agenda Item 21 – First Floor, 49 High Street, Harrow on the Hill  
 A note on the agenda advised that Councillor Harriss, who was not present at the meeting, had stated on his 'Notification by a Member of Financial and Other Interests' Form that he had a licence to occupy 49 High Street, Harrow on the Hill for 28 days or longer.

Councillors Marilyn Ashton, Mrs Bath, Kara, Knowles and Joyce Nickolay declared an interest in the above agenda item arising from the fact that a Member of the Conservative Group had an interest in the property concerned. They left the room and took no part in the discussion or decision-making on this item.

- (ii) Planning Application 1/01 – Rayners Lane Estate, Rayners Lane (P/2209/03/CFU)  
 Councillor Bluston declared an interest in the above item arising from the fact that he was a proposed Member of the ALMO (Arms Length Management Organisation). He remained in the room and took part in the discussion and decision-making on this item.

471. **Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the following items/information be admitted to the agenda by reason of the special circumstances and grounds for urgency stated:

<u>Agenda Item</u>	<u>Special Circumstances/ Reasons 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.  It also contained an application for Telecommunications Development which required urgent determination.
Agenda Item 22 – Issue placed on the agenda further to a request from a Member of the Committee – 18a Gilbert Road	The Inspector's decision in respect of this property had only recently been issued and it was requested that the item now be admitted to the agenda to allow urgent discussion of the issue.

and;

(2) all items be considered with the press and public present, with the exception of the following items which be considered with the press and public excluded for the reason indicated:

<u>Item</u>	<u>Reason</u>
Agenda Item 20 – 48 Grimsdyke Road, Hatch End – Breach of Planning Control	The report relating to this item contained exempt information under paragraph 12(a) of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it referred to legal advice received in connection with legal proceedings by the Authority.
Agenda Item 21 – First Floor, 49 High Street, Harrow on the Hill	As above
Agenda Item 22 - Issue placed on the agenda further to a request from a Member of the Committee – 18a Gilbert Road	As above

472. **Minutes:**

**RESOLVED:** That, having been circulated, the minutes of the meeting held on 10 December 2003 be signed as a correct record.

473. **Public Questions:**

**RESOLVED:** To note that there were no public questions to be received at this meeting under the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution).

474. **Petitions:**

**RESOLVED:** To note the receipt of the following petitions which were considered with the relevant planning applications on the agenda:

- Petition objecting to the proposed development at 154-156 Eastcote Road, Pinner (application 1/04 on the list of planning applications)  
Councillor John Nickolay presented the above petition which had been signed by approximately 774 local residents.

- Petition objecting to the proposed development at 99 Stanmore Hill, Stanmore (application 2/06 on the list of planning applications)  
A local resident presented the above petition, signed by 36 local residents, in the following terms:

“We the undersigned object to the redevelopment of 99 Stanmore Hill into an office block with 6 offices generating 14 cars. This is an overdevelopment and has no parking. Stanmore Hill cannot sustain a development of this size. We are a conservation area with a rural parade of small, unobtrusive sole owner businesses which we would like to retain”.

475. **Deputations - Suspension of Committee Procedure Rule 16.2:**

The Committee considered whether to hear a deputation request which had been received but which did not comply with all of the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution) in that it was not supported by the signatures of 10 local residents/representatives of local businesses or organisations. Following discussion it was:

**RESOLVED:** That, under the provisions of Committee Procedure Rule 26.1, Rule 16.2 be suspended for the duration of the meeting and the following request be heard:

Deputation re 46a Harrow View, Harrow – Breach of Planning Control: From Mrs Patel, a neighbouring resident.

(See also Minute 481).

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

**RESOLVED:** To note that there were no references from Council or other Committees or Panels to be received at this meeting.

477. **Representations on Planning Applications:**

**RESOLVED:** That (1) in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution) and the list of requests received, notified on the Addendum, representations be received in respect of items 2/04, 2/06, 2/08, 2/09, 2/10 and 2/23 on the list of planning applications; and

(2) under the provisions of Committee Procedure Rule 26.1, Rule 17.6 be suspended for the duration of the meeting and three minutes in total be allowed for objectors to speak, on each planning application, including on those items for which more than one request to speak had been received.

478. **Planning Applications Received:**

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

479. **Planning Applications Received - Supplemental Report:**

(See planning application 2/24 on the schedule of decisions re planning applications received attached to these minutes).

480. **Matters Arising from the Consideration of Planning Applications:**

Arising out of the consideration of planning applications received, the following issues were raised and discussed:

- (i) Planning Application 2/04 – 34 & 36 Shooters Avenue, Harrow  
Having agreed to defer consideration of this application, the Chair enquired as to whether the two objectors who had submitted requests to speak in relation to this item wished to defer speaking to a subsequent meeting when the matter returned to the Committee for determination. The speakers indicated that they would. Following a request from a Member, the Chief Planning Officer agreed that officers would ensure that the two objectors were advised of the date of the meeting to which the application would return.
- (ii) Planning Application 2/08 - 81 Elmsleigh Avenue, Kenton  
Following a request from a Member, it was agreed that any subsequent applications received in relation to this site would be referred to the Committee for determination rather than being dealt with under officer delegated authority.

- (iii) Planning Application 3/02 - 51 Abercorn Crescent, South Harrow  
Following discussion, it was agreed that the Member site visit to the above property would take place on Saturday 7<sup>th</sup> February 2004 and Members would meet at the property at 10.00 am.
- (iv) Planning Application 4/01 - Edgware Community Hospital, Burnt Oak Broadway, Edgware  
During discussion on this application, which was to be determined by the London Borough of Barnet but on which Harrow, as a neighbouring authority, was being consulted, the Committee noted that it was understood that, as a consequence of the works planned, a nearby bus stop was to be relocated to a point opposite a parade of shops. A number of Members expressed concern that this could interfere with the loading/unloading arrangements for the shops and requested that the Committee's concerns regarding the implications of the relocation of the bus stop be conveyed to Barnet and that Barnet also be advised that the Committee felt strongly that the matter should be the subject of further consultation with the bus companies and transport users. It was also agreed that the matter would be referred to the Harrow's Traffic and Road Safety Advisory Panel for consideration.

**RESOLVED:** That the action outlined above be agreed.

481. **46A Harrow View, Harrow - Breach of Planning Control:**

The Committee received a report of the Chief Planning Officer which advised of a breach of planning control at the above address.

The report outlined the nature of the breach, which was the material change in use of a first and second floor maisonette to bed-sits, and advised that it was now considered expedient to issue an enforcement notice to rectify the breach for the reasons stated in the officer report.

**RESOLVED:** That, subject to his being satisfied to the evidence, the Borough Solicitor be authorised to:

(1) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the permanent cessation of use of the property as bed-sits;
- (ii) the permanent removal of all locks from internal doors, with the exception of the bathroom.

(i) and (ii) to be complied with within a period of 6 months from the date on which the Notice takes effect;

(2) Issue Notices under section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control; and

(3) Institute legal proceedings in the event of failure to;

- (i) supply the information required by the Borough Solicitor to the Council through the issue of Notice(s) under Section 330 of the Town and Country Planning Act 1990

and/or

- (ii) comply with the Enforcement Notice

[REASON: As outlined in the officer report].

[Note: The Committee also received a deputation request in relation to this item but the deputees gave no indication that they were present when called to speak].

482. **53 Arundel Drive, Harrow - Breach of Planning Control:**

The Committee received a report of the Chief Planning Officer which advised of a breach of planning control at the above address.

The report outlined the nature of the breach, which was the erection of a single storey rear conservatory extension without planning permission, and advised that it was now considered expedient to issue an enforcement notice to rectify the breach for the reasons stated in the officer report.

**RESOLVED:** That, subject to his being satisfied as to the evidence, the Borough Solicitor be authorised to:

(1) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the Conservatory;
- (ii) the permanent removal of its constituent elements from the land.

(i) and (ii) to be complied with within a period of 3 months from the date on which the Notice takes effect;

(2) Issue Notices under section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control; and

(3) Institute legal proceedings in the event of failure to;

- (i) supply the information required by the Borough Solicitor to the Council through the issue of Notice(s) under Section 330 of the Town and Country Planning Act 1990

and/or

- (ii) comply with the Enforcement Notice

[REASON: As outlined in the officer report].

483. **73 Elm Park, Stanmore - Breach of Planning Control:**

The Committee received a report of the Chief Planning Officer which advised of a breach of planning control at the above address.

The report outlined the nature of the breach, which was the erection of a detached building, without planning permission, in the rear garden of the property, and advised that it was now considered expedient to issue an enforcement notice to rectify the breach for the reasons stated in the officer report.

**RESOLVED:** That, subject to his being satisfied as to the evidence, the Borough Solicitor be authorised to:

(1) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the detached building;
- (ii) the permanent removal of its constituent elements from the land.

(i) and (ii) to be complied with within a period of 3 months from the date on which the Notice takes effect;

(2) Issue Notices under section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control; and

(3) Institute legal proceedings in the event of failure to;

- (i) supply the information required by the Borough Solicitor to the Council through the issue of Notice(s) under Section 330 of the Town and Country Planning Act 1990

and/or

- (ii) comply with the Enforcement Notice

[REASON: As outlined in the officer report].

484. **93 Stanmore Hill, Stanmore - Breach of Planning Control:**

The Committee received a report of the Chief Planning Officer which advised of a breach of planning control at the above address.

It advised that a report had been submitted to the Committee at its 11 December 2002 meeting relating to the unauthorised construction of a shop front at the above property and the Committee had resolved that an Enforcement Notice be issued requiring the removal of the shop front and its replacement with a shop front as specified in the

notice. However, it was explained that the Local Planning Authority may only do this where it has accurate records of the shop front removed and on this occasion such records did not exist. Therefore, it was reported, it would be necessary to allow adequate time for the owners of the property to apply for planning permission for a replacement shop front. As such, a compliance period of 6 months was recommended.

**RESOLVED:** That, subject to his being satisfied as to the evidence, the Borough Solicitor be authorised to:

(1) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the shop front;
- (ii) the permanent removal of its constituent elements from the land.

(i) and (ii) to be complied with within a period of 6 months from the date on which the Notice takes effect;

(2) Issue Notices under section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control; and

(3) Institute legal proceedings in the event of failure to;

- (i) supply the information required by the Borough Solicitor to the Council through the issue of Notice(s) under Section 330 of the Town and Country Planning Act 1990

and/or

- (ii) comply with the Enforcement Notice

[REASON: As outlined in the officer report].

485. **Planning Appeals Update:**

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

**RESOLVED:** That the report be noted.

486. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Chief Planning Officer which listed those enforcement notices awaiting compliance.

A Member queried whether enforcement action was to be taken in respect of 4 Elm Park. It was agreed that officers would report back on this matter.

**RESOLVED:** That the report be noted and officers report back on the issue of enforcement action in respect of 4 Elm Park.

487. **Telecommunications Developments:**

- Outside Homebase, 364 High Road, Harrow Weald, P/2902/03/CDT

Proposals: Provisions of 12m high ultra-slim monopole telecommunications mast; colour to be agreed, sited towards back edge of footway; 3 ancillary cabinets, the largest being 1260mm wide x 600mm deep x 1490mm high, within 4m of the proposed mast; colour of mast and cabinets to be agreed.

**RESOLVED:** That (1) Prior approval of siting and appearance be required; and

(2) details of siting and appearance be refused for the following reason, subject to standard informatives indicated:

The proposed development, by reason of its proximity to existing similar telecommunications equipment and street furniture, would give rise to proliferation of such apparatus to the detriment of the visual amenities and appearance of the area.

Standard Informatives

Measurements from Submitted Plans

Relevant UDP Policies & Proposals(E6, E46, E52) (SD1, D4, D26)

488. **Determination of Demolition Applications:**  
**RESOLVED:** To note that there were no demolition applications which required consideration.
489. **48 Grimsdyke Road, Hatch End - Breach of Planning Control:**  
The Committee considered a report of the Chief Planning Officer under Part II of the agenda regarding a Breach of Planning Control at the above address.  
Following discussion it was  
**RESOLVED:** That no further action be taken with regard to this matter.  
[REASON: As outlined in the officer report].
490. **First Floor, 49 High Street, Harrow on the Hill:**  
The Committee considered a report of the Chief Planning Officer under Part II of the agenda regarding a Breach of Planning Control at the above address.  
Following discussion it was  
**RESOLVED:** That no further action be taken with regard to this matter.  
[REASON: As outlined in the officer report].  
[Note: Councillor Thornton wished to be recorded as having voted against the decision reached and outlined above].  
(See also Minute 470 –Declaration of Interests).
491. **Issue placed on the agenda further to a request from a Member of the Committee - 18a Gilbert Road:**  
The Committee considered a report of the Chief Planning Officer under Part II of the agenda regarding the appeal against the issue of a Planning Enforcement Notice in relation to the above property.  
Following discussion it was  
**RESOLVED:** That (1) officers be requested to seek the opinion of Counsel on the above matter;  
(2) the advice of Counsel be circulated to all Members of the Committee; and  
(3) the matter then be referred to Nominated Members for decision under the urgency procedure.  
[REASON: To obtain further advice prior to reaching a decision on this issue].  
[Note: Councillors Thornton and Whitehead wished to be recorded as having voted against the decision reached and outlined above].  
(See also Minute 469 – Right of Members to Speak).
492. **Any Other Business:**  
**24 Uxbridge Road, Stanmore – Nomination of a Member to assist officers with an appeal**  
It was advised that an appeal had been lodged against the decision to refuse permission for a recent planning application in respect of the above site and a hearing date was to be arranged. It was explained that a Nominated Member was required to assist officers with the appeal as the Chief planning officer had recommended that the application be granted. It was agreed that Councillor Marilyn Ashton would be nominated.  
**RESOLVED:** That the action outlined above be agreed.
493. **Extensions to and Termination of the Meeting:**  
In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution) it was

**RESOLVED:** At (1) 10.00 pm to continue until 10.30 pm;

(2) 10.30 pm to continue until 10.45 pm;

(3) 10.45 pm to continue until 11.00 pm;

(4) 11.00 pm to continue until 11.15 pm;

(5) 11.15 pm to continue until 11.25 pm;

(6) 11.25 pm to continue until 11.30 pm; and

(7) 11.30 pm to continue until 11.35 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.40 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD  
Chair



**SECTION 1 – MAJOR APPLICATIONS**

**LIST NO:** 1/01                      **APPLICATION NO:** P/2209/03/CFU

**LOCATION:** Rayners Lane Estate, Rayners Lane

**APPLICANT:** MEPK Architects for Warden Housing Association Ltd

**PROPOSAL:** Rayners Lane Regeneration Phase B: Provision of 106 Houses and Flats with Associated Access and Parking Space.

**DECISION:** APPROVED details of siting, access, design and external appearance, subject to the informative(s) reported.

(See also Minute 470 – Declaration of Interests).

**LIST NO:** 1/02                      **APPLICATION NO:** P/2284/03/CFU

**LOCATION:** Parkville House, Red Lion Parade, Bridge Street, Pinner

**APPLICANT:** Sanderson Associates for Auger Investments PLC

**PROPOSAL:** Change of Use: Office to Residential (Class B1 to C3) on First and Second Floors and Provision of Additional Floor to Provide 21 Resident Permit Restricted Flats with External Stairs.

**DECISION:** REFUSED permission for the development described in the application and submitted plans for the following reason reported on the addendum:

The proposal development lies within an area of land at risk from flooding. The developer has not provided a Flood Risk Assessment (FRA) in line with the requirements of Planning Policy Guidance 25 – Development and Flood Risk (PPG25), which may enable the Environment Agency to accept the proposal. The development may be at risk of flooding from elsewhere.

**LIST NO:** 1/03                      **APPLICATION NO:** P/2516/03/CFU

**LOCATION:** 29-31 Brooke Avenue, Harrow

**APPLICANT:** Home Plans for Berma Ltd

**PROPOSAL:** Redevelopment to Provide 3 Storey Block of 12 Flats with Basement Parking.

**DECISION:** REFUSED permission for the development described in the application and submitted plans for the reason(s) reported and subject to the informative(s) reported.

**LIST NO:** 1/04                      **APPLICATION NO:** P/2392/03/CFU

**LOCATION:** 154-156 Eastcote Lane, Pinner

**APPLICANT:** Johnson & Partners for Wistdale Developments Ltd

**PROPOSAL:** Detached 3 Storey Building to Provide 15 Flats with Basement and Forecourt Parking.

**DECISION:** REFUSED permission for the development described in the application and submitted plans for the reason(s) reported and the following additional reason reported on the addendum, and subject to the informative(s) reported:

3. The proposed hard-surfaced car parking area in the front garden would be unduly obtrusive and detract from the appearance of the building and street-scene.

(See also Minute 474 – Petitions).

**SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT**

**LIST NO:** 2/01                      **APPLICATION NO:** P/2629/03/CFU  
**LOCATION:** 4-10 College Road, Harrow  
**APPLICANT:** David R Yeaman & Associates for Mr N Shah & Mr R Soni  
**PROPOSAL:** Provision of 3<sup>rd</sup> Floor comprising 6 Self-Contained Flats (Resident Permit Restricted).  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

**LIST NO:** 2/02                      **APPLICATION NO:** P/2182/03/COU  
**LOCATION:** 7 Charlton Road, Harrow  
**APPLICANT:** Geoffrey T Dunnell for Messrs JD & P J Flannery  
**PROPOSAL:** Outline: Redevelopment to Provide Four Two Storey Terraced Houses with Parking at Front.  
**DECISION:** DEFERRED at officer's request in order for further discussions with applicant with a view to resolving access issues.

**LIST NO:** 2/03                      **APPLICATION NO:** P/2677/03/CVA  
**LOCATION:** Site of Timbers, 41 Brookshill, Harrow Weald  
**APPLICANT:** Derek & Alan Nash for Mahavir Foundation Ltd  
**PROPOSAL:** Single Storey Replacement Building for Use as Place of Worship and Religious Instruction (Revised).  
**DECISION:** DEFERRED at officer's request to await response to additional notification of purchaser/developer of Whyteways.  
  
[Note: The addendum also advised that an appeal had been lodged against the previous refusal of an application relating to this site and requested that the Committee nominate a Member to assist officers with the appeal. This matter was not discussed or agreed].

**LIST NO:** 2/04                      **APPLICATION NO:** P/2550/03/CFU  
**LOCATION:** 34 & 36 Shooters Avenue, Harrow  
**APPLICANT:** Mr J Benaim for QFCC  
**PROPOSAL:** Change of Use: Class C3-C2 (Residential to Care Home) with S/S Rear Extension to No. 36 and Games Room at Rear.  
**DECISION:** DEFERRED in order to clarify the issue of the validity of the application.  
  
[Note: The Committee were advised of the above officer request to defer the item orally].  
  
(See also Minute 480 - Matters Arising from the Consideration of Planning Applications).

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**LIST NO:** 2/05                      **APPLICATION NO:** P/2442/03/CFU  
**LOCATION:** 6 Alexandra Parade, Northolt Road, South Harrow  
**APPLICANT:** G M Simister for Anil Mavadia  
**PROPOSAL:** Change of Use: Shop to Restaurant (Class A1 to A3) on Ground Floor.  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported and the following additional condition reported on the addendum:  
  
9. Standard Condition – Disabled access use.

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**LIST NO:** 2/06                      **APPLICATION NO:** P/2786/03/CFU  
**LOCATION:** 99 Stanmore Hill, Stanmore  
**APPLICANT:** Geoff Beardsley & Partners Ltd for Rose Hill Pension Scheme  
**PROPOSAL:** Change of Use: Motor Vehicle Workshop (Class B2) to Offices (Class B1) with New Hipped Roof, Windows and Elevational Cladding.  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported and the following additional condition reported on the addendum:  
  
4. Standard Condition - Restrict House of Use  
a) 08.00 hours to 19.00 hours Monday to Saturday and at no time on Sundays and Bank Holidays.

[Notes: (1) Prior to discussing the above application, the Committee received a representation from an objector.

The objector, who addressed the Committee on behalf of local residents, drew the Committee's attention to the petition which she had presented earlier in the meeting and began by expressing concern at the effectiveness of the notification procedure. She then referred to concerns that the proposed development would constitute overdevelopment, would not respect the height and bulk of the surrounding buildings and would overshadow adjacent properties, therefore having an adverse impact on the amenity of local residents. She pointed out that the proposed pitched roof would be only two and a half feet from the bedroom window of her property. The objector also raised concerns regarding the loss of parking spaces, which she believed would result in increased on-street parking to the detriment of the Conservation Area. She advised that a previous application for the site had been refused on the basis of reasons relating to parking and overdevelopment. She considered that these reasons remained valid.

At the conclusion of the above representation it was noted that the time allotted to hear objectors' representations on this item had expired. The second request to speak in objection to this item was therefore not heard.

No indication was given that a representative of the applicant was present and wished to respond;

(2) During the debate which followed it was moved and seconded that consideration of the above application be deferred to allow a Member site visit. Upon a vote this was not carried.

It was further moved and second that the application be refused on the grounds that it was out of character in the Conservation Area, did not preserve or enhance the Conservation Area, and the possible impact of the proposed development on the secondary window of the adjacent property was not clear without a site visit. This was also not carried.

It was then moved and seconded that the substantive motion to grant the application be amended to be subject to a condition restricting the hours of use to 9am-6pm Monday to Saturday. Upon being put to a vote, this was

not carried;

(3) Councillors Marilyn Ashton, Mrs Bath, Kara, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the proposals to refuse the application and to restrict the hours of use outlined above and as having voted against the decision reached].

(See also Minute 474 – Petitions).

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<b>LIST NO:</b>	2/07	<b>APPLICATION NO:</b>	P/2242/03/CVA
<b>LOCATION:</b>	Cousins Garage, 10 Greenhill Road, Harrow		
<b>APPLICANT:</b>	Mr Mellers		
<b>PROPOSAL:</b>	Continued Use as Car Repair Workshop and M.O.T. Testing Station without Compliance with Condition 6 of Planning Permission. WEST/547/93/FUL.		
<b>DECISION:</b>	GRANTED variation(s) in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.		

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<b>LIST NO:</b>	2/08	<b>APPLICATION NO:</b>	P/2468/03/DFU
<b>LOCATION:</b>	81 Elmsleigh Avenue, Kenton		
<b>APPLICANT:</b>	Mr R Sodha		
<b>PROPOSAL:</b>	Two Storey Side to Rear and Single Storey Front/Side and Rear Extension; Conversion of Extended Dwelling to Three Self-Contained Flats; Forecourt Parking.		
<b>DECISION:</b>	<p>REFUSED permission for the development described in the application and submitted plans for the following reason(s) and subject to standard informative 41 – UDP and Deposit Draft UDP Policies and Proposals (E6, E45, E51, H10, T13), (S1, SD1, EP25, D4, D5, H10, T13):</p> <ol style="list-style-type: none"> <li>1. The development would result in an over-intensive use and unacceptable level of activity within the building, to the detriment of the character of the area and the amenities of adjoining residents;</li> <li>2. The development would fail to provide adequate amenity space for the occupiers of the first floor flat which would have no access to the rear garden</li> <li>3. The forecourt parking provision would result in an unsatisfactory visual appearance and loss of forecourt greenery, to the detriment of the streetscene.</li> </ol>		

[Notes: (1) Prior to considering the above application, the Committee received a representation from an objector who addressed the Committee on behalf of a number of local residents. The objector outlined concerns that the proposed development was too deep, too bulky and would intrude on neighbouring residents and also pointed out the lack of provision for disabled access and refuse collection.

He further referred to concerns relating to inadequate parking provision which he advised was well below the Council standard of 1.4 car spaces per dwelling. He felt that the proposed development would therefore result in an increase in on-street parking and would exacerbate existing parking problems and would compromise highway safety. He urged the Committee to refuse the application.

No indication was given that a representative of the applicant was present and wished to respond;

(2) The Committee wished it to be recorded that they were unanimous in agreeing to refuse the above application;

(3) The Chief Planning Officer had recommended that the above application be granted].

(See also Minute 469 – Right of Members to Speak - and Minute 480 – Matters Arising from the Consideration of Planning Applications).

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<b>LIST NO:</b>	2/09	<b>APPLICATION NO:</b>	P/2515/03/CFU
<b>LOCATION:</b>	71 Alicia Gardens, Harrow		
<b>APPLICANT:</b>	Mr R Sodha		
<b>PROPOSAL:</b>	Two Storey Side to Rear, Single Storey Front and Rear Extension and Conversion to Three Self-Contained flats, Parking at Front.		
<b>DECISION:</b>	<p>REFUSED permission for the development described in the application and submitted plans for the following reason(s) and subject to standard informative 41 – UDP and Deposit Draft UDP Policies and Proposals (E6, E45, E51, H10, T13), (S1, SD1, EP25, D4, D5, H10, T130):</p> <ol style="list-style-type: none"> <li>1. The development would result in an over-intensive use and unacceptable level of activity within the building, to the detriment of the character of the area and the amenities of adjoining residents;</li> <li>2. The development would fail to provide adequate amenity space for the occupiers of the first floor flat which would have no access to the rear garden</li> <li>3. The forecourt parking provision would result in an unsatisfactory visual appearance and loss of forecourt greenery, to the detriment of the streetscene.</li> </ol> <p>[Notes: (1) Prior to considering the above application, the Committee received a representation from an objector who addressed the Committee on behalf of a number of local residents. The objector urged the Committee to refuse the application for the same reasons which they had refused application 2/08.</p> <p>No indication was given that a representative of the applicant was present and wished to respond;</p> <p>(2) The Committee wished it to be recorded that they were unanimous in agreeing to refuse the above application;</p> <p>(3) The Chief Planning Officer had recommended that the above application be granted].</p>		

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<b>LIST NO:</b>	2/10	<b>APPLICATION NO:</b>	P/2517/03/CFU
<b>LOCATION:</b>	103 Elmsleigh Avenue, Kenton		
<b>APPLICANT:</b>	Mr R Sodha		
<b>PROPOSAL:</b>	Two Storey Side to Rear, Single Storey Front and Rear Extension, and Conversion to 3 Self-Contained Flats, Parking and Widened Access.		
<b>DECISION:</b>	<p>REFUSED permission for the development described in the application and submitted plans for the following reason(s) and subject to standard informative 41 – UDP and Deposit Draft UDP Policies and Proposals (E6, E45, E51, H10, T13), (S1, SD1, EP25, D4, D5, H10, T13):</p> <ol style="list-style-type: none"> <li>1. The development would result in an over-intensive use and unacceptable level of activity within the building, to the detriment of the character of the area and the amenities of adjoining residents;</li> <li>2. The development would fail to provide adequate amenity space for the occupiers of the first floor flat which would have no access to the rear garden</li> </ol>		

3. The forecourt parking provision would result in an unsatisfactory visual appearance and loss of forecourt greenery, to the detriment of the streetscene.

[Notes: (1) Prior to considering the above application, the Committee received a representation from an objector who addressed the Committee on behalf of a number of local residents. The objector urged the Committee to refuse the application for the same reasons which they had refused applications 2/08 and 2/09.

No indication was given that a representative of the applicant was present and wished to respond;

(2) The Committee wished it to be recorded that they were unanimous in agreeing to refuse the above application;

(3) The Chief Planning Officer had recommended that the above application be granted].

<b>LIST NO:</b>	2/11	<b>APPLICATION NO:</b>	P/1829/03/CFU
<b>LOCATION:</b>	Stanmore College, Elm Park, Stanmore		
<b>APPLICANT:</b>	Tony Welch Associates for Stanmore College		
<b>PROPOSAL:</b>	Two Storey Front Extensions in the Form of Three Linked Pavilions.		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.		
<b>LIST NO:</b>	2/12	<b>APPLICATION NO:</b>	P/2079/03/CFU
<b>LOCATION:</b>	Harrow School Pole Shed, Off 18 Football Lane, Harrow, Woodland R/O Spinney Cottages		
<b>APPLICANT:</b>	Kenneth W Reed & Associates for Keepers & Governors of Harrow School		
<b>PROPOSAL:</b>	Provision of Detached Single Storey Temporary Classroom.		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.		
<b>LIST NO:</b>	2/13	<b>APPLICATION NO:</b>	P/2081/03/CCA
<b>LOCATION:</b>	Harrow School Pole Shed, Off 18 Football Lane, Harrow, Woodland R/O Spinney Cottages		
<b>APPLICANT:</b>	Kenneth W Reed & Associates for Keepers & Governors of Harrow School		
<b>PROPOSAL:</b>	Conservation Area Consent: Demolition of Single Storey Timber Pole Shed.		
<b>DECISION:</b>	GRANTED Conservation Area Consent in accordance with the works described in the application and submitted plans, subject to the condition(s) and informative(s) reported.		
<b>LIST NO:</b>	2/14	<b>APPLICATION NO:</b>	P/2328/03/CFU
<b>LOCATION:</b>	10 College Avenue, Harrow		
<b>APPLICANT:</b>	Mr K D'Austin for Mr Ashraf Ali		
<b>PROPOSAL:</b>	Two Storey Side to Rear and Single Storey Rear Extensions and Rear Dormer		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.		

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**LIST NO:** 2/15                      **APPLICATION NO:** P/1471/03/CCO  
**LOCATION:** 18 Latimer Gardens, Pinner  
**APPLICANT:** Roman Professional Services for Methodist Minister Housing Society  
**PROPOSAL:** Retention of Access Ramp with Hand Rails at Front of Property  
**DECISION:** GRANTED permission in accordance with the development described in the application and submitted plans, subject to the informative reported.

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**LIST NO:** 2/16                      **APPLICATION NO:** P/20095/03/CCA  
**LOCATION:** 18 Latimer Gardens, Pinner  
**APPLICANT:** Roman Professional Services for Methodist Minister Housing Society  
**PROPOSAL:** Retention of Single Storey Rear Extension with Raised Patio and Steps  
**DECISION:** GRANTED Conservation Area Consent in accordance with the works described in the application and submitted plans, subject to the condition(s) and informative(s) reported and the following amended condition and additional condition reported on the addendum:

Amend condition 1 to read:  
“within 3 months of the date of this permission, the windows in the western facing elevation of the extension shall be obscurely glazed and shall thereafter be retained in that form”.

2. Standard condition – Restrict use of roof as a balcony

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**LIST NO:** 2/17                      **APPLICATION NO:** P/2271/03/CFU  
**LOCATION:** 16 Old South Close, Hatch End  
**APPLICANT:** Michael Scar for Miss Marilyn Miller  
**PROPOSAL:** Replacement Detached Garage in Rear Garden  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

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**LIST NO:** 2/18                      **APPLICATION NO:** P/1482/03/CFU  
**LOCATION:** 853 Honeypot Lane, Stanmore  
**APPLICANT:** A Oloyede for Radiation Ltd  
**PROPOSAL:** Change of Use: Retail to Office (Class A1 to A2) and Rear Extension to Provide 2 Floors of Offices/Stores  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

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**LIST NO:** 2/19                      **APPLICATION NO:** P/2377/03/CFU  
**LOCATION:** Tremar, Green Lane, Stanmore  
**APPLICANT:** G E Pottle & Co for Mr & Mrs Chowdhary  
**PROPOSAL:** Single Storey Side Extension and Use of Garage as Habitable Room  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

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**LIST NO:** 2/20                      **APPLICATION NO:** P/2294/03/CFU  
**LOCATION:** Angora, 4 Brookshill, Harrow Weald  
**APPLICANT:** Aitchison Raffety for Dr Osayi  
**PROPOSAL:** Part Single, Part Two Storey Rear and Single Storey Front and Side Extensions  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

**LIST NO:** 2/21                      **APPLICATION NO:** P/1700/03/CFU  
**LOCATION:** 1 Hallam Gardens, Pinner  
**APPLICANT:** G M Simister for Mr and Mrs D Rees  
**PROPOSAL:** Single Storey Side and Rear Extensions  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported and the following additional condition agreed by the Committee:  
3. Standard Condition – Restrict use of roof as balcony

**LIST NO:** 2/22                      **APPLICATION NO:** P/2028/03/CFU  
**LOCATION:** 21 Albury Drive, Pinner  
**APPLICANT:** E B Harrison for Mr Ammond  
**PROPOSAL:** Rear Dormer  
**DECISION:** REFUSED permission for the development described in the application and submitted plans for the following reason(s) and subject to standard informative 41 – UDP and Deposit Draft UDP Policies and Proposals (E4, E5, E6, E38, E39, E45), (SD1, SD2, D4, D5, D16, D17):  
The proposed development would be visually obtrusive in the streetscene on this prominent corner site, does not comply with the Pinner Wood Park Estate Conservation Area Policy Statement and would be detrimental to the character of the Conservation Area.  
[Notes: (1) The Chief Planning Officer had recommended that the above application be granted;  
(2) Councillor Bluston wished to be recorded as having voted against the decision reached. Councillors Marilyn Ashton, Mrs Bath, Kara, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the decision reached].

**LIST NO:** 2/23                      **APPLICATION NO:** P/1900/03/CFU  
**LOCATION:** Land Adjacent to 128 Somervell Road  
**APPLICANT:** Mahmut Hilmi Architect for Mr S Budhdeo  
**PROPOSAL:** Single and Two Storey Detached House with Parking at Front (Revised).  
**DECISION:** REFUSED permission for the development described in the application and submitted plans for the following reason(s) and subject to standard informative 41 – UDP and Deposit Draft UDP Policies and Proposals (E6, E17, E45, T13) (D4, D5, SD1, EP42, T13):

The proposed house, by reason of its location, would result in a cramped form of development, obtrusive and overbearing in the streetscene, exacerbating the incongruity of the present building that is known as 126a and 126s Somervell Road.



[Notes: (1) Prior to considering the above application the Committee received a representation from a neighbouring resident who objected to the application and from a representative of the applicant.

The objector indicated that he felt the application was very similar to an application for the same site which had been refused the previous summer, and expressed concern that the proposed development would neither complement nor be clearly separate from his own, adjacent property. He pointed out that it would be only 3 inches from his property and this would raise maintenance problems and would impinge on his privacy. He further added that the development would also fail to reflect the character of the surrounding properties and would not be in accordance with the Council's Unitary Development Plan.

In response, the representative of the applicant argued that the application before the Committee differed significantly from the previous application and would reflect well the style of the surrounding properties. He felt that the development would constitute an excellent use of the site and listed its merits, and also disputed that the proximity of the development to the neighbouring property would cause any difficulties;

(2) The Chief Planning Officer had recommended that the above application be granted;

(3) It was agreed that members would raise their concerns regarding the current condition of the above site with Environmental Health;

(4) Councillors Marilyn Ashton, Mrs Bath, Kara, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the above decision to refuse the application.

Councillors Bluston and Whitehead wished to be recorded as having voted against the above decision to refuse the application].

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<b>LIST NO:</b>	2/24	<b>APPLICATION NO:</b>	P/894/03/CFU
<b>LOCATION:</b>	Hillmorton, 11 Orley Farm Road, Harrow		
<b>APPLICANT:</b>	Sureplan (South Bucks) Ltd for Mr and Mrs Soni		
<b>PROPOSAL:</b>	Single Storey Side Extension Conversion of Outbuilding to Provide Granny Annexe, 2 Rear Dormers		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.		

[Notes: (1) During the debate on the above application it was moved and seconded that the application be refused on the grounds that the proposed development would be detrimental to the character of the Conservation area by reason of the terracing effect the granny annex would give by filling in the gap between the above property and the adjacent property, would be visually obtrusive in the streetscene and would be harmful to the character of the surrounding road. Upon being put to the vote and with the Chair exercising her extra, casting vote this was not carried;

(2) The vote on the substantive motion to grant the above application was carried upon the Chair exercising her extra, casting vote;

(3) Councillors Marilyn Ashton, Mrs bath, Kara and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the above motion to refuse the application and as having voted against the decision reached to grant the application].

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**SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

**LIST NO:** 3/01                      **APPLICATION NO:** P/1913/03/CFU  
**LOCATION:** 455 Uxbridge Road, Hatch End  
**APPLICANT:** Anthony J Blyth and Co for Ms F Surace  
**PROPOSAL:** Change of Use: A1 to A3 (Retail to Food & Drink) on Part of Ground Floor, with Parking at Rear.  
**DECISION:** REFUSED permission for the development described in the application and submitted plans for the reason(s) reported and subject to the informative(s) reported.

**LIST NO:** 3/02                      **APPLICATION NO:** P/2400/03/CFU  
**LOCATION:** 51 Abercorn Crescent, South Harrow  
**APPLICANT:** ARP Associates for Miss Philomena D'Souza  
**PROPOSAL:** Single Storey Rear Extension  
**DECISION:** DEFERRED for Member Site Visit  
  
(See also Minute 469 – Right of Members to Speak - and Minute 480 – Matters Arising from the Consideration of Planning Applications).

**SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

**LIST NO:** 4/01                      **APPLICATION NO:** P/2260/03/CAN  
**LOCATION:** Edgware Community Hospital, Burnt Oak Broadway, Edgware, Middx  
**APPLICANT:** London Borough of Barnet  
**PROPOSAL:** Consultation: Construction of New Site Entrance onto Burnt Oak Broadway.  
**DECISION:** RAISED NO OBJECTIONS to the development set out in the application, subject to regard being had to the following matters:  
  
Planning permission being subject to the prior completion of a Section 106 legal agreement involving this Council to secure the sum of £10,000 to facilitate any remedial traffic management measures that may be necessary as a result of the proposal, within 3 years of occupation of the development.  
  
(See also Minute 469 – Right of Members to Speak - and Minute 480 – Matters Arising from the Consideration of Planning Applications).

**LIST NO:** 4/02                      **APPLICATION NO:** P/2204/03/CNA  
**LOCATION:** BACS, 3 De Havilland Road, Edgware, Middlesex, HA8 5PA  
**APPLICANT:** Brent Council  
**PROPOSAL:** Consultation: Redevelopment to Provide 125 x 2 Bed and 14 One Bed Flats, and 44 Town Houses in Part 3, Part 4 Storey Block with 172 Parking Spaces.  
**DECISION:** RAISED NO OBJECTIONS to the development set out in the application, subject to regard being had to the informative reported.

COUNCIL





**MINUTES**  
**of the**  
**SPECIAL MEETING**  
**of the**  
**COUNCIL**  
**of the**  
**LONDON BOROUGH OF HARROW**  
**held on**  
**THURSDAY 22 JANUARY 2004**

**Present:**       **The Worshipful the Mayor (Councillor Mano Dharmarajah)**  
                   **The Deputy Mayor (Councillor Lurline Champagne)**

**Councillors:**

R. Arnold  
 David Ashton  
 Mrs Marilyn Ashton  
 Mrs Camilla Bath  
 Miss C A Bednell  
 F. Billson  
 Alan Blann  
 H. Bluston  
 J. Branch  
 K. Burchell  
 M. Choudhury  
 Mrs Janet Cowan  
 John Cowan  
 Bob Currie  
 Margaret Davine  
 Sanjay Dighé  
 A.T. Foulds  
 Brian Gate  
 Mitzi Green  
 Ann Groves

T. Idaikkadar  
 M. Ingram  
 N. Ismail  
 M. Kara  
 Mrs E.M. Kinnear  
 M. Kinsey  
 A.C. Knowles  
 Jean Lammiman  
 D. Lavingia  
 A. Lent  
 Miss Paddy Lyne  
 Myra Michael  
 Jerry J. Miles  
 Vina Mithani  
 Chris Mote  
 Mrs Janet Mote  
 J.W. Nickolay

Mrs Joyce Nickolay  
 Marie-Louise Nolan  
 Phillip O'Dell  
 A. Omar  
 P. Osborn  
 Anjana Patel  
 A. Pinkus  
 R. Ray  
 R.D. Romain  
 Anthony Seymour  
 Navin Shah  
 Mrs Rajeshri Shah  
 E. Silver  
 Bill Stephenson  
 Keekira Thammaiah  
 S. Thornton  
 Keith Toms  
 M. Versallion  
 A.E. Whitehead  
 G. Williams

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**PRAYERS**

The meeting opened with Prayers offered by the  
 Mayor's Chaplain, Deacon Tony Martin

**A**     **GENERAL****147.**   **DECLARATIONS OF INTEREST:**

**RESOLVED:**

**TO NOTE THAT WERE NO DECLARATIONS OF INTEREST MADE BY MEMBERS IN RELATION TO THE BUSINESS TO BE TRANSACTED AT THIS SPECIAL MEETING.**

**148.**   **COUNCIL MINUTES:**

**RESOLVED:**

**TO DEFER THE MINUTES OF THE MEETING HELD ON 23 OCTOBER 2003 UNTIL THE NEXT ORDINARY MEETING OF COUNCIL, WHICH WAS TO FOLLOW THIS SPECIAL MEETING.**

**B**     **HONORARY FREEDOM****149.**   **CONFERMENT OF THE FREEDOM OF THE BOROUGH:**

At the meeting of the Cabinet held on 16 December 2003 a Recommendation was made to hold a Special Council meeting to consider under the provisions of Section 249 of the Local Government Act 1972 the proposed conferment of Honorary Freedom of the Borough and the associated costs in recording the granting of the Freedom in an Illuminated Scroll in accordance with the provisions of Section 249(6).

A report submitted to this Special Council Meeting formally proposed that the Honorary Freedom be conferred on Sir Roger Bannister.

Sir Roger Bannister was born in Harrow on 23 March 1929 and was educated in the Borough. He became the first person to run 1 mile in just 3 minutes and 59.4 seconds, breaking the four minute barrier, which has been recognised as the most significant athletic feat of the 20<sup>th</sup> Century.

It was proposed that the honour be conferred in 2004 to mark the 50<sup>th</sup> anniversary of the outstanding sporting achievement of Sir Roger Bannister in joint celebration with the 50<sup>th</sup> anniversary of the Borough's Incorporation. Members unanimously welcomed the proposal.

**RESOLVED:**

**THAT (1) FURTHER TO CABINET RECOMMENDATION II (16 DECEMBER 2003) AND THE PROVISIONS OF SECTION 249(5) OF THE LOCAL GOVERNMENT ACT 1972, AS NOW AGREED UNANIMOUSLY (WITH NO VOTES CAST AGAINST), THE COUNCIL DO CONFER THE HONORARY FREEDOM OF THE BOROUGH ON SIR ROGER BANNISTER AND APPROVE ASSOCIATED COSTS IN RECORDING THE GRANTING OF THE FREEDOM IN AN ILLUMINATED SCROLL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 249(6).**

**(2) THE FOLLOWING FORMAL RESOLUTION BE ADOPTED:-**

**"THAT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 249(5) OF THE LOCAL GOVERNMENT ACT 1972, THE COUNCIL OF THE LONDON BOROUGH OF HARROW**

**DO CONFER THE**

**HONORARY FREEDOM OF THE BOROUGH**

**ON**

**SIR ROGER BANNISTER**

**IN RECOGNITION OF THE FIFTIETH ANNIVERSARY OF HIS ACHIEVEMENT ON 6 MAY 1954 IN ESTABLISHING THE THEN WORLD RECORD OF RUNNING THE MILE DISTANCE IN LESS THAN FOUR MINUTES FOR THE FIRST TIME**

**AND**

**THAT THIS HONOUR OF FREEDOM OF THE BOROUGH BE NOW SO CONFERRED ON SIR ROGER BANNISTER APPROPRIATELY IN THE CURRENT YEAR OF 2004 IN FURTHER JOINT COMMEMORATION AND CELEBRATION OF THE FIFTIETH ANNIVERSARY OF HARROW'S CHARTER OF INCORPORATION AS A BOROUGH ON 4 MAY 1954."**

**(CLOSE OF MEETING:** All business having been completed, the Mayor declared the Special Meeting closed at 7.35 pm).







**MINUTES**  
**of the**  
**ORDINARY MEETING**  
**of the**  
**COUNCIL**  
**of the**  
**LONDON BOROUGH OF HARROW**  
**held on**  
**THURSDAY 22 JANUARY 2004**

**Present:**        **The Worshipful the Mayor (Councillor Mano Dharmarajah)**  
                       **The Deputy Mayor (Councillor Lurline Champagne)**

**Councillors:**

R. Arnold  
 Nana Asante-Twumasi  
 David Ashton  
 Mrs Marilyn Ashton  
 Mrs Camilla Bath  
 Miss C A Bednell  
 F. Billson  
 Alan Blann  
 H. Bluston  
 J. Branch  
 K. Burchell  
 M. Choudhury  
 Mrs Janet Cowan  
 John Cowan  
 Bob Currie  
 Margaret Davine  
 Sanjay Dighé  
 A.T. Foulds  
 Brian Gate  
 Mitzi Green

Ann Groves  
 T. Idaikkadar  
 M. Ingram  
 N. Ismail  
 Mary John  
 M. Kara  
 Mrs E.M. Kinnear  
 M. Kinsey  
 A.C. Knowles  
 Jean Lammiman  
 D. Lavingia  
 A. Lent  
 Miss Paddy Lyne  
 Myra Michael  
 Jerry J. Miles  
 Vina Mithani  
 Chris Mote  
 Mrs Janet Mote  
 J.W. Nickolay  
 Mrs Joyce Nickolay

Marie-Louise Nolan  
 Phillip O'Dell  
 A. Omar  
 P. Osborn  
 Anjana Patel  
 A. Pinkus  
 R. Ray  
 R.D. Romain  
 Anthony Seymour  
 Navin Shah  
 Mrs Rajeshri Shah  
 E. Silver  
 Bill Stephenson  
 Keekira Thammaiah  
 S. Thornton  
 Keith Toms  
 M. Versallion  
 A.E. Whitehead  
 G. Williams

**A GENERAL MATTERS****150. COUNCIL MINUTES:****RESOLVED:**

**THAT (1) THE MINUTES OF THE MEETING HELD ON 23 OCTOBER 2003, HAVING BEEN CIRCULATED AND SUBJECT TO THE CORRECTION REFERRED TO IN THE SUMMONS AND AN AMENDMENT TO RESOLUTION 127(2) THAT COUNCILLOR JEAN LAMMIMAN HAD PROFFERED HER APOLOGIES FOR THAT MEETING, THEY NOW BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD;**

**(2) THE MINUTES OF THE SPECIAL MEETING HELD ON 22 JANUARY 2003 BE DEFERRED UNTIL PRINTED IN THE NEXT COUNCIL MINUTE VOLUME.**

**151. MEMBERS OF COUNCIL:**

The Mayor welcomed the attendance of Councillors Jean Lammiman and Romain at the Council Meeting following their recent absences due to ill health.

**152. DECLARATIONS OF INTEREST BY MEMBERS OF THE COUNCIL:**

It was noted that there were no declarations of interests on behalf of Members with regard to the business to be transacted at this Council Meeting.

**153. MAYOR'S ANNOUNCEMENTS:**

Further to the tabled information of the Mayoral engagements the Mayor expressed particular thanks to the Deputy Mayor for the several occasions on which she had stood in for him on engagements during his recent period of illness.

**RESOLVED:**

**THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF HIS WORSHIP THE MAYOR, AS TABLED, UPON HIS OFFICIAL DUTIES, TOGETHER WITH THOSE OCCASIONS ON WHICH HE WAS REPRESENTED BY THE DEPUTY MAYOR OR A PAST MAYOR, SINCE THE COUNCIL MEETING ON 23 OCTOBER 2003.**

**154. QUEEN'S NEW YEAR'S HONOURS LIST:**

The following Harrow residents received awards in the Queen's New Year's Honours List:

Dr Owain Arwel Hughes	– Officer of the British Empire
Mr Malcolm Lyons	– Officer of the British Empire
Mr David O'Grady	– Member of the British Empire
Mr Jayantilal Sojar Shah	– Member of the British Empire

**155. PROCEDURAL MOTION: SUSPENSION OF PROCEDURAL RULES:**

The Leader of the Council, Councillor Foulds moved a procedural motion under the provisions of Council Procedure Rule 26.1 (suspension) to suspend the time limit of 15 minutes under Council Procedure Rule 12.2 in order to enable all the public questions to be put and answered.

**RESOLVED:**

**THAT THE PROCEDURAL MOTION FOR THE TIME ALLOWED FOR PUBLIC QUESTIONS UNDER STANDING ORDER 12.2 TO BE SUSPENDED UNDER COUNCIL PROCEDURE RULE 26.1 (SUSPENSION) BE AGREED.**

**156. COUNCIL PROCEDURE RULE 15.2 (URGENT MOTION):**

Councillor Knowles moved and Councillor C. Mote seconded the receipt of an urgent motion under Council Procedure Rule 15.2. (Urgent Motions).

The Mayor advised that it was his ruling as Chairman of the meeting that the terms of the proposed urgent motion did not meet the requirements of urgency and accordingly

would not be admitted for consideration at the meeting.

He advised the relevant Members that they were entitled to seek that the subject matter be referred to the next Cabinet or Council meetings.

## **B PUBLIC REPRESENTATIONS**

### **157. PETITIONS:**

In accordance with Council Procedure Rule 11, the following petitions were presented by Members of Council on behalf of petitioners:

(1) Councillor Miles submitted a petition containing 627 signatures of local residents who opposed the proposed development of the gardens/backlands in Balmoral Road/Carylon Avenue, South Harrow and any other similar developments within the local area.

[The petition stood referred to the Development Control Committee]

(2) Councillor C. Mote presented a petition with 250 signatures of local residents strongly objecting to the proposed demolition of two houses at 66-68 Marsh Road, Pinner, for re-development as a block of 15 flats.

[The petition stood referred to the Development Control Committee]

[It was noted that there were no petitions submitted at this meeting by members of the public].

### **158. PUBLIC QUESTIONS:**

Further to Item 6 on the Summons, the following questions were submitted by members of the public, in accordance with Council Procedure Rule 12.3:

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
Mr J Zeid	Environment and Transport Portfolio Holder (Councillor O'Dell)	"Both St Georges and St Anns centres have now imposed Sunday Parking Charges and have come under criticism from the public as well as seeing their takings fall. Having had sight of "secret internal documents" and spoken to a "source", I am told that they were FORCED to impose charges as "They are forbidden from competing with the Council on charges" and yet it was a change led by the Council starting the whole spiral. Can the portfolio holder tell me and the rest of the public just when the Council started telling private businesses and important local employers and tax payers, what and when they should charge?"
*Mr. M. Fitzgerald (see note 1)	Finance, Human Resources and Performance Management Portfolio Holder (Councillor Dighé)	"You very kindly sent me the IT budget figures on the Harrow project. I note that the IT budgets are the following:  2002/3 of £0.00 2003/4 of £675,000 2004/5 of £1.765 million 2005/6 of £2.605 million 2006/7 of £2.605 million

		<p>Are these figures just plucked out the thin air or are they actual calculated figures, and if so, what are these amounts for?"</p>
Mr. P. Seedher	Partnership and Property Portfolio Holder (Councillor Navin Shah)	<p>"Are you not concerned that feelings are running so high in the community that Harrow residents have signed one of the largest petitions ever raised in our country against this council's tax policy - or do you agree with Archie Foulds that there can be no upper limit to Council Tax?"</p>
Mr. D. Page	Finance, Human Resources and Performance Management Portfolio Holder (Councillor Dighé)	<p>"How much of the MBTS incremental spend on ICT Infrastructure of £600,000 in 2004-2005 and the further increase of £1,330,000 to £1,930,000 in 2005-2006 is to comply with the Local Authorities EURO Preparation Guidance issued by the Office of the Deputy Prime Minister in June 2003?"</p>
Mr. B. Daver	Education and Lifelong Learning Portfolio Holder (Councillor Stephenson)	<p>"Please provide the year on year budget (£) and % increases from 2000/2001 to the Schools Budget on a comparable basis including any additional monies allocated locally. What % of the increases went to wages and pension payments?"</p>
Mr. J. Mitchell	Leader of the Council (Councillor Foulds)	<p>"HCTC has gathered 23,000 signatures from residents, with their names and addresses, demanding that the 2004/5 increase be no more than inflation.</p> <p>Harrow Council is in the process of a 'Council tax consultation 2004/5' via a four page A4 leaflet sent to every house, with piles of leaflets in libraries and at the Civic Centre.</p> <p>This is an expensive anonymous consultation open to multiple returns from individuals and the numbers resulting can have no validity whatsoever.</p> <p>At a recent Cabinet you said you would not be bound by the results of a consultation.</p> <p>Please explain why you are subjecting cash limited Harrow to this expensive farce?"</p>

Mr. S. Sheinwald	Leader of the Council (Councillor Foulds)	“There is no doubt our Harrow Council Tax Campaign is responsible for bringing Council Tax down from an initial 14% to 3.9%. But you are claiming much of this is due to you making substantial short term savings and by holding down suppliers costs. If this is true then why were these simple savings not made over the last six years, and why was millions of tax payers money wasted?”
Mr. D. Stanley	Leader of the Council (Councillor Foulds)	“What is the value of property (£) and land (£) owned by the Council and what is the net income generated on these assets?”
Mr. K. Ferry	Member of the Executive - Leader of the Conservative Group (Councillor C.Mote)	“In this Council where political representation is finely balanced, could you outline the Conservative Group budget strategy for the next financial year?”
Mr. N. Smith	Leader of the Council (Councillor Foulds)	“Would the Leader of the Council please comment on the recent announcement by the Audit Commission, that Harrow Council has been measured as fair in the way it serves its people?”
Mr C. E. Blake	Environment and Transport Portfolio Holder (Councillor Phillip O’Dell)	“Could you please give information about progress on the implementation of the clean and green New Harrow Project work, and advise how the projects have performed so far?”

[Note 1: It was noted that Mr M Fitzgerald was not able to attend the meeting, but would be provided with a written response from the Finance, Human Resources and Performance Management Portfolio Holder (Councillor Dighé);

Note 2: Oral answers were provided to the remaining questions and, under the provisions of Council Procedure Rule 12.4, supplementary questions were asked, in relation to most of the issues, which were additionally answered. ]

## C RECOMMENDATIONS FROM CABINET

### 159. BUDGET 2004/5 AND MEDIUM TERM BUDGET STRATEGY FOR CONSULTATION - GENERAL FUND RESERVES:

Further to Item 7 on the Council Summons, the Council received Recommendation I of the Cabinet meeting of 16 December 2003 in this matter.

The Recommendation was adopted as printed.

#### RESOLVED:

(1) THAT THE COUNCIL MAINTAIN A MINIMUM LEVEL OF UNALLOCATED GENERAL FUND RESERVE OF £4M AT THE END OF EACH FINANCIAL YEAR;

(2) THAT THE OPTIMAL LEVEL OF UNALLOCATED GENERAL FUND RESERVES WAS £7M; AND

**(3) THAT THE COUNCIL AIMS TO ACHIEVE THE OPTIMAL LEVEL OF RESERVES OVER THE MEDIUM TO LONG TERM BY TAKING OPPORTUNITIES TO INCREASE RESERVES IN ITS IN YEAR FINANCIAL MANAGEMENT.**

**Reason for Recommendation:** To secure prudent discharge of the Council's financial arrangements.

**160. COUNCIL TAX DISCOUNTS:**

Further to Item 8 on the Council Summons, the Council received Recommendation III of the Cabinet meeting of 16 December 2003 in this matter.

The Recommendation was adopted as printed.

**RESOLVED:**

**THAT (1) THE LEVEL OF COUNCIL TAX DISCOUNT IN RESPECT OF SECOND HOMES BE VARIED FROM 50% TO 10%;**

**(2) THE LEVEL OF COUNCIL TAX DISCOUNT IN RESPECT OF LONG-TERM EMPTY PROPERTIES BE REDUCED FROM 50% TO ZERO.**

**Reason for Recommendation:** These decisions are required in order to set the Council Taxbase for 2004-2005. The Taxbase was to be based upon information held at 20 December 2003.

**161. CALCULATION OF COUNCIL TAX TAXBASE FOR 2004/5:**

At Item 9 of the Summons the Council received Recommendation I from the Cabinet meeting of 13 January 2004 in this matter.

(i) Councillor Miss Lyne moved and Councillor Thornton seconded an amendment to paragraph 4 of the Recommendation in the following terms:-

“To delete the words “who pay by direct debit””.

Upon a vote the amendment was not carried.

(ii) The Recommendation was agreed by the general assent of Council as printed.

**RESOLVED:**

**(1) THAT BAND D EQUIVALENT NUMBER OF TAXABLE PROPERTIES IS CALCULATED AS SHOWN IN APPENDIX 1 (TO THE CABINET REPORT) IN ACCORDANCE WITH THE GOVERNMENT REGULATIONS;**

**(2) THAT THE PROVISION FOR UNCOLLECTABLE AMOUNTS OF COUNCIL TAX FOR 2004-2005 BE AGREED AT 1.5%, PRODUCING AN EXPECTED COLLECTION RATE OF 98.5%;**

**(3) THAT SUBJECT TO (1) AND (2) ABOVE, A COUNCIL TAX TAXBASE FOR 2004-2005 AT 83,652 BAND D EQUIVALENT PROPERTIES (BEING 84,926 X 98.5%) BE APPROVED, ALLOWING FOR PAYMENT IN LIEU OF MINISTRY OF DEFENCE PROPERTIES;**

**(4) THAT, IN ADDITION TO THE CURRENT STATUTORY 10 INSTALMENT PAYMENT SCHEME, FROM 2004-05 THE COUNCIL OFFER TAXPAYERS WHO PAY BY DIRECT DEBIT THE OPTION OF PAYING BY 12 MONTHLY INSTALMENTS.**

**Reason for Recommendation:** To fulfil the Council's statutory obligation to set the Council Tax Base for 2004-2005. A decision on the number of instalments to be allowed is requested to enable Council Tax billing preparations to commence.

**162. HOUSING REVENUE ACCOUNT 2004/5:**

Further to Item 10 on the Council Summons, the Council received Recommendation II of the Cabinet meeting of 13 January 2004 in this matter.

The Recommendation was adopted as printed.

**RESOLVED:**

(1) THE COMMENTS MADE BY THE TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM HELD ON 8 JANUARY 2004 BE NOTED;

(2) A RENT INCREASE FOR COUNCIL DWELLINGS OF AN AVERAGE OF 2.7%, CALCULATED IN ACCORDANCE WITH THE GOVERNMENT'S RENT RESTRUCTURING GUIDANCE, TO TAKE EFFECT FROM 5 APRIL 2004 BE AGREED;

(3) THAT A REVISED CHARGE FOR GARAGES, CARPORTS AND CAR SPACES TO TAKE EFFECT FROM 5 APRIL 2004, IN LINE WITH (2) ABOVE, AND AS SET OUT IN APPENDIX D TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) BE AGREED ;

(4) THAT REVISED CHARGES FOR COMMUNITY HALLS/ROOM LETTINGS AND THE NIGHTLY CHARGE FOR GUEST ROOMS TO TAKE EFFECT FROM 5 APRIL 2004, IN LINE WITH (2) ABOVE, AND AS SET OUT IN APPENDIX C TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) BE AGREED;

(5) THAT THE FACILITIES CHARGES AS SET OUT IN APPENDIX E TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) TO TAKE EFFECT FROM 5 APRIL 2004, BE AGREED;

(6) THAT THE PROPOSED RENTS FOR SHORT-LIFE PROPERTIES MANAGED BY HOUSING ASSOCIATIONS IN LINE WITH (2) ABOVE AS SET OUT IN APPENDIX B TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) BE AGREED.

**Reason for Decision:** To enable the Council to recover an appropriate level of income from rents and associated charges during 2004/05.

**163. EARLY YEARS DEVELOPMENT AND CHILDCARE STRATEGY 2004 - 2006:**

Further to Item 11 on the Council Summons, the Council received Recommendation III of the Cabinet meeting of the 13 January 2004 in this matter. The Leader of the Council deferred to the Education and Lifelong Learning Portfolio Holder, Councillor Stephenson, who formally moved Recommendation III.

Following a short debate the Recommendation was adopted as printed.

**RESOLVED:**

**THAT THE EARLY YEARS DEVELOPMENT AND CHILDCARE STRATEGY 2004-2006 BE APPROVED.**

[NOTE: THE LIFELONG LEARNING SCRUTINY SUB COMMITTEE AT ITS MEETING ON 20 JANUARY 2004 CONSIDERED THE EARLY YEARS DEVELOPMENT AND CHILDCARE STRATEGY 2004 - 2006 AND RECOMMENDATION 1 TO COUNCIL ARISING FROM THAT MEETING, WAS RECEIVED AND NOTED IN CONJUNCTION WITH THE CABINET RECOMMENDATION III.]

**Reason for decision:** To comply with Harrow's statutory duty in accordance with Part V Section 118-123 of the School Standards and Framework Act 1998 as amended by Part 9 Section 149-150 of the Education Act 2002.

**D OTHER REPORTS FROM THE EXECUTIVE**

**164. SPECIAL URGENCY DECISIONS TAKEN BY THE EXECUTIVE:**

In accordance with the Council's Overview and Scrutiny Procedure Rules and Access to Information Rules set out in Part 4 of the Constitution, the Borough Solicitor presented a report at item 12 of the Summons regarding decisions taken as a matter of urgency on behalf of the Executive (that is, as individually authorised by the Portfolio Holders).

**RESOLVED:**

**THAT THE DECISIONS TAKEN UNDER THE SPECIAL URGENCY PROCEDURE ON BEHALF OF THE EXECUTIVE AS NOW REPORTED BE NOTED.**

**E REPORTS ON BEHALF OF THE OVERVIEW AND SCRUTINY COMMITTEE****165. OVERVIEW AND SCRUTINY SUB COMMITTEES: ACCOUNTS APPROVAL SUB COMMITTEE:**

Further to Item 13 on the Council Summons and a report on behalf of the Chair of the Overview and Scrutiny Committee,

**RESOLVED:**

**IN ACCORDANCE WITH OVERVIEW AND SCRUTINY RULE 4.3, THE ESTABLISHMENT OF AN ACCOUNTS APPROVAL SUB COMMITTEE, TO CONSIDER AND DEAL WITH THE EXTERNAL AUDITORS REPORT ON THE STATEMENT OF THE COUNCIL'S ACCOUNTS AND IN ORDER TO MEET STATUTORY REQUIREMENTS, BE CONFIRMED.**

**F QUESTIONS UNDER COUNCIL PROCEDURE RULE 13****166. QUESTIONS WITH NOTICE (COUNCIL PROCEDURE RULE 13):**

Further to Item 14 on the Summons, the following Questions had been submitted by Members of the Council, notice of which had been duly given under the provisions of Council Procedure Rule 13.2.

<b>QUESTION BY</b>	<b>QUESTION OF</b>	<b>TEXT OF QUESTION</b>
Cllr Williams	Environment and Transport Portfolio Holder (Cllr. O'Dell)	<p>"Members will be aware that Harrow gained unfavourable National Press Coverage regarding the conduct of its Parking Attendants' activities outside St. Luke's Church Pinner on New Year's Day, a Bank Holiday.</p> <p>Having been informed, on several occasions, that the levying of Parking fees has nothing to do with Revenue raising, but all to do with traffic management, would the Portfolio Holder be kind enough to inform the 6 Ministers representing the Pinner Association of Churches, through me tonight, what traffic management problems occurred in Pinner on New Year's Day?"</p>
Cllr Seymour	Leader of the Council (Cllr Foulds)	"What is the current level of Balances?"
Cllr Silver	Environment and Transport Portfolio Holder (Cllr O'Dell)	"It is right that we do our best in Harrow to protect its green nature. However, sometimes this results in seriously disabled residents being denied much-needed parking facilities where mature trees would have to be removed and/or replaced. Why therefore was permission given for several mature trees to be removed from the Broadwalk in Pinner Road, North Harrow, (a shopping area otherwise quite devoid of greenery) to make room for a cycle lane that few, if any, able-bodied people use?"



Cllr Marilyn Ashton	Planning, Development, Housing and Best Value Portfolio Holder (Cllr Burchell)	“Is it not the case that, at the UDP Panel meeting on January 5 2004, Cllr Burchell used his casting vote to push through significant changes to our Harrow Unitary Development Plan increasing the minimum standard of density from 125 to 150 habitable rooms per hectare, at the same time as deleting the existing maximum density of 200, in addition to rendering impotent the policy H10 on Conversions by removing wording which will now make it impossible to resist whole roads becoming converted, to the detriment of this Borough?”
Cllr Vina Mithani	Leader of the Council (Cllr Foulds)	“How does this Council expect pensioners, who are on a fixed income, to pay their already exorbitantly high council tax?”
Cllr John Nickolay	Partnership and Property Portfolio Holder (Cllr N Shah)	“At the June 2003 meeting of the Traffic and Road Safety Panel he announced that action was imminent to put into effect the Civic Centre Green Travel Plan that had been moth-balled for four years. Now that we are a further seven months on, can he please say whether or when action will be taken?”

[Notes: (1) Oral answers were provided to the questions and, under the provisions of Council Procedure Rule 12.4, some supplementary questions were asked, in relation to most of the issues, which were additionally answered;

(2) A notified Question in the name of Councillor Seymour was withdrawn at the request of the Member and with the assent of the Council;

(3) The Mayor advised in relation to the final question in the name of Councillor John Nickolay that, although it was substantively the same as one asked at the October Council, he was exercising his discretion to allow the question because the Member had not then received a reply].

## G MISCELLANEOUS

### 167. APPOINTMENTS TO OUTSIDE BODIES: LONDON (NORTH WEST) VALUATION TRIBUNAL:

Further to the report of the Borough Solicitor in this matter at Item 15 of the Council Summons;

#### RESOLVED:

**THAT THE FOLLOWING REPRESENTATIVES, CURRENTLY APPOINTED TO THE LONDON (NORTH WEST) VALUATION TRIBUNAL WITH A TERM OF OFFICE EXPIRING ON 31 MARCH 2004, NOW BE APPOINTED TO A TERM OF OFFICE EXPIRING ON 31 DECEMBER 2009:-**

**MR M A CARMODY  
MR R CONWAY  
MR S GILES-MEDHURST  
COUNCILLOR MISS P LYNE  
MR A MEDIRATTA**

**(CLOSE OF MEETING:** The Ordinary Meeting having commenced at 7.36 pm (upon the closing of the preceding Special Meeting) and all business having been completed, the Mayor declared the Ordinary Meeting closed at 9.00 pm).



