

2005 – 2006
July 2005 Volume 3



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

VOLUME 3: JULY 2005

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* *Notes: (1) Meeting of the Joint Overview and Scrutiny Committee for the scrutiny of the redevelopment of Northwick Park Hospital, established under the statutory provisions of the Health and Social Care Act 2001: Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002.*

(2) A meeting of the Housing Improvement Options Advisory Panel commenced on 26 July 2005 but was adjourned to 9 August 2005; the minutes of that meeting will therefore be included in the next Minute Volume (Minute Volume 4, 2005-2006).

COUNCIL
AND
COUNCIL
COMMITTEES

LICENSING AND
GENERAL PURPOSES
PANELS

PENSION FUND INVESTMENTS PANEL**5 JULY 2005**

Chair: * Councillor Bluston

Councillors: * D Ashton
* Idaikkadar

Romain

* Denotes Member present

[Note: Other Attendance: Mr George Henshilwood of Hymans Robertson attended in an advisory role, as the Council's Actuary/Adviser.]**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**45. **Appointment of Chair:****RESOLVED:** That the appointment of Councillor Bluston as Chair of the Panel for the Municipal Year 2005/06 by the Licensing and General Purposes Committee (Special) meeting on 16 May 2005 (Minute 62), under the provisions of Committee Procedure Rule 7.2, be noted.46. **Attendance by Reserve Members:****RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.47. **Declarations of Interest:****RESOLVED:** To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Bluston	Councillor Bluston declared a personal interest in that he is Chair of the Early Retirement Sub-Committee. Accordingly, he remained and took part in the discussion and decision making on all items.
Councillor Idaikkadar	Councillor Idaikkadar declared a personal interest in that he is Chair of the Licensing and General Purposes Committee. Accordingly, he remained and took part in the discussion and decision making on all items.

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

<u>Item</u>	<u>Reason</u>
12. Performance of Fund Managers to March 2005	The reports relating to these items contain exempt information under paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that they refer to the financial or business affairs of a particular person i.e. Company, other than the Council.
13. Fund Managers Presentation	

49. **Appointment of Vice Chair:**

Councillor D Ashton having been nominated and seconded to the office of Vice-Chair, it was

RESOLVED: That Councillor D Ashton be appointed Vice-Chair of the Pension Fund Investments Panel for the Municipal Year 2005/06.

50. **Minutes:**
RESOLVED: That the minutes of the meeting held on 29 March 2005, having been circulated, be taken as read and signed as a correct record.
51. **Public Questions:**
RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.
52. **Petitions:**
RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.
53. **Deputations:**
RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 16.
54. **Asset Liability Study:**
The Panel considered a report of the Director of Financial and Business Strategy on the Asset Liability Study. In conjunction with this report the Panel received a presentation from Hymans Robertson on the Asset Liability Study. Members considered and expressed views on the options for achieving a rebalancing of the equity portfolio and the use of the global optimal approach for managing overseas equities.
RESOLVED: That (1) the report from Hymans Robertson be noted;
(2) the recommendation that the overall level of equity exposure be maintained be agreed;
(3) the recommendation that the balance between UK and overseas equities should be moved from 60:40 to 50:50 be agreed;
(4) the Panel would continue to consider the use of the global optimal approach for managing overseas equities;
(5) areas for further development during the year including (a) the use of private equity, (b) the use of liability driven investing or targeting return to measure performance, (c) currency measurement, be noted.
55. **Performance of Fund Managers 2004-05:**
The Panel considered a confidential report of the Director of Financial and Business Strategy relating to the above matter. Considerable discussion ensued between Members and Officers.
RESOLVED: That performance of the Pension Fund Managers in the financial year 2004-05 be noted.
56. **Fund Managers Presentation:**
Representatives from UBS Global Asset Management and Merrill Lynch Investments Managers made formal presentations to the Panel detailing their strategies and performance, in the areas of Fixed Interest and Property, since the last Fund Manager reports.
Members of the Panel asked questions of the Fund Managers and entered into detailed discussion on issues arising.
Upon conclusion of each of the presentations the Fund Managers were thanked for their attendance.
RESOLVED: That the Fund Manager presentations be received and noted.

57. **Any Other Business:**

Membership of the National Association of Pension Funds (NAPF) and the Local Authority Pension Fund Forum (LAPFF)

The Chair asked that the membership of the NAPF and the LAPFF be discussed at a future Pension Fund Investments Panel meeting. The Director of Financial and Business Strategy informed the Panel that it would be included as an agenda item at the next meeting on 20 July 2005.

58. **Extension to the Termination Time of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution), at 9.59 pm, it was

RESOLVED: That the meeting be continued beyond the guillotine at 10.00 pm until completion of the remaining business on the agenda.

(Note: The meeting having commenced at 6.32 pm, closed at 10.10 pm)

(Signed) COUNCILLOR HOWARD BLUSTON
Chair

PENSION FUND INVESTMENTS PANEL

20 JULY 2005

Chair: * Councillor Bluston

Councillors: * Idaikkadar
* Pinkus (1)

* Romain

* Denotes Member present
(1) Denote category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**59. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-Ordinary MemberReserve Member

Councillor David Ashton

Councillor Adrian Pinkus

60. **Declarations of Interest:****RESOLVED:** To note that the following interests were declared:MemberNature of Interest

Councillor Bluston

Councillor Bluston declared a personal interest in that he was Chair of the Early Retirement Sub-Committee. Accordingly, he remained and took part in the discussion and decision making on all items.

Councillor Bluston declared a personal interest in that he had had occasional dealings with the Fund Managers and therefore knew and had known individuals at the Fund Managers.

Councillor Idaikkadar

Councillor Idaikkadar declared a personal interest in that he was Chair of the Licensing and General Purposes Committee. Accordingly, he remained and took part in the discussion and decision making on all items.

Councillor Pinkus

Councillor Pinkus declares a personal interest in that in the past he had known individuals at two Fund Managers.

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

9. Any Other Business – Local Government Pension Scheme Update

The Local Government Pension Scheme regulations had been announced and issued after the agenda was published. Members were asked to consider the verbal report of the Group Manager (Lifecycle Management) as a matter of urgency.

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

<u>Item</u>	<u>Reason</u>
10. Fund Managers Presentation	The presentations gave rise to exempt information under paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that they referred to the financial or business affairs of a particular person i.e. Company, other than the Council.

62. **Minutes:**

RESOLVED: That the minutes of the meeting held on 5 July 2005 be deferred until printed in the next Council Bound Minute Volume.

63. **Public Questions:**

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

64. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

65. **Deputations:**

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

66. **Membership of NAPF and LAPFFU:**

The Panel considered a report of the Director of Financial and Business Strategy which asked Members to consider whether Harrow Council should join the National Association of Pension Funds (NAPF) and/or the Local Authority Pension Fund Forum (LAPFF).

Following concern raised by a Member that making an immediate decision would not allow consultation with stakeholders, Members discussed various ways of consulting with UNISON members and expressed the view that consultation with UNISON should take place before a decision was made.

RESOLVED: That (1) the Chair consult with UNISON and, if they agreed that the Council should join the NAPF and/or the LAPFFU, the Chair to approve membership of the bodies. If agreement was not reached, the matter would be deferred to the next Panel meeting;

(2) the Panel to receive an update at the next meeting.

67. **Any Other Business:**

Local Government Pension Scheme Update

The Panel agreed to receive a verbal update from the Group Manager (Lifecycle Manager) which had not been placed on the agenda as the Local Government Pension Scheme regulations had only been announced and issued on 15 July, by which time the agenda had been published. The verbal report from the Group Manager (Lifecycle Management) updated Members on the Local Government Pension Scheme (LGPS) amended regulations. This was an information item to find out the views of the Panel before a decision was made by the Licensing and General Purposes Committee.

The Group Manager (Lifecycle Management) explained that the 2004 regulations, which the Panel had been informed in March had the potential to be revoked, would now be revoked. The Panel was informed that the Council could ask for a valuation, at a cost of between £5,000 and £7,000, to assess the impact on employees and the Council. The Group Manager (Lifecycle Management) explained that it was necessary to establish whether or not the Council would be bound by the actuary's findings in the event that the Council decided to have a valuation, as it could mean the employer contribution rate may have to be increased. A Member expressed concern that not

having a valuation could defer the problem. The Panel expressed the view that if the Council would not be bound by the findings, undertaking a valuation would be prudent.

RESOLVED: That (1) the verbal report be noted;

(2) the Group Manager (Lifecycle Management) discuss the issue with the Director of Financial and Business Strategy and seek further information about the valuation from the actuary;

(3) in the event that a Special meeting of the Licensing and General Purposes Committee is called in order to make a decision on whether the Council should undertake a valuation, there be a meeting of Panel Members prior to the Special meeting to enable Members to attend the Special meeting and express their views;

(4) the Group Manager (Lifecycle Management) provide information in writing to Members to keep them informed of all action taken.

68. **Fund Managers Presentation:**

Representatives from UBS Global Asset Management and Baillie Gifford made formal presentations to the Panel detailing their strategies and performance, in the area of Equities, since the last Fund Manager reports.

Members of the Panel asked questions of the Fund Managers and entered into detailed discussion on issues arising.

Upon conclusion of each of the presentations the Fund Managers were thanked for their attendance.

RESOLVED: That (1) the Fund Manager presentations be received and noted;

(2) Baillie Gifford be asked to make presentations twice yearly until the Panel decides otherwise.

69. **Extension to the Termination Time of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution), at 9.59 pm, it was

RESOLVED: That the meeting be continued beyond the guillotine at 10.00 pm until completion of the remaining business on the agenda.

(Note: The meeting having commenced at 6.30 pm, closed at 10.24 pm)

(Signed) COUNCILLOR HOWARD BLUSTON
Chair

LICENSING PANEL

11 JULY 2005

Chair: * Councillor Knowles

Councillors: * Mrs Bath * Idaikkadar

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**44. **Appointment of Chair:****RESOLVED:** That Councillor Knowles be appointed Chair of the Panel for the purposes of this meeting.45. **Attendance by Reserve Members:****RESOLVED:** To note that no Reserve Members were currently appointed to this Panel.46. **Declarations of Interest:****RESOLVED:** To note that the following interest was declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
12. Application for Variation of Hours at Horseshoe Bar, Eastcote Lane, South Harrow during Transitional Period	Councillor Idaikkadar	The Member declared a personal interest in that his parents lived a short distance from the premises. He emphasised that, as they did not visit or have any views on the premises, this would in no way affect his decision. Accordingly, he remained in the room and took part in the discussion and decision-making on this item.

47. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.48. **Minutes:****RESOLVED:** That the minutes of the meeting that commenced on 11 May and was adjourned to 22 June 2005 be deferred until printed in the next Council Bound Minute Volume.49. **Public Questions, Petitions and Deputations:****RESOLVED:** To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 18, 15 or 16 respectively.50. **Application for Variation of Hours at Harrow Town Sports Club, Rayners Lane during Transitional Period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to a Club Registration licence for the Harrow Town Sports Club, Rayners Lane.

The application was made by the Club Secretary, Mr Tony Whitcombe, for a Club Premises Certificate (CPC), which sought the supply and sale of alcohol together with recorded music. The premises were situated on Rayners Lane within a sports ground complex, in a predominantly commercial area.

Police Sergeant Carl Davis, of the Metropolitan Police, had made representations citing all four of the Council's four Licensing Objectives, namely, the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In his report, he stated his dissatisfaction with the lack of sufficient

precautions put in place in order to promote the four objectives. Sergeant Carl Davis suggested that the Panel consider the following conditions: installation of CCTV, no drinks promotions and participation in the Pubwatch scheme. He also requested that there be a condition on the maximum capacity of members in the club to avoid overcrowding, and that a notice be erected asking members to leave the premises quietly. He was aware that his suggestion of CCTV was not realistic in terms of the financial viability and was prepared to forego this recommendation under the circumstances.

The Environmental Protection Officer made a representation under the prevention of public nuisance, one of the Council's four Licensing Objectives. She was concerned that the application had not detailed precautions in order to prevent public nuisance and noise from the premises. In addition, the closing time was not clearly stated in the schedule, so the impact on the local residents could not be properly assessed.

In response to some of the issues raised, the Club Secretary advised that CCTV was a measure that, funds permitting would be installed in the near future. In addition, he agreed that there would be no drinks promotions. He also confirmed that all managers were police checked and that children could only enter the premises with a club member. It was also confirmed that the fire certificate already stated a maximum capacity of eighty persons at any one time.

Both the Environmental Protection Officer and the Metropolitan Police representative indicated their satisfaction with the Club Secretary's response.

RESOLVED: That the variation to the licence for Harrow Town Sports Club, Rayners Lane, Harrow, Middx, HA2 9TY be granted as per the agenda with the following additional conditions:-

ADDITIONAL CONDITIONS:

1. Capacity not to exceed 80 persons at any one time.
2. Notice to be erected near exit door encouraging club members to respect the residential area and leave the premises quietly.
3. No drinks promotions to be held.

REASONS: The above conditions were imposed in support of the Council's four Licensing Objectives.

[Note: The Chair asked the applicant, the Club Secretary, if he consented to the conditions listed above. Responding, he confirmed that he agreed to the conditions].

51. **Application for Variation of Hours at Horseshoe Bar, Eastcote Lane, South Harrow during Transitional Period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to a Justices' Liquor licence for the Horseshoe Bar, Eastcote Lane, South Harrow.

The application had been referred to the Panel as there were unresolved representations from local residents and concerns from the Environmental Protection Team, citing the potential increase in noise and nuisance.

The premises, which benefitted from a garden, were located on Eastcote Lane, at the junction with Kings Road in South Harrow. There was off-street parking on the nearby roads, as there was no facility on site for patrons to park their cars.

The licensee, Mr Leo Mullane supported his application by stating that since he had managed the bar, there had been no history of complaints from either the police or residents. Furthermore, most of the patrons were local residents. The licensee felt that local residents would not have made the representations if the Roxbourne Ward Members had not distributed the flyer objecting to the application to residents, He added that if the residents had felt strongly about the application they would have attended the hearing to state their objections.

The Environmental Protection officer advised that the concerns she had raised had all been addressed in the licensee's letter to the Police namely;-

- The designated supervisor to encourage patrons to leave the premises quietly
- Control of noise escaping from the premises
- A notice on the door asking patrons to leave quietly

RESOLVED: That the variation to the public entertainments licence for the Horseshoe Bar, 326 Eastcote Lane, South Harrow, Middlesex, HA2 9AJ, be granted as per the agenda with the following additional conditions:-

ADDITIONAL CONDITIONS:

1. The premises be provided with CCTV and operated in good working condition with a 31-day bank of tapes.
2. Air conditioning to be kept in good working order and to be switched on during the hours the premises were open, to enable doors and windows to be kept shut thereby minimising noise leakage.
3. Notice to be erected near exit door encouraging patrons to respect the residential area and leave the premises quietly.

REASONS: The above conditions are imposed in support of the Council's 4 Licensing Objectives.

[Note: The Chair asked the applicant, the licensee, if he consented to the conditions listed above. Responding, he confirmed that he agreed].

(See also Minute 46)

52. **Extension of Time and Termination of the Meeting:**
In accordance with the provisions of Committee Procedure Rule 14.2 (ii) (b) (Part 4B of the Constitution), it was

RESOLVED: At 10.00 pm to continue until 10.25 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.25 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

LICENSING PANEL

18 JULY 2005

Chair: * Councillor Idaikkadar

Councillors: * Arnold * John Nickolay

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**53. **Appointment of Chair:**

RESOLVED: That Councillor Idaikkadar be appointed Chair of the Panel for the purposes of this meeting.

54. **Attendance by Reserve Members:**

RESOLVED: To note that no Reserve Members were currently appointed to this Panel.

55. **Declarations of Interest:**

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

56. **Arrangement of Agenda:**

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

57. **Minutes:**

RESOLVED: That the minutes of the meetings held on 11 July 2005 be deferred until printed in the next Council Bound Minute Volume.

58. **Public Questions, Petitions and Deputations:**

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rule 18, 15 or 16 respectively.

59. **Application for Variation of Hours at The Boxtree Public House, Boxtree Lane, Harrow Weald during Transitional Period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to the Justices Licensing hours for the Boxtree Public House, Boxtree Lane, Harrow Weald, Middlesex, HA3 6JH.

The application was made by TLT solicitors on behalf of Punch Taverns PLC. The pub's landlord, Mr Peter Ryan, was also present.

The application sought an extension of hours for the sale of alcohol, recorded music, live music and anything of a similar description to that falling within live music, recorded music or dancing to extend to the hours listed in the report of the Chief Environmental Health Officer and the application.

The premises were situated on the corner of Boxtree Lane and Hutton Lane, both of which were predominantly residential.

The application had been referred to the Panel as there were 22 unresolved representations from local residents and 2 from responsible authorities. A further petition, with 71 signatures, had also been submitted objecting to the application of extended hours. Residents had cited all four of the licensing objectives, detailing examples of noise from patrons, cars blaring loud music or revving up engines, fights which spilled out onto the streets and broken glass scattered onto the pavements.

The representation from the Metropolitan Police focused on the preventative measures they expected the licensee to take in order to assist with the prevention of crime and disorder, public nuisance and children from harm.

The London Fire and Emergency Planning Authority had cited public safety in their representation. They had listed preventative measures such as the testing of electrical equipment, repair to seating, and the cutting back of the shrubbery by the rear garden exits. The landlord had agreed to carry out these measures, as part of their risk assessment.

Responding to issues and concerns raised, the pub's landlord advised Members that most of the trouble was not from the pub. He explained that the trouble occurred on the green, located to the front of the premises and which had become a gathering point for youths who drank, and socialised. He requested that Members note that he had not received any complaints from the Police, Environmental Health or residents. The landlord invited residents to contact him if they had any issues or complaints. He advised that he wished to work in harmony with residents and to return the Boxtree back to a family run pub.

By way of further conciliation Mr Ryan's solicitors made the following suggested amendments and conditions to the application:

- The withdrawal of the extra hour(s) requested on Sundays.
- Additional CCTV
- Subscription to the Pub Watch scheme (when it was operational in the area)
- Notice restricting children's access to the premises

RESOLVED: That the variation to the licence for The Boxtree Public House, Boxtree Lane, Harrow Weald, Middlesex, HA3 6JH be granted as amended with the following additional amendments to the application and additional conditions:-

AMENDMENT/S TO THE APPLICATION:

- The withdrawal of the extra hour(s) requested on Sundays.

ADDITIONAL CONDITIONS:

1. The premises be provided with fully operational CCTV in good working condition with a 31 day bank of recordable media.
2. That the landlord subscribe to the Pub Watch scheme when it is operational in the area.
3. Appropriate signage restricting children's access to the bar, no unaccompanied minors onto the premises and no children after 9 pm.
4. No admission to patrons after 11 pm.
5. The beer garden to be cleared of patrons after 11.30 pm.
6. All windows and doors to be kept closed during live music entertainment and karaoke.
7. No form of music after 11 pm.

REASONS: The above conditions were imposed in support of the Council's four Licensing Objectives.

[Note: The Chair asked the applicant, the pub's landlord, if he consented to the conditions listed above. Responding, he confirmed that he agreed to the conditions].

60. **Application for Variation of Hours at The Case is Altered, Old Redding, Harrow Weald during Transitional Period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to the Justices Licensing hours for The Case is Altered Public House, Old Redding, Harrow Weald, Middlesex, HA3 6SE.

The application was made by Messrs Blake Laphorne Linnell on behalf of Mitchells and Butlers Leisure Retail Limited. The licensee, Marilyn Hewitt, was also in attendance.

The application sought an extension of hours for the sale of alcohol, film and the provision of late night refreshments. Additional hours were also sought for the notable Bank Holidays, all of which were detailed in the report of the Chief Environmental Health Officer and the applicant.

The premises were situated on Old Redding, next to the View Point car park.

The application had been referred to the Panel as there were representations from 21 local residents and 2 from responsible authorities. The local residents cited the potential increase in public nuisance, whilst the Metropolitan Police and Environmental

Protection Team were concerned with the inadequate risk assessments currently provided to cover the additional hours.

The solicitor for the applicant advised the Panel that his client was happy to propose the following amendments to the licence:

- reduction of hours to midnight on Friday, Saturday and Sunday nights
- reduction of hours on Monday to Thursdays to 11.30 pm
- the withdrawal of the application for extended hours for sporting events as detailed on page 205 of the agenda
- the withdrawal of Burns Night, St David's Day and Halloween as detailed on pages 188 and 205 of the agenda
- the withdrawal of all the Bank Holiday Mondays from the application as detailed on pages 188 and 205 of the agenda

RESOLVED: That the variation to the licence for The Case is Altered Public House, Old Redding, Harrow Weald, Middlesex, HA3 6SE be granted as amended with the following amendments to the application and additional conditions:-

AMENDMENT/S TO THE APPLICATION:

- reduction of hours to midnight on Friday, Saturday and Sunday nights.
- reduction of hours on Monday to Thursdays to 11.30 pm
- the withdrawal of all the application for extended hours for sporting events as detailed on page 205 of the agenda.
- the withdrawal of Burns Night, St David's Day and Halloween as detailed on pages 188 and 205 of the agenda.
- the withdrawal of all the Bank Holiday Mondays from the application as detailed on pages 188 and 205 of the agenda.

ADDITIONAL CONDITIONS:

1. A notice to be erected near any exit doors encouraging Patrons to respect the residential area and leave the premises quietly.
2. The beer garden to be cleared of patrons by 11.30 pm.

REASONS: The above conditions were imposed in support of the Council's four Licensing Objectives.

[Note: The Chair asked the applicant, the licensee, if she consented to the conditions listed above. Responding, she confirmed that she agreed to the conditions].

61. **Application for Variation of Hours at Duck in the Pond Public House, Kenton Lane, Harrow Weald during Transitional Period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to the Justices Licencing hours for The Duck in the Pond Public House, Kenton Lane, Harrow Weald, Middlesex, HA3 6AA.

The application was made by Messrs Blake Laphorne Linnell on behalf of Mitchells and Butlers Leisure Retail Limited. In attendance was the licensee, Stuart Ward, and his representative, Philip Somarakis..

The application sought an extension of hours for the sale of alcohol, recorded and live music to extend to midnight, an extension of hours, and the sale of alcohol and the provision of food an hour before and after a recognised international event. Additional hours were also sought on notable Bank Holidays. The application also requested the removal of any restrictions placed on the licence by virtue of Schedule 8, paragraph 6(8) of the Licensing Act 2003, all of which were detailed in the report of the Chief Environmental Health Officer and the applicant.

The premises were situated on the corner of Mountside and Kenton Lane. With the exception of a small parade of shops opposite the Public House, the area was predominantly residential.

The application had been referred to the Panel as there was one representation from a local resident, Mr Whelan, and 2 from responsible authorities. Mr Whelan's representation cited the potential increase in public nuisance. The Metropolitan Police and Environmental Health's representations focused on the preventative measures they expected the licensee to adopt as part of their risk assessment.

Mr Somarakis advised the Panel that his client was happy to negotiate the following amendments to the application:

- a proposed reduction of hours to 11.30 pm on Sunday to Thursday.
- the withdrawal of the application for extended hours for sporting events as detailed on page 313 of the agenda.
- the withdrawal of extended hours for Burns Night, St Davids Day and Halloween as detailed on page 342 of the agenda.
- the withdrawal of all the Bank Holiday Mondays as detailed on page 342 of the agenda.

Following the reconsideration of the hours requested on the application, Mr Whelan withdrew his representation.

RESOLVED: That the variation to the licence for The Duck in the Pond Public House, Kenton Lane, Harrow Weald, Middlesex, HA3 6AA be granted, as amended, with the following additional conditions:-

AMENDMENTS TO THE APPLICATION:

- a proposed reduction of hours to 11.30pm on Sunday to Thursday.
- the withdrawal of the application for extended hours for sporting events as detailed on page 313 of the agenda.
- the withdrawal of extended hours for Burns Night, St Davids Day and Halloween as detailed on page 342 of the agenda.
- the withdrawal of all the Bank Holiday Mondays as detailed on page 342 of the agenda.

ADDITIONAL CONDITIONS:

1. The beer garden to be cleared of patrons by 11.30 pm.
2. No drinks promotions.
3. The premises be provided with fully operational CCTV in good working condition with a 31 day bank recordable media.
4. That the landlord subscribe to the Pub Watch scheme when it was operational in the area.

REASONS: The above conditions were imposed in support of the Council's four Licensing Objectives.

[Note: The Chair asked the applicant, Mr Stuart Ward, if he consented to the conditions listed above. Responding, he confirmed that he agreed to the conditions].

62. **Extension and termination of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 14.2 (ii) (b) (Part 4B of the Constitution) it was

RESOLVED: at (1) 10.00 pm to continue until 10.20pm;

(2) 10.20 pm to continue until 10.25 pm.

(Note: The meeting having commenced at 6.30 pm, closed at 10.25 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

DEVELOPMENT
CONTROL
COMMITTEE

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 6 JULY 2005

Chair: * Councillor Anne Whitehead

Councillors:	* Marilyn Ashton	* Choudhury
	* Mrs Bath	* Janet Cowan
	* Billson	* Idaikkadar
	* Bluston	* Miles
	* Branch (1)	* Mrs Joyce Nickolay

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

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

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Thornton	Councillor Branch

935. 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.

936. Arrangement of Agenda:

RESOLVED: That (1) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the following item/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 contains information relating to various items on the agenda and is based on information received after the agenda's dispatch. It is admitted to the agenda to enable Members to consider all information relevant to the items before them for decision.

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

937. Minutes:

RESOLVED: That the Chair be given the authority to sign the minutes of the meeting held on 15 June 2005, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume, subject to the following amendments:

- (i) Minute 920(ii) – Declarations of Interest
Amend to read: "Councillor Bluston declared a personal interest in the above application on the basis that he was Chair of the Council's Health and Social Care Scrutiny Sub-Committee and the Joint Scrutiny Committee for Harrow, Brent and Ealing on the new Northwick Park development. Accordingly he remained and took part in the discussion and decision-making on this item."
- (ii) Item 1/01 on the Schedule attached to the minutes – The Timber Carriage Public House, 19 Northolt Road, South Harrow
Add: "[Note (1) During the discussion on the above item, it was moved and seconded that the application be refused for the following reasons:

- (i) The design of the proposed development will not preserve or enhance the character of the nearby Conservation Area and will further add to the uninteresting and bland design of the surrounding development, adding nothing to the street scene, which will be detrimental to the visual amenities of the Conservation Area.
- (ii) The loss of a community facility, with its potential to be used by local residents as a meeting place, would be detrimental to the amenities of the area.

Upon being put to a vote, this was not carried;

(2) the substantive motion to grant the above application was carried;

(3) Councillor Bath wished to be recorded as having voted against the decision to grant the application.]”

938. **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).

939. **Petitions:**

RESOLVED: To note that there were no petitions to be received at this meeting under the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution).

940. **Deputations:**

RESOLVED: To note that there were no petitions to be received at this meeting under the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution).

941. **Petition Relating to Rayners Lane Estate Development: Reference from the Meeting of Council held on 21 April 2005:**

Officers referred the Committee to the Addendum, which contained a summary of the response which had been sent to the lead petitioner.

RESOLVED: To note the petition and the response.

942. **Urgent Non-Executive Action - Land R/O 613 Kenton Lane:**

The Committee received the report of the Director of Legal Services outlining action taken following consultation with the Chair and Nominated Members of the Development Control Committee, since the meeting of the Committee held on 17 May 2005, under the Urgent Non-Executive Action Procedure.

RESOLVED: To note the following action, taken under the Urgent Non-Executive Action Procedure:

Subject: Land R/O 613 Kenton Lane, Harrow

Action Proposed: An enforcement report relating to the removal of the storage building be prepared by officers.

Reason for Urgency: The next meeting of the Development Control Committee was not until 15 June 2005.

Decision: Officer Recommendation agreed.

943. **Representations on Planning Applications:**

RESOLVED: To note that no representations on planning applications were received at this meeting under the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution).

944. **Planning Applications Received:**

RESOLVED: That authority be given to the Group Manager (Planning and Development) to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

945. **Planning Appeals Update:**
The Committee received a report of the Group Manager (Planning and Development) which listed those appeals being dealt with and those awaiting decision.

RESOLVED: That the report be noted.

946. **Enforcement Notices Awaiting Compliance:**
The Committee received a report of the Group Manager (Planning and Development) which listed those enforcement notices awaiting compliance.

RESOLVED: That the report be noted.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.02 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

LIST NO: 2/05 **APPLICATION NO:** P/1189/05/CFU
LOCATION: Harrow College, Weald Campus, Harrow Weald
APPLICANT: Kenneth W Reed & Assocs for Harrow College
PROPOSAL: Hardsurfaced Seating Area at Rear of Refectory
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition and informatives reported.

LIST NO: 2/06 **APPLICATION NO:** P/833/05/CFU
LOCATION: Mount Pleasant Garage Flat, 105 Roxeth Hill, Harrow on the Hill
APPLICANT: J Driver Associates for Mrs M Driver
PROPOSAL: Demolition of Existing Building, Development of 3 x Single/2 Storey Terraced Houses with Rooms in Roof, Access, Parking
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Notes: (1) During the discussion on the above item, it was moved and seconded that the application be refused for the following reasons:

- (i) The proposal represents an overdevelopment of the site by reason of excessive scale, height and density to the detriment of the Roxeth Hill Conservation Area and Area of Special Character.
- (ii) The shared vehicular access, between the proposed houses and the adjacent garages and tennis courts, will give rise to congestion to the detriment of the free flow of traffic and safety of the area.
- (iii) The close proximity of Cobblers, which is situated to the west of the proposal, will be detrimental to the residential amenity of the occupiers of the property by reason of disturbance and loss of privacy.

Upon being put to a vote, this was not carried;

(2) the substantive motion to grant the above application was carried;

(3) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted against the decision to grant the application].

LIST NO: 2/07 **APPLICATION NO:** P/836/05/CCA
LOCATION: Mount Pleasant Garage Flat, 105 Roxeth Hill, Harrow on the Hill
APPLICANT: J Driver Associates for Mary T Driver
PROPOSAL: Conservation Area Consent: Demolition of Existing Building
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Notes: (1) During the discussion on the above item, it was moved and seconded that the application be refused for the following reasons:

- (iv) The proposal represents an overdevelopment of the site by reason of excessive scale, height and density to the detriment of the Roxeth Hill Conservation Area and Area of Special Character.
- (v) The shared vehicular access, between the proposed houses and the adjacent garages and tennis courts, will give rise to congestion to the detriment of the free flow of traffic and safety of the area.
- (vi) The close proximity of Cobblers, which is situated to the west of the proposal, will be detrimental to the residential amenity of the occupiers of the property by reason of disturbance and loss of privacy.

Upon being put to a vote, this was not carried;

(2) the substantive motion to grant the above application was carried;

(3) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted against the decision to grant the application].

LIST NO: 2/08 **APPLICATION NO:** P/446/05/CCO
LOCATION: Ad Astra, Priory Drive, Stanmore
APPLICANT: Munkenbeck/Marshall Architects for Mr & Mrs S Chandaria
PROPOSAL: Retention of 2 Air Conditioning Units with Gates and Fencing
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following amendment to the conditions:

Condition 4: Add:

"Particular attention should be given to screen planting around the air conditioning enclosure fronting Priory Drive, in order to reduce the visual impact in the street scene."

LIST NO: 2/09 **APPLICATION NO:** P/776/05/CFU
LOCATION: Three Chimneys, 59 The Common, Stanmore
APPLICANT: Rogerson Limited for Mr & Mrs Zimmerman
PROPOSAL: Demolition of Existing Dwellinghouse, Provision of Replacement Dwellinghouse
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended in the Addendum, and the following amendment to the conditions:

Condition 2: Add:

"(d) the external face of the chimneys shall be constructed from the reclaimed chimney bricks on the existing house unless otherwise agreed in writing by the Local Planning Authority."

LIST NO: 2/10 **APPLICATION NO:** P/2981/04/CFU
LOCATION: Oxhey Lane Farm, Pinner
APPLICANT: Geo-Plan Consultants Ltd for J Wiggett
PROPOSAL: Conversion of Existing Shop to Part of House, Replacement of Dairy with Farm Shop, Re-arrangement of Car Park, Extension of Barn to Accommodate Livery Stables

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/11 **APPLICATION NO:** P/971/05/CFU
LOCATION: High Loaning, 21 Potter Street Hill, Pinner
APPLICANT: Mr M Keane
PROPOSAL: Two Dormer Windows in Front Roof, Rooflights in Side & Rear Roof, Pitched Roof over Single Storey Side Extension
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/12 **APPLICATION NO:** P/432/05/DFU
LOCATION: 149 High Street, Wealdstone
APPLICANT: Shaun Phills
PROPOSAL: Conversion of House and Two Self-Contained Flats (Resident Permit Restricted)
DECISION: REFUSED permission for the development described in the application and submitted plans for the following reason:

- (i) The proposal represents an overintensification of the property and offers no available outdoor amenity space to the upper unit to the detriment of the residential amenities of future occupiers.
- (ii) The space available for refuse storage is insufficient. Given that brown and green bins are now required to service two separate dwellings, a minimum number of four bins in total is required. This will be visually obtrusive in the street scene to the detriment of the amenities of the surrounding area and will potentially obstruct the access to the front of the property.

[Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused. Upon being put to a vote, this was carried;

(2) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;

(3) Councillors Bluston, Choudhury, Idaikkadar, Miles and Anne Whitehead wished to be recorded as having voted against the decision to refuse the application;

(3) the Group Manager (Planning and Development) had recommended that the above application be granted].

LIST NO: 2/13 **APPLICATION NO:** P/1246/05/CFU
LOCATION: 15 St John's Rd, Harrow
APPLICANT: Malcolm D Crus for Tresse Lit
PROPOSAL: Alterations to Building under Construction to Allow Installation of Additional Windows in Side Elevations
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition and informative reported.

PROPOSAL: Outline: Redevelopment to Provide a Detached Block of 7 Flats, Access and Parking

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Notes: (1) During the discussion on the above item, it was moved and seconded that the application be refused for the following reasons:

- (i) The proposal represents an overdevelopment, which will be out of character in an area characterised by detached, semi-detached or smaller double storey terraced dwellings, giving rise to a loss of residential amenity to the surrounding area.

Upon being put to a vote, this was not carried;

(2) the substantive motion to grant the above application was carried;

(3) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted against the decision to grant the application].

LIST NO: 2/18 **APPLICATION NO:** P/717/05/DFU
LOCATION: 4 King Henry Mews, Byron Hill Road, Harrow on the Hill
APPLICANT: Mr G Arden
PROPOSAL: Single Storey Rear Extension
DECISION: DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.

LIST NO: 2/19 **APPLICATION NO:** P/598/05/DFU
LOCATION: 25 King Henry Mews, Byron Hill Road, Harrow on the Hill
APPLICANT: Macleod & Fairbriar
PROPOSAL: Alterations and Revised Boundary Treatment to Flat Roof Adjoining Flat 6 to Provide Terrace with Railings
DECISION: DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

LIST NO: 4/01 **APPLICATION NO:** P/1152/05/CNA
LOCATION: 116-130 Woodford Crescent, Pinner
APPLICANT: London Borough of Hillingdon
PROPOSAL: Consultation: Two Storey Rear Extension to Form 8 Flats
DECISION: RAISED NO OBJECTIONS to the development set out in the application and submitted plans, subject to regard being had to the informative reported.

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 27 JULY 2005

Chair: * Councillor Anne Whitehead

Councillors: * Marilyn Ashton * Janet Cowan
 * Mrs Bath * Idaikkadar
 * Billson * Miles
 * Bluston * Mrs Joyce Nickolay
 * Choudhury * Thornton

* Denotes Member present

[Note: Councillors Mrs Kinnear, John Nickolay, Stephenson and Thammiah also attended this meeting to speak on the item indicated at Minute 948 below].

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

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

948. 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 Mrs Kinnear	- Planning Application 1/04
Councillor John Nickolay	- Planning Application 1/02
Councillor Stephenson	- Planning Application 2/02
Councillor Thammiah	- Planning Application 2/18

949. Declarations of Interest:

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

- (i) Planning Application 2/05 – The Pavilion at Whitchurch Playing Fields, Wemborough Road, Stanmore
Councillor Mrs Bath declared a prejudicial interest in the above application and accordingly she left the room and took no part in the discussion or decision-making on this item.
- (ii) Planning Application 2/14 – 387 Torbay Road, Harrow
Councillor Mrs Bath declared a prejudicial interest in the above application and accordingly she left the room and took no part in the discussion or decision-making on this item.
- (iii) Agenda Item 15 – Princess Alexandra Home, 40 Common Road, Stanmore
Councillor Marilyn Ashton declared a prejudicial interest in the above application and accordingly she left the room and took no part in the discussion or decision-making on this item.
- (iv) Agenda Item 15 – Princess Alexandra Home, 40 Common Road, Stanmore
Councillor Bluston declared a personal interest in the above application and accordingly he remained in the room and took part in the discussion and decision-making on this item.

950. 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 the special circumstances and grounds for urgency detailed below:

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
24. Variation of S106 Agreement, Heathfield School	The school had organised summer camps due to start at the end of July, and therefore required a decision urgently regarding whether third parties were able to use the school facilities.

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

951. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 6 July 2005, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume, subject to the following amendments:

- (i) Minute 941 – Petition Relating to Rayners Lane Estate Development: Reference from the Meeting of Council held on 21 April 2005
Add: "In response to a question from a Member, officers confirmed that the footprint of the building had not been subject to any significant change from that originally approved. Members were assured that, if anything other than minor changes had been proposed, the revisions would have been brought back to Committee for consideration."
- (ii) Item 2/02 on the Schedule attached to the Minutes – 113 Alicia Gardens, Harrow
Add: "[Note: Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted against the decision to grant the application]."
- (iii) Item 2/01 on the Schedule attached to the Minutes – Cloisters Wood, Wood Lane, Stanmore
Add: "[Note: The Committee agreed unanimously that this application would be deferred for consideration alongside the application for the change of use of the whole site]."

952. **Public Questions:**

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

953. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

954. **Deputations:**

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

955. **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.

956. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution), representations be received in respect of items 1/02, 2/06 and 2/18 on the list of planning applications.

957. **Planning Applications Received:**

RESOLVED: That authority be given to the Group Manager (Planning and Development) to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

958. **Planning Appeals Update:**
The Committee received a report of the Group Manager (Planning and Development) which listed those appeals being dealt with and those awaiting decision.
- RESOLVED:** That the report be noted.
959. **Enforcement Notices Awaiting Compliance:**
The Committee received a report of the Group Manager (Planning and Development) which listed those enforcement notices awaiting compliance.
- RESOLVED:** That (1) the report be noted;
- (2) officers be requested to investigate the position with regard to the fencing at Copse Farm, which did not appear in the report.
960. **Former BAE Systems Headquarters, The Grove, Warren Lane, Stanmore:**
The Committee received a report of the Director of Legal Services.
- RESOLVED:** That the Director of Legal Services be authorised to complete a deed of release to secure the discharge of the covenants imposed by the following two agreements in respect of land at The Grove, Warren Lane, Stanmore, Middlesex:
- (i) s.52 Town and Country Planning Act 1971 Agreement dated 14 May 1987
(ii) s.52 Town and Country Planning Act 1971 Agreement dated 13 July 1978
- The discharge of the two agreements to be effective upon the implementation of the s.106 Unilateral Undertaking by BAE Systems Electronics Ltd. in respect of the land at The Grove, Warren Lane, Stanmore, Middlesex dated 12 November 2004.
961. **Princess Alexandra Home, 40 Common Road, Stanmore:**
The Committee received a report of the Director of Legal Services.
- RESOLVED:** To extend the time for completion of the legal agreement to 31 January 2006.
- (See also Minute 949).
962. **Whitchurch Institute:**
The Committee received a report of the Group Manager (Planning and Development).
- RESOLVED:** To approve the revised draft condition as outlined in Section 2.1 of the officer's report.
963. **RAF Stanmore Park Play Area Adjacent to Chambers Walk:**
The Committee received a report of the Group Manager (Planning and Development).
- RESOLVED:** That the play area be removed and the equipment relocated.
964. **Heathfield School:**
- RESOLVED:** (1) To defer consideration of the report, at officers' request, to consult neighbours on the proposals to vary the legal agreement;
- (2) that, as part of the above consultation, each resident be sent a copy of the letter from the applicant that explained the changes.
965. **2 Weald Lane, Harrow Weald:**
The Committee received a report of the Group Manager (Planning and Development).
- RESOLVED:** That the Director of Legal Services be authorised to:
- (1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (i) demolition of the rear extractor duct
(ii) permanent removal of its constituent elements from the land;
- (i) and (ii) should be complied with within a period of three (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;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Borough through the issue of Noticed under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

966. **22 Walton Road, Harrow:**

The Committee received a report of the Group Manager (Planning and Development).

RESOLVED: That the Director of Legal Services be authorised to:

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

- (i) demolition of the single storey rear extension
- (ii) demolition of the front porch extension
- (iii) permanent removal of their constituent elements from the land;

(i), (ii) and (iii) should be complied with within a period of three (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;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Borough through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

967. **46 Repton Road, Kenton:**

The Committee received a report of the Group Manager (Planning and Development).

RESOLVED: That the Director of Legal Services be authorised to:

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

- (i) to cease use of the land as a builders yard
- (ii) permanently remove all material related to the use of the land as a builders yard
- (iii) demolition of the internal dividing wall and gate separating the rear garden and the builders yard
- (iv) permanent removal of their constituent elements from the land;

(i), (ii), (iii) and (iv) should be complied with within a period of three (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;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Borough through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

968. **343 High Street, Harrow Weald:**

The Committee received a report of the Group Manager (Planning and Development).

RESOLVED: That the Director of Legal Services be authorised to:

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

- (i) permanent removal of the mobile home from the land

(i) should be complied with within a period of three (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;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Borough through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

969. **Variation of S106 Agreement, Heathfield School:**

The Committee received a report of the Director of Legal Services.

RESOLVED: That officers be instructed to complete the Deed of Variation to allow the use of school facilities for the summer of 2005/06.

970. **Any Other Business:**

Arrangements for Member Site Visits

Following discussion, it was agreed that Member visits to the following sites would be held on Tuesday 30 August 2005 at the times indicated:

6.15 pm	4 King Henry Mews, Byron Hill Road, Harrow on the Hill
6.30 pm	25 King Henry Mews, Byron Hill Road, Harrow on the Hill
7.00 pm	Biro House, TXU Site and Arches, Stanley Road, South Harrow
7.30 pm	Cloisters Wood, Wood Lane, Stanmore

A mini bus for Members requiring transportation would leave the Civic Centre at 6.00 pm.

971. **Extension and Termination of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 14.2 (Part 4B of the Constitution) it was

RESOLVED: (1) At 10.00 pm to continue until 11.00 pm;

(2) at 11.00 pm to continue until 11.30 pm;

(3) at 11.30 pm to continue until 11.45 pm;

(4) at 11.45 pm to continue until 11.50 pm;

(5) at 11.50 pm to continue until midnight.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.59 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

LIST NO:	1/04	APPLICATION NO:	P/1353/05/CFU
LOCATION:	205-209 Northolt Road, South Harrow		
APPLICANT:	MGM Associates for Mr A Shah		
PROPOSAL:	Redevelopment: part single/part four storey building, drinking establishment (A4) use at basement and ground floor, 9 flats on upper floors with roof terrace at rear (resident permit restricted)		
DECISION:	REFUSED permission for the development described in the application and submitted plans, for the following reasons:		
	(i) The Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's requirements for the residential dwellings on the site with only four spaces provided to meet the commercial uses on the site. This will give rise to an increase in parking on the neighbouring highway(s) to the detriment of the free flow and safety of traffic in the surrounding area.		
	(ii) The proposal represents an overdevelopment by reason of height, mass and scale.		
	[Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused. Upon being put to a vote, this was carried;		
	(3) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;		
	(4) Councillors Bluston, Choudhury, Idaikkadar, Miles and Anne Whitehead wished to be recorded as having voted against the decision to refuse the application;		
	(5) the Group Manager (Planning and Development) had recommended that the above application be granted].		
	(See also Minute 948).		

LIST NO:	1/05	APPLICATION NO:	P/1391/05/CFU
LOCATION:	Harrow View Service Station, Harrow View/Victor Road, Harrow		
APPLICANT:	Kenneth W Reed & Associates for London & Regional Properties		
PROPOSAL:	Redevelopment: 3 storey block to provide 14 flats, car parking and access		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		

LIST NO:	1/06	APPLICATION NO:	P/1307/05/CFU
LOCATION:	50-54 Northolt Road, South Harrow		
APPLICANT:	Bennett Urban Planning for Greendev (Harrow) LLP		
PROPOSAL:	Part 3/5/6 storey building to provide 29 flats, access and parking		
DECISION:	REFUSED permission for the development described in the application and submitted plans, for the reasons and informative reported, as amended in the Addendum.		

LIST NO: 1/07 **APPLICATION NO:** P/996/05/CFU

LOCATION: 85 and 87 London Road, Stanmore

APPLICANT: Mr Richard Henley MRTPI for Preston Bennett Developments

PROPOSAL: Redevelopment to provide a detached 2/3 storey block of 10 flats, access and parking

DECISION: REFUSED permission for the development described in the application and submitted plans, for the reason and informative reported, subject to the following amendment to Reason for Refusal 1:

Reason 1: The proposed development, by reason of its excessive size, bulk and massing would be visually obtrusive, out of keeping with the character of the neighbouring properties which comprise two storey detached houses, and would not respect the scale, massing and type of housing in this location, to the detriment of the neighbouring residents and character of the are.

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/1512/05/CFU

LOCATION: Roxeth First and Middle School, 1 Brickfields

APPLICANT: Roxeth First and Middle School

PROPOSAL: Erection of six shade canopies

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition and informative reported.

LIST NO: 2/02 **APPLICATION NO:** P/1292/05/CFU

LOCATION: Land at Collapit Close, North Harrow

APPLICANT: Gillett Macleod Partnership for W E Black Ltd

PROPOSAL: Detached 3 storey building to provide 6 flats with access and parking, including provision for existing flats

DECISION: INFORM the applicant that:

(1) the proposal is acceptable subject to the completion of a legal agreement within one year (or such period as the Council may determine) of the date of the Committee decision on the application relating to:

(i) the developer shall fund all costs of public consultation, analysis, reporting and implementation of a Controlled Parking Zone in the immediate surroundings, at any time within 3 years of first occupation of the development, if in the Council's opinion, a monitoring period shows unacceptable on-street parking, up to a maximum of £7,500 index linked;

(ii) the parking spaces in the courtyard parking area be made freely available to occupiers of Laburnum Court and Acacia Court and their visitors and to include 2 disabled persons bays.

(2) A formal decision notice, subject to the conditions and informatives reported, will be issued upon completion, by the applicant, of the aforementioned legal agreement.

(See also Minute 948).

LIST NO: 2/03 **APPLICATION NO:** P/1120/05/CFU
LOCATION: Silverwood, 22 South View Road, Pinner
APPLICANT: Simpson McHugh for Mr and Mrs Spencer
PROPOSAL: Alterations to entrance feature, new front porch
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/04 **APPLICATION NO:** P/1127/05/CFU
LOCATION: Unit 10 Crystal Way, Elmgrove Road, Harrow
APPLICANT: King Sturge for Indesit Company UK Ltd
PROPOSAL: Change of use from light industrial (Class B1) to business or storage or distribution (Class B1 or B8)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/05 **APPLICATION NO:** P/1136/05/CFU
LOCATION: The Pavilion at Whitchurch Playing Fields, Wemborough Road, Stanmore
APPLICANT: Potters House Nursery
PROPOSAL: Change of use of part of ground floor to use as a day nursery and after school club for up to 70 children
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, as amended in the Addendum, subject to the conditions and informatives reported, and the following amendment to Condition 4:
Condition 4: The use hereby permitted shall be discontinued within 5 years of the date of this permission, in accordance with a scheme of work submitted to, and approved by, the Local Planning Authority.
(See also Minute 949).

LIST NO: 2/06 **APPLICATION NO:** P/1001/05/DFU
LOCATION: Norpap House, 35 Pinner Road, Harrow
APPLICANT: Thackray Williams Solicitors for Mr R Ranger
PROPOSAL: Change of use from office (Class B1) to office at ground floor and education at first and second floor (Class B1 and D1)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following amendment to the conditions:
Condition 2 to read:
"The use hereby permitted shall be discontinued and the land restored to its former condition within one year(s) of the date of the implementation of this permission, in accordance with a scheme of work submitted to, and approved by, the local planning authority".
[Note: Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted].
(See also Minute 956).

LIST NO: 2/07 **APPLICATION NO:** P/3104/04/COU
LOCATION: R/O 26-28 High Street, Wealdstone
APPLICANT: Mahmut Hilmi – Architects for Mr and Mrs Kotak, PJ Car Audio
PROPOSAL: Outline: redevelopment: part 2/3 storey building to provide shop (A1) and workshop at ground floor and 3 flats above (resident permit restricted)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/08 **APPLICATION NO:** P/1153/05/CVA
LOCATION: 14 Station Parade, Kenton Lane, Harrow
APPLICANT: Mr Tony Covey for Mr Martin Forristal
PROPOSAL: Variation of Condition 4 of permission EAST/613/94/FUL to allow opening until 1.00am Fridays and Saturdays and midnight Mondays to Thursdays
DECISION: GRANTED variation of Condition 4 of planning permission EAST/613/94/FUL as reported, subject to the informative reported.

LIST NO: 2/09 **APPLICATION NO:** P/2969/04/DFU
LOCATION: 258 Kenton Road, Kenton
APPLICANT: Carolyn Squire for Mr Raithatha
PROPOSAL: Single and two storey side and rear extension, rear dormer and conversion to 3 self-contained flats
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/10 **APPLICATION NO:** P/901/05/DCO
LOCATION: 53 Wolseley Road, Wealdstone
APPLICANT: Brown & Co. for Mr Alan Donahue
PROPOSAL: Continued use of property as two self-contained flats (resident permit restricted)
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

- (i) The proposal offers no amenity space for the first floor flat to the detriment of the residential amenity of future occupiers.
- (ii) The storage of the refuse bins, for which there is now a minimum requirement of four wheelie bins, cannot be adequately provided given the available space on the forecourt of the property.

[Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused. Upon being put to a vote, this was carried;

(2) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;

(3) Councillors Bluston, Choudhury, Idaikkadar, Miles and Anne Whitehead wished to be recorded as having voted against the decision to refuse the application;

(4) the Group Manager (Planning and Development) had recommended that the above application be granted].

LIST NO: 2/11 **APPLICATION NO:** P/502/05/DFU
LOCATION: 21 Monro Gardens, Harrow
APPLICANT: E Hannigan for Mr and Mrs Tobin
PROPOSAL: Single and two storey side, single storey rear extensions
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/12 **APPLICATION NO:** P/1137/05/CFU
LOCATION: Warren House, Wood Lane, Stanmore
APPLICANT: Line Design for Islamic Centre
PROPOSAL: Canopy roof extensions to main building and to outbuilding
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition and informatives reported.

LIST NO: 2/13 **APPLICATION NO:** P/1138/05/CLB
LOCATION: Warren House, Wood Lane, Stanmore
APPLICANT: Line Design for Islamic Centre
PROPOSAL: Listed Building Consent: Canopy roof extensions to main house and outbuilding
DECISION: GRANTED Listed Building Consent in accordance with the works described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/14 **APPLICATION NO:** P/1110/05/DCO
LOCATION: 387 Torbay Road, Harrow
APPLICANT: Hepher Dixon Ltd for Harrow Churches Housing Association
PROPOSAL: Continued use as care home for up to six people with social support
DECISION: (1) GRANTED permission in accordance with the development described in the application and submitted plans, subject to the informative reported;
(2) **RESOLVED** that the Committee's concerns regarding the Council's role as corporate parent be referred to the Health and Social Care Scrutiny Sub-Committee.
[Note: During discussion on the above item, Members of the Committee expressed concern about the arrangements for the care home support, the Council's role as corporate parent, and the appropriateness of policy in this regard].
(See also Minute 949).

LIST NO: 2/15 **APPLICATION NO:** P/1335/05/COU
LOCATION: Garage adjacent to 2 Whitefriars Drive, Harrow
APPLICANT: Robin Bretherick Associates for D Parmar
PROPOSAL: Outline: redevelopment to provide a terrace of 4 two storey houses (with rooms in the roof), and parking
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, as amended in the Addendum, subject to the conditions and informatives reported.

LIST NO: 2/16 **APPLICATION NO:** P/952/05/CFU
LOCATION: Highlands, 9 Park View Road, Pinner
APPLICANT: Simon McHugh for Mr and Mrs Das
PROPOSAL: Replacement two storey house
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/17 **APPLICATION NO:** P/1530/05/CCA
LOCATION: Highlands, 9 Park View Road, Pinner
APPLICANT: Simpson McHugh for Mr and Mrs Das
PROPOSAL: Conservation Area Consent: Demolition of existing house and garage
DECISION: GRANTED Conservation Area Consent in accordance with the works described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/18 **APPLICATION NO:** P/949/05/DFU
LOCATION: 8 Langland Crescent, Stanmore
APPLICANT: K H Hirani for N H H Hirani
PROPOSAL: Conversion of house into two self-contained flats; single storey rear extension
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

- (i) The proposed conversion is out of character in a road of single family dwellings and will give rise to a loss of residential amenity to the neighbouring properties and the surrounding area.
- (ii) The proposed single storey rear extension will further increase the size of the property, resulting in an overdevelopment of the property together with the already large and visually obtrusive extensions which have already been developed.

[Notes: (1) Prior to discussing the above application, the Committee agreed unanimously to move the meeting to the Council Chamber for consideration of this one item, as Committee Rooms 1 and 2 could not accommodate all the members of the public present to hear the application;

(2) prior to discussing the above application, the Committee received representations from an objector;

(3) the applicant's representative was present but indicated that he did not wish to respond to the objector's comments;

(4) during discussion on the above item, it was moved and seconded that the application be refused. Upon being put to a vote, this was carried;

(5) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application;

(6) the Group Manager (Planning and Development) had recommended that the above application be granted].

(See also Minute 948 and 956).

LIST NO:	2/19	APPLICATION NO:	P/1336/05/CFU
LOCATION:	Greenways, 633 Uxbridge Road, Hatch End		
APPLICANT:	Cound Webber Architects for Simner Ltd		
PROPOSAL:	Redevelopment: part 2/3 storey residential care home with staff accommodation and forecourt parking (revised design)		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		

LIST NO:	2/20	APPLICATION NO:	P/634/05/DFU
LOCATION:	12 Warham Road, Harrow		
APPLICANT:	David R Yeaman & Associates for Mr J Cooper		
PROPOSAL:	Conversion to two flats; single storey rear extension; parking at front and rear		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, as amended in the Addendum, subject to the conditions and informatives reported.		

LIST NO:	2/21	APPLICATION NO:	P/717/05/DFU
LOCATION:	4 King Henry Mews, Byron Hill Road, Harrow on the Hill		
APPLICANT:	Mr G Arden		
PROPOSAL:	Single storey rear extension		
DECISION:	DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.		
	[Note: At its meeting on 6 July 2005 the Committee had deferred the above application for a site visit, which had subsequently been unavoidably cancelled].		

LIST NO:	2/22	APPLICATION NO:	P/598/05/DFU
LOCATION:	25 King Henry Mews, Byron Hill Road, Harrow on the Hill		
APPLICANT:	Macleod & Fairbriar		
PROPOSAL:	Alterations and revised boundary treatment to flat roof adjoining flat 6 to provide terrace with railings		
DECISION:	DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.		
	[Note: At its meeting on 6 July 2005 the Committee had deferred the above application for a site visit, which had subsequently been unavoidably cancelled].		

LIST NO: 2/23 **APPLICATION NO:** P/754/05/CFU
LOCATION: Cloisters Wood, Wood Lane, Stanmore
APPLICANT: Gami Associates Ltd for Mr H Halai
PROPOSAL: Provision of new gates across entrance in Wood Lane
DECISION: DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.

[Note: At its meeting on 6 July 2005 the Committee had deferred the above application for a site visit, which had subsequently been unavoidably cancelled].

LIST NO: 2/24 **APPLICATION NO:** P/1356/05/COU
LOCATION: 1 Marlborough Hill, Harrow
APPLICANT: G & D Higgins
PROPOSAL: Outline: redevelopment: 4 storey building, basement workshop/store, ground floor parking, 1st and 2nd floor offices, 2 flats at 3rd floor
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/25 **APPLICATION NO:** P/1525/05/CFU
LOCATION: Harrow College, Weald Campus, Harrow Weald
APPLICANT: Kenneth W Reed & Associates for Harrow College
PROPOSAL: Construction of polytunnel at south east of site
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/26 **APPLICATION NO:** P/1480/05/CLA
LOCATION: Harrow Council Civic Amenity Site, Forward Drive, Harrow
APPLICANT: David Rose for Harrow Council
PROPOSAL: Reconstruction of paper bay. Revised site access including fencing
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/1573/05/CDT
LOCATION: Land adjacent to Elmcote, Uxbridge Road, Pinner
APPLICANT: Stappard & Howes
PROPOSAL: Determination 13.4M high pole and antenna equipment cabin
DECISION: REFUSED approval of details of siting/appearance for the reasons and informative reported.

LIST NO: 3/02 **APPLICATION NO:** P/979/05/CLB
LOCATION: Kings Head Hotel, Byron Hill Road, High Street, Harrow on the Hill
APPLICANT: Macleod & Fairbriar
PROPOSAL: Listed Building Consent: Construction of bay window to basement on front elevation
DECISION: REFUSED Listed Building Consent for the works described in the application and submitted plans, for the reasons and informative reported.

HEARING
PANEL

HEARING PANEL

13 JULY 2005

Chair: * The Rt Revd Peter Broadbent

Councillors: * Janet Cowan * Paddy Lyne
Harrison

Independent * Mrs Bijal Shah
Person:

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**12. **Attendance by Reserve Members:**

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

13. **Declarations of Interest:**

Councillor Janet Cowan confirmed that she was a political Group colleague of Councillor Harriss, who was the Member subject of the Hearing (as referred to at Minute 17 below).

RESOLVED: To note that there were no declarations of personal or prejudicial interest made by Members present arising from the business to be transacted at this meeting.

14. **Arrangement of Agenda:**

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

15. **Minutes:**

RESOLVED: That the signing of the Minutes of the Panel meeting held on 22 June 2005 be deferred until such time as they were printed into the Minute Volume.

16. **Public Representations:**

RESOLVED: That it be noted that the submission of petitions, deputations or public questions, under Advisory Panel Procedure Rules 13, 14 and 15 respectively, were not considered to be compatible with the purpose of this Panel, operating to the Procedure for dealing with local determinations of allegations made about Council Members and co-optees under the Code of Conduct.

17. **Referral from the Standards Board for England: Councillor Harriss:**

The substantive item of business for this meeting of the Panel was dealt with in accordance with the formal Procedure for the Standards Committee Hearing Panel (Dealing with the local determination of allegations made about Council Members and co-optees under the Code of Conduct).

Alleged breaches of the Code of Conduct for Councillors (Part 5A of Harrow Council's Constitution) by Councillor Harriss had been reported by the Deputy Monitoring Officer to the Standards Board for England.

Following investigation, a report under Section 59 of the Local Government Act 2000 by an Ethical Standards Officer (ESO) was formally referred to the Council's Standards Committee for local determination. The report had concluded that Councillor Harriss had failed to comply with paragraphs 5.1, 11.1, 14.1 and 16.2 of the Code of Conduct for Councillors and that the failures in this regard had warranted referral for a local determination.

The local determination was conducted in accordance with the procedure for the Standards Committee Hearing Panel and the following sequential elements:-

1. Preliminary Matters
2. Making findings of fact
3. Did the Member fail to follow the Code?
4. Findings that the Member has failed to comply with the Code

5. The Decision
6. Penalties (if any)

1. Preliminary Matters

Under the first element the following participants were duly noted:-

Councillor Harriss	(the Member who was the subject of the ESO report)
Mr S Taggart	(Legal Adviser to the Standards Board for England and representing the ESO)
Mrs C Chen	(Independent Legal Adviser to the Panel)
Ms E McEachron	(Corporate Governance Lawyer, Harrow Council – Assistant to the Legal Adviser to the Panel).

2. Making findings of fact

Formal representations were made to the Hearing by Mr Taggart further to the report from the Ethical Standards Officer, with particular reference to Section 3 thereof, "Evidence and Ethical Standards Officer's Conclusions on the Facts" and Section 4, "Reasoning".

Representations were also made by Councillor Harriss in respect of those Sections of the ESO report.

Having compared those representations, all parties agreed that the facts as stated in the ESO report were not a matter of dispute.

3. Did the Member fail to follow the Code?

Formal representations were made to the Hearing by Mr Taggart on behalf of the ESO and also by Councillor Harriss.

After all representations had been heard, the meeting was adjourned at 3.25 pm to enable the Panel Members to withdraw and consider their decision. The meeting recommenced at 4.20 p.m., when the Chair read out the following:-

"Failure to follow the Code

having reached agreement on the findings of fact in the ESO report

(1) in relation to Paragraph 5.1 of the Code, Councillor Harriss is in breach of the Code for the reasons set out at paragraphs 4.11 to 4.13 of the ESO report, in relation to both breaches;

(2) in relation to Paragraph 11.1 of the Code, Councillor Harriss is in breach of the Code for the reasons set out at paragraphs 4.1 to 4.4 of the ESO report, although we note that he registered his interest in the Members' Register of Interests and thought that his interest had been made explicit at the meeting by a planning officer introducing the application. Nevertheless, this does not release him from his obligation under Paragraph 11.1 of the Code personally to declare his interest and the nature of that interest at the commencement of that consideration;

(3) in relation to Paragraph 14.1 of the Code, Councillor Harriss is in breach of the Code for the reasons set out at paragraphs 4.6 to 4.8 of the ESO report by virtue of not withdrawing from the room;

(4) in relation to Paragraph 16.2 of the Code, Councillor Harriss is in technical breach of the Code for the reasons set out at paragraphs 4.16 to 4.18 of the ESO report;

(5) in relation to Paragraph 4.1 of the Code, we concur with the ESO's findings that Councillor Harriss's actions did not bring his office or the Authority into disrepute."

4. Findings that the Member has failed to comply with the Code

The Chair advised Councillor Harriss and the ESO representative that when the Panel had previously retired to make the formal determination set out

under paragraph 3 above, it had also given consideration as to whether action needed to be taken in relation to the identified breaches of the Code.

Having indicated the nature of the intended decision, the Chair asked both parties whether they wished to make formal representations, Councillor Harriss in mitigation of the proposed action and the ESO representative for any further action, in which case such representations would be considered formally and the Panel would then withdraw to evaluate them.

Both Councillor Harriss and the ESO representative confirmed that they did not wish to take the opportunity for formal representations in this regard.

Accordingly, the Chair then read out the following:-

“It having been determined that the Member has failed to comply with the Code of Conduct, the Panel is agreed that the penalty shall be that Councillor Harriss undertake training in relation to the Code, to be specified by the Standards Committee in consultation with the Monitoring Officer, with that training to take place prior to the scheduled Standards Committee meeting on 6 December 2005.”

5. Penalty

This was determined as set out in paragraph 4 above.

6. Decision

The Panel formally advised that its decision was as set out under Section 3 and 4 above, subject to the additional comment offered below, in accordance with the provisions of Paragraph 9 of the Hearing Procedure (“The decision of the Hearing Panel”).

Additional Comment: Arising from the circumstances identified in relation to comments made about Councillor Harriss by members of the public at the meeting of the Development Control Committee on 10 September 2003, the Authority should consider how it might be possible to respond to instances where incorrect or potentially defamatory public references are made about Councillors and proposes that the Council draw the attention of those with responsibility for chairing its meetings to make an appropriate response in such circumstances which will preserve the etiquette of fair comment and keep good order.

7. Concluding Matters

The Legal Adviser to the Panel formally advised the meeting as to the procedures consequent on the decision of the Hearing Panel, concerning formal notification to the parties, publication in local newspapers and rights of appeal open to the Member to the President of the Adjudications Panel for England.

All parties noted that the formal notification would be sent on Thursday 14 July, the day following the Hearing.

(Note: The meeting having commenced at 2.30 pm, closed at 4.25 pm)

(Signed) THE RT REVD PETER BROADBENT
Chair

OVERVIEW AND
SCRUTINY
COMMITTEE

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 19 JULY 2005

Chair: * Councillor Jean Lammiman

Councillors: * Nana Asante (2) * Myra Michael (1)
* Bluston * Osborn
* Gate * Pinkus
* Mitzi Green * Thammaiah
* Mark Ingram * Versallion

* Denotes Member present
(1), (2) Denote category of Reserve Members

[Note: Councillors N Shah and Dighé also attended this meeting to speak on the item indicated at Minute 304 below].

PART I - RECOMMENDATIONS**RECOMMENDATION I - Rights of Members of Overview and Scrutiny Committee to Information**

The Director of Corporate Governance introduced the report which clarified Members' rights of access to confidential information.

In response to a question from a Member, the Director of Corporate Governance confirmed that the rights also applied to co-opted members of committees. In the event that an officer felt that access to information should not be given, the officer should seek the view of Cabinet.

The Committee noted that Councillor Paul Osborn was to become a member of the Constitution Working Party.

Following a motion by a Member that an amendment be made to Rule 22 of the Access to Information Procedure Rules, the Committee

Resolved to RECOMMEND: (to Council)

That Rule 22 of the Access to Information Procedure Rules be amended to read: "**Members of** Overview and Scrutiny Committee...";

(See also Minute 308).

PART II - MINUTES297. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Seymour Councillor Blann	Councillor Myra Michael Councillor Nana Asante

298. **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

299. **Arrangement of Agenda:**

The Chair reported that Councillors Shah and Dighe would be attending later in the meeting for agenda item 9 "Question and Answer Session with the Leader and the Chief Executive", and that she would therefore be rearranging the order of the agenda. The Chair advised that the Chief Executive had been taken unwell that afternoon and so was unable to attend the Question and Answer Session.

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

<u>Item</u>	<u>Reason</u>
11. Update on the Council's IT, including the Draft IT Security Policy	The report was not available at the time the agenda was printed and circulated.

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

<u>Item</u>	<u>Reason</u>
19. Business Transformation Partnership	The report contained exempt information under paragraph 9 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) relating to any terms proposed or to be proposed in a contract for the acquisition or disposal of property or supply of goods and services.

300. **Minutes:**

RESOLVED: That the minutes of the ordinary meeting held on 26 April 2005, and of the Special meeting held on 17 May 2005, having been circulated, be taken as read and signed as correct records.

301. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.

302. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.

303. **Deputations:**

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

304. **Question and Answer Session with the Leader and the Chief Executive:**

The Chair reported that unfortunately the Chief Executive had been taken unwell and so was unable to attend the Question and Answer Session. On behalf of the Committee, the Chair wished the Chief Executive a speedy recovery.

The Committee agreed that, in view of the absence of the Chief Executive, a number of the questions would be deferred until such time as the Chief Executive was available to contribute to the responses.

The Chair introduced the Leader and Deputy Leader of the Council, and invited Members to ask their questions.

Question 1: What is the procedure for dismissing senior staff?

The Leader responded that it would depend on the senior employee being dismissed. If the senior employee was not designated as a Chief Officer, the Council's disciplinary procedure applied. If the senior employee was designated as a non-statutory Chief Officer, they were employed under the terms and conditions of the Joint Negotiating Committee for Chief Officers and a different procedure applied; in broad terms, that disciplinary procedure was:

In a case of alleged misconduct, the Chief Executive undertook a preliminary investigation. Unless the decision of the preliminary investigation was either that the complaint did not warrant a full investigation or that it could sufficiently be dealt with by an informal or recorded oral warning, the complaint was referred for hearing by an Investigating Committee. If referred to an Investigating Committee the senior employee could be suspended from duty on full pay until the Committee decided the issue. The Investigating Committee comprised at least three Members of Council. Following the decision of the Investigating Committee, the senior employee had a right of appeal to an Appeals Committee, which comprised different Members of Council.

Disciplinary action against any statutory Chief Officer – the Monitoring Officer, Section 151 officer and Head of Paid Service – followed the Local Authorities (Standing Orders) (England) Regulations 2001.

In response to a question from a Member, the Leader stated that, in his view, Members should be involved in the decision-making process for the dismissal of senior staff, following officers' recommendation. There needed to be a clear procedure. The Constitution Working Party was considering the production of an appendix to the Constitution in time for the next meeting of Council.

Question 2: What percentage of posts at a senior and middle management level are unfilled?

The Leader responded that, as at 27 June 2005, 26% of Group Manager and 48% of Service Manager posts were unfilled, equating to a total of 41% of posts that were unfilled in the new middle management structure.

In the senior management structure the Executive Director (Urban Living) post was vacant. The Urban Living - Asset Management, Business Connections - Area Director and Organisational Development Area Director posts were also unfilled, equating to a total of 20% of posts in the senior management structure that were unfilled.

A Member asked the Leader whether he had concerns regarding the Council's performance, given the unfilled posts. The Leader responded that he did not have concerns, as the staffing position needed to be viewed in the context of the structural changes that the Council had embarked upon.

The Deputy Leader added that the Council had tried to respond to any concerns as and when they had been raised. It was anticipated that a significant number of the unfilled posts in Urban Living would be filled by the end of August, as, after the Executive Director post had been filled, the recruitment process would rapidly cascade down.

Question 3: What percentage of posts across the Council are unfilled?

The Leader responded that it was not possible to provide a figure of the total number of unfilled posts across the Council as the Council did not operate a fixed establishment structure. There was a high level of vacancies in some key areas where there were recruitment problems, for example Children's Social Workers and Planning, and in areas where the Council was going through transition, for example Housing. In these areas higher than normal levels of temporary staff were deployed in order to maintain service delivery.

In response to a question from a Member, the Leader confirmed that he did not believe that unfilled posts had contributed to low star rating across some areas, such as Social Services.

The Chair stated that the Committee would have found it helpful to have detailed information regarding the number of unfilled posts. The Leader confirmed that he would provide the Committee with a breakdown of unfilled posts by category (difficulty recruiting/post new or being changed/post vacant due to recent staff resignations), and by function/area, within ten working days, and in writing to the Committee's October meeting.

Question 4: What is the Leader's assessment of staff morale across the Council?

The Leader responded that morale would vary across the organisation and could be affected by a number of factors including very local issues but, overall, the sense was that morale was generally good. Evidence for this was a reduction in sickness rates from an average of 9.9 days in 2003/04 to 9.19 days in 2004/05, a reduction of 7%.

Turnover had remained static especially in areas affected by greatest change, such as the Middle Management Review. Since April 2004 out of the 240 M-grade managers, 26 Managers had left the council, of these:

- 9 = resigned to take up new employment
- 1 = retired at age 65
- 6 = retired on early retirement grounds
- 1 = voluntary redundancy
- 1 = end of an interim contract

Which left 8 other resignations.

The Leader advised that he and Deputy Leader regularly visited service areas across the Council and had found staff to be dedicated and committed, with no evidence of damaged morale.

A Member stated that a paper from Unison being considered by the Employees' Consultative Forum on 21 July 2005 indicated that staff felt "unhappy", "fearful" and "vulnerable". The Leader responded that the concerns raised by Unison may not be indicative of staff morale across the Council. Unison's concerns were being actively considered and there was a constant dialogue between the Council and Unison.

The Chair asked whether the Leader believed that turnover and retention of Council staff was a cause for concern. The Leader responded that the Council had embarked upon significant and radical changes and it was inevitable that the process would not be entirely painless.

Question 5: Could the Leader explain the rationale behind the proposed new organisational structure being considered by Cabinet in July?

The Leader responded that the Chief Executive had sent a letter to all employees of the Council advising them of the proposed merger of Business Connections and Organisational Development ahead of the consideration of the proposal by Cabinet. Detailed discussion at officer level had taken place to ascertain whether the merger would improve efficiency without losing effectiveness, and to gauge whether the financial structure could be maintained in the proposed new structure. Leaders of each of the major political groups had been involved in discussion and supported the proposal. The restructure provided an opportunity to streamline and sharpen the way the Council worked. The Leader expressed the view that he had no doubt that the new structure, if approved, would function well.

The Chair expressed some concern that the letter which had been sent to all employees could have given some employees the impression that the merger was a fait accompli, before the new structure had been considered via the formal Members' decision-making process. The Leader responded that the intention had been to inform employees about the proposed structure in advance of Cabinet's consideration of the merger.

Question 6: Councillors are being made aware of significant levels of public concern regarding the brown bin scheme and in particular poor communications about the scheme (for example, consultation documents have in many cases been delivered with the bin itself). What is being done about these concerns?

The Leader responded that, during the roll-out of the brown bin scheme in May and June 2005, residents had received an information flyer two weeks before the bin had been delivered. The leaflet had given basic details about the scheme and was

supplemented, when the bin was delivered, with a more detailed leaflet, which repeated the information and expanded it to give further advice. A consultation on the kitchen waste trial had been undertaken in February.

All the bins in the roll-out, approximately 36,000, had been delivered over a six week period. For the vast majority of people the roll-out had gone smoothly. There had been a small number of problems with the initial collection where some roads had been omitted from the collection crews' worksheets. These had been resolved as and when they had come to light. There had also been a small number of complaints about flies and maggots. Where these had been investigated, it had been discovered to be caused by people misusing or not understanding the system. Further advice had been drawn up and this was being used by the Council's call centre and had been published in the press and on the Council's website.

Contamination of the brown bin had also proved to be an issue. The main problem had been that people had included plastic in the bin. Any such brown bins had been left by the crew to avoid contaminating the main load and had been subsequently cleared. This problem was diminishing but was not yet under control. The change in the system depended on public participation and education. Where appropriate, people were visited by the recycling officers to help and advise them on how to use the new system properly.

1210 tonnes of organic waste had been collected by the Brown Bin scheme in June 2005. Provisional recycling figures for the first three months showed that the Borough had recycled just under 25% of its waste. This proportion would improve now that the scheme was fully operational. There were a number of streets that were yet to be converted to the scheme, and it was anticipated that these would be incorporated within the following four to six weeks.

The Chair noted that it was important for the Council to respond quickly to any environmental health concerns voiced by the public, and suggested that there might be a need for the Council to rethink how it communicated with and educated residents on the brown bin scheme.

Question 7: How are Council officers influencing and adding to the effectiveness of the proposals for the redevelopment of Northwick Park hospital and how is the Council liaising and communicating with the Primary Care Trust (PCT), the Patient and Public Involvement (PPI) forums and other interested parties on this development? How can the Harrow Strategic Partnership (HSP) link into and add value to the work of the Joint Overview and Scrutiny Committee for Northwick Park Hospital, which has been set up to consider the proposals?

The Leader responded that the Council had recently established a new basis for joint working with the PCT following a recent meeting of Cabinet, alongside the matched PCT Board meeting where a full paper on integration, its governance and the joint commissioning strategies had been adopted.

In addition to regular officer meetings between the Directors of Community Care and Children's Services and the PCT Directors of Service Improvement, Provider Services and Public Health, regular one-to-one meetings took place with the Chief Executive of the PCT. As a result of these meetings, consideration was being given by the PCT for the Director of Community Services to join the programme board overseeing the Northwick Park hospital changes.

In addition to these measures the Council had, and would continue to have, a number of opportunities to influence the shape and outcomes of "Better Care without Delay" through the Older Peoples' Partnership board and the other client group partnership boards as well as the Older People's National Service Framework (NSF) Board. The Council would ensure there was a joined up approach to planning, not just in terms of acute/in-patient care, but community health care and social care.

The HSP would be considering a new approach to health/social care. If this went ahead, the HSP would have a direct reporting oversight of integration in the future and could take a pro-active role in adding to and informing the next phase of the acute development as the Strategic Health Authority (SHA) led its next piece of work which would be a review of all acute services in the light of the changes to the former Paddington basin development.

The HSP received regular briefings from the Chair and Chief Executive of the PCT on developments at Northwick Park. The HSP would be happy to discuss with health colleagues any issues that arose, to ensure the project met with local needs.

A Member, who was also Chair of the Joint Overview and Scrutiny Committee for Northwick Park Hospital, advised that the SHA had confirmed that it would be going ahead with proposals to review all service needs across north west London.

The Leader stated that consultation would be key to ensure the workability of the massive project, and the HSP would be pressed to monitor the project carefully. The Leader confirmed that he would ensure that Cabinet and Overview and Scrutiny Committee, and its sub-committees, receive minutes of the HSP meetings that considered the proposals.

Question 8: Would you like to comment on the public satisfaction rating as identified in the recent MORI survey?

The Leader responded that the budget survey carried out in December 2004 had shown that the percentage of residents satisfied with the Council had remained at 45%, the same level as the previous survey. This was disappointing but reflected a wider pattern within London and especially in outer London.

More recently the Council had carried out a much larger quality of life survey with double the number of residents participating, which had received a much better response from the Borough's Black and Minority Ethnic (BME) communities. This survey had shown satisfaction at 54%, which was a modest but significant improvement. 67% were satisfied with their quality of life in the Borough which was comparable with other outer London boroughs. A detailed report on the results of the survey was being prepared for Members of Council.

Anecdotal information indicated that satisfaction with specific services was higher than this, for example satisfaction in areas that had seen the 'Clean and Green' roll-out. There was strong evidence as to what drove public satisfaction and the Council was actively managing these issues.

Significant improvements had been made in the area of environmental services. Value for money had a significant programme of efficiency savings and there had been a very small Council Tax rise. Improvements had been made in communications activity with local residents, and the new Business Transformation Partnership would transform work in the area of first contact.

Question 9: Would you care to comment on the 2004/05 budget outturn?

The Leader responded that, in general, the outturn position for 2004/05 was positive.

The Council's main revenue budget had been underspent by £62k in 2004/05. The reasons for variations had been reported in detail to Cabinet in June 2005. The Council continued to have a general fund balance above the agreed optimum level: the current balance was £7.2m compared with the optimum level of £7m.

The main issue arising related to budget monitoring. There were a number of variations which had not been reported earlier in the year and had only become apparent in the closure of the accounts. The capacity to monitor budgets effectively had improved considerably in People First, although there was more work to be done, particularly in Children's Services. The underspend in Urban Living was being investigated to see if there were implications for 2005-2006, and steps were being taken to enhance the monitoring process.

The Housing Revenue Account had been underspent by £2m which meant that the Council had a healthy balance going forward. This was particularly important as the Council moved to implement the decision made following the Housing Options Appraisal.

On the capital programme there had been an underspend or slippage of £14m (25%), and of this sum £8m had been reported at the end of the third quarter. Monitoring arrangements for capital expenditure continued to improve with the establishment of the Programme Management Office. The new ERP system would dramatically improve the Council's ability to produce comprehensive project information.

The Deputy Leader added that there had been significant underspend in the Housing Revenue Account but that, following a tightening up of lax policies, the quarterly figures appeared to be much more in line with the budget.

Responding to a question from a Member regarding the use of the Council's reserves, the Deputy Leader confirmed that the reserves were healthy, but that these should not be used to plug gaps. The settlement for the current year could be substantially worse than previous years.

Chair's closing comments

The Chair thanked the Leader and Deputy Leader for their time and noted that the Committee found the face-to-face question and answer sessions useful. The Chair proposed that discussions take place outside of the meeting to establish how to maximise benefit from the sessions.

RESOLVED: That (1) the Leader's and Deputy Leader's responses be noted;

(2) an alternative date for a Special meeting devoted solely to a Question and Answer Session with the Leader and Chief Executive be arranged before the next ordinary meeting of the Committee on 10 October 2005;

(3) the Chair and Vice-Chair meet with representatives from the Scrutiny Unit to discuss ways in which to maximise the benefit gained from the Question and Answer sessions.

305. **'Hear/Say' Making a Difference through Listening and Talking:**

The Chair welcomed to the meeting Julia Smith, the Chief Executive of Harrow Association of Voluntary Service (HAVS), who introduced a report of the Director of Organisational Performance.

Ms Smith explained that HAVS was an independent voluntary organisation which was part-funded by the Council. Ms Smith, along with the Chair of Overview and Scrutiny Committee, were co-leaders of the review of community engagement. The review had cross-party representation. The need to review the Council's work had been identified in recent scrutiny work including several referrals to the Call-In Sub-Committee. An effective community engagement strategy was key to the Council's core priorities, responding to the needs of Harrow's communities and its impact on the work being done in relation to sustainable communities. Community engagement was also central to the community strategy and the forthcoming local area agreement.

The review had identified two case studies: a traffic and transport case study, which was looking at how the Council consulted with the community about issues such as Controlled Parking Zones; and a social inclusion case study, which was looking at area working. Officers of the Council had presented information to the review, and its members were considering visiting other local authorities to gain more information. The work of the review complemented that being undertaken with the Community Engagement Strategy, but had specifically not looked at the Open Budget process, which was following a different timetable.

Ms Smith advised that the Chair of Overview and Scrutiny Committee had conducted a staff focus group which looked at the engagement processes being used by staff at the Council to see how effective staff thought they were, and how they could be improved. This had been highly successful and there would be a similar focus group organised specifically for Members of Council in early September 2005.

The Chair added that staff consulted as part of the staff focus group had offered access to their own networks in the local community, and that a meeting with those contacts would be taking place on 14 September 2005. In her closing remarks, the Chair commended the work of the Community Consultative Forum, and noted that whilst the Open Budget process would inform the work of the review sub-committee, it was not necessary to duplicate work being undertaken by the Open Budget Steering Group.

A Member, who was also Chair of the Joint Overview and Scrutiny Committee for Northwick Park, advised Ms Smith that she would be very welcome to attend that Committee's meetings, the next of which was being held on 26 July 2005.

The Committee agreed that the decision to appoint people who were not Members of Council to chair the review sub-committee and the two case studies had worked very effectively.

The Committee noted that Councillor Lent, who had previously chaired the review, had resigned from the review due to his work with the Power Inquiry, which was facilitating the Open Budget process. Councillor Lent would not be able to participate in formal meetings of the review but would still be able to offer advice informally to inform the review.

RESOLVED: That (1) the scope of the review be noted and endorsed;

(2) the review sub-committee provide a further report to the Committee later in the year;

(3) Ms Smith be requested to liaise with the Group Manager (ICT) to set up a message board to provide the public with an opportunity to input into the deliberations of the sub-committee.

306. **Update on the Council's IT, including the Draft IT Security Policy:**
Officers tabled a report in this matter and apologised for the late submission of the report and the fact that it was not presented in the standard report format.

Officers advised that a large investment in IT capital projects was taking place, with a budget of around £6 million. Most projects were on target, and a new project manager was due to be appointed during the next week. The Council's data recovery system was being improved to enable automatic and interactive back-up to take place. It was anticipated that a remote disaster recovery site would be in place within six to nine months, in conjunction with the Business Transformation Partnership.

The initial stages of the IT Improvement Plan had been completed and had led to an improved helpdesk service and the availability of 'HITS tours' to help staff better understand how IT was used at the Council. Officers suggested that an hour-long tour focusing on areas of investment and improvement could be arranged for Members of the Committee to take place immediately before their meeting on 10 October 2005, if members felt this would be helpful.

The latest performance indicators showed that the overall availability of IT in the Council was a healthy 99%. Officers predicted that the Best Value Performance Indicator for e-enablement would meet its target of 100% by December 2005.

The Information Security Policy was highlighted by Officers as a key document which provided the basis for many other Council policies such as Acceptable Use and Information Sharing. A Harrow Information Sharing Forum was being set up and was likely to be chaired by the Director of Organisational Performance.

In response to a question from a Member, officers confirmed that the Council did not have in place a documented Business Continuity Plan. Officers advised that this was not specifically an IT issue, as each area would be expected to produce its own Plan. Members of the Committee expressed the view that a Business Continuity Plan should be produced detailing how the Council would move to a manual process in the event of a serious IT failure.

A Member asked whether capital projects would be carried out independently of the Business Transformation Partnership (BTP). Officers advised that the strategic importance of the BTP meant that it would be prudent to seek advice and guidance from the Business Partner to ensure that the architecture of the business linked together. The Partner would always be given the opportunity to bid for any new projects and, depending on their response, the contract may or may not be put out to tender.

RESOLVED: That (1) the report be noted;

(2) officers liaise with the Chief Executive regarding production of a Business Continuity Plan, and report progress in this area to the Committee on 10 October 2005.

307. **Principles of Scrutiny:**

RESOLVED: That consideration of this item be deferred to the next ordinary meeting of the Committee, to be held on 10 October 2005.

308. **Rights of Members of Overview and Scrutiny Committee to Information:**
(See Recommendation 1).

Having made a Recommendation to Council in relation to an amendment to Rule 22 of the Access to Information Procedure Rules, it was

RESOLVED: That (1) the proposed change be noted by the Constitution Working Party;

(2) the report be noted.

309. **Communications Strategy for Scrutiny:**

RESOLVED: That consideration of this item be deferred to the next ordinary meeting of the Committee, to be held on 10 October 2005.

310. **Phase 2 of the Scrutiny Review of the Middle Management Review - Scope:**
Officers introduced a report of the Director of Organisational Performance.
- Officers advised that the Employees' Consultative Forum had deferred consideration of a report regarding Unison to a Special meeting of the Forum that was being held on 21 July 2005.
- The Vice-Chair of Overview and Scrutiny Committee, who was also Chair of the Middle Management Review group, advised that the group would be happy to receive evidence from anyone who may have something to contribute to the review.
- In response to a question from a Member regarding the accuracy of the data presented in the Strategic Performance charts in relation to unfilled posts in Urban Living, officers advised that the charts presented a historical picture from 1 March 2005 and did not reflect changes that had occurred since that time.
- A Member suggested that it could be misleading to focus on absenteeism as an indicator of staff dissatisfaction. Officers confirmed that the Scrutiny Unit was looking at ways to gather information in different ways, such as confidential interviews with affected staff.
- In response to a question from a Member, officers confirmed that union membership was confidential and so the identity of staff belonging to unions was protected.
- The Chair reported that she would be attending the Special meeting of the Employees' Consultative Forum on 21 July, along with the Vice-Chair, and encouraged other members of the Committee to attend.
- RESOLVED:** To note and endorse the scope for Phase 2 of the Scrutiny review of the Middle Management Review.
311. **Update on the Open Budget Steering Group:**
The Committee noted that it had been agreed that the Power Inquiry would manage the review on behalf of the Council.
- RESOLVED:** That the above be noted.
312. **Strategic Performance Report - Year End 2004/05:**
The Director of Organisational Performance introduced the report which provided quarterly performance information to the Committee.
- RESOLVED:** That the report be noted.
313. **Business Transformation Partnership:**
The Committee received a confidential report of the Executive Director (Business Connections) in this matter. A discussion took place between Members of the Committee and officers, who were in attendance to answer any questions regarding the content of the report.
- RESOLVED:** That the contents of the report be noted.
314. **Extension and Termination of the Meeting:**
In accordance with the provisions of Overview and Scrutiny Procedure Rule 6.7(ii)(b), it was
- RESOLVED:** (1) At 10.00pm to continue until 10.30pm;
(2) at 10.30pm to continue until 10.45pm.
- (Note: The meeting, having commenced at 7.34 pm, closed at 10.45 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN
Chair

AUDIT
COMMITTEE

REPORT OF AUDIT COMMITTEE

MEETING HELD ON 26 JULY 2005

Chair: * Councillor John Cowan

Councillors: * Branch * Mark Ingram
* Idaikkadar * Romain

* Denotes Member present

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

49. **Appointment of Chair:**

RESOLVED: To note the appointment at the Annual Council meeting on 12 May 2005, under the provisions of Council Procedure Rule 1.1(xii), of Councillor John Cowan as Chair of the Committee for the Municipal Year 2005/2006.

50. **Attendance by Reserve Members:**

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

51. **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.

52. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
10. Statement of Accounts 2004-2005	This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item in order to approve the draft statement of accounts within the statutory deadline.
12. Staff Qualifications	This report was not available at the time the agenda was printed and circulated. Members were requested to consider the report in accordance with a request by the Audit Committee at the last meeting.
14. Dismissal of Executive Director	This report was not available at the time the agenda was printed and circulated. Members were asked to receive the report to consider a response arising from an investigation.
15. Contract Procedure Rules	This report was not available at the time the agenda was printed and circulated. Members were requested to consider the report in accordance with a previous request of the Committee.

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

<u>Item</u>	<u>Reason</u>
14. Dismissal of Executive Director	The report contains exempt information under paragraph 1 of Part 1 of Schedule 12A to the

Local Government Act 1972 (as amended), in that it contains information relating to a particular employee or former employee of the authority.

15. Contract Procedure Rules

The report contains exempt information under paragraph 9 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), in that it contains information relating to terms proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

16. Internal Audit Full Year Report 2004/05 (Appendix B to the report in Part I of the agenda)

The appendix contains exempt information under paragraphs 1, 12 and 14 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), in that it contains information relating to relating to a particular employee of the Authority, advice received, information obtained or action to be taken in connection with any legal proceedings by or against the authority, and action taken in connection with the prevention, investigation or prosecution of crime.

53. **Appointment of Vice Chair:**

RESOLVED: To appoint Councillor Mark Ingram as Vice Chair of the Committee for the Municipal Year 2005/2006.

54. **Minutes:**

RESOLVED: That the minutes of the meeting held on 10 May 2005, having been circulated, be taken as read and signed as a correct record.

55. **Public Questions:**

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

56. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

57. **Deputations:**

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

58. **Statement of Accounts 2004-2005:**

The Committee considered a report of the Director of Financial and Business Strategy setting out the Statement of Accounts for 2004-2005, which Members were requested to approve for submission to the external auditor for annual audit. A colour version of the Statement of Accounts was also tabled at the meeting.

In response to Members' questions, clarification was provided in relation to various issues. In particular, it was confirmed that amendments to the Statement of Accounts suggested by Audit Committee Members prior to the meeting had been incorporated. At the meeting, Members additionally requested that officers consider incorporating a post-balance sheet comment into the commentary on the actuarial position of the Pension Fund (Section 12, Note 8). It was also noted that other, minor, presentation matters would be actioned by officers. Members were requested to pass any further comments on the Statement of Accounts directly to officers.

The Statement of Accounts having been approved for submission to the external auditor for annual audit, the Chair requested that the Committee be advised of any issues raised by the external auditors as they arose, and also if there were any changes to the audit fee.

RESOLVED: That (1) the final 2004-2005 revenue outturn be noted;

(2) the 2004-2005 Statement of Accounts be approved, subject to Audit;

(3) the Director of Financial and Business Strategy be authorised to submit the 2004-2005 Statement of Accounts to the external auditor for annual audit.

59. **Internal Audit Full Year Report 2004/05:**

Members received a report of the Director of Financial and Business Strategy, which set out the annual report of the Internal Audit service for 2004/05. The report summarised progress against the 2004/05 audit plan and key issues arising from the work undertaken. The Committee also considered a confidential appendix to the annual report, which provided further information on cases of financial irregularity. Members were invited to consider the findings of the report and also to comment on its format.

With regard to fundamental financial systems, Members expressed concern about the percentage of controls not in place or only partially operating, and in particular the need for improved procedures for the suppression of rent recovery action. It was advised that this was also a key concern of the external auditors, and work was therefore focusing on it, but it was not considered to be an area of major risk. Members also sought assurance that issues identified in previous audits had been addressed, as they were concerned that failure to do so may result in an increase in the audit fees. It was reported that there had been no indication that the fees would increase. The main area where audit recommendations were still to be implemented was in relation to IT.

In response to Members' questions, further information was provided in relation to a number of other issues, including the staffing situation in Internal Audit. It was suggested that staff should be linked to individual Directorates, once the team was fully established. Officers agreed that this could be considered, but pointed out that there would be a need to rotate staff in order to avoid over-familiarity.

Members requested that the Executive Summary in future reports be augmented to include key areas of success and concern.

RESOLVED: That the report be noted.

60. **Staff Qualifications:**

Further to a request from Members at the last meeting, the Committee received a report of the Director of Financial and Business Strategy which set out information on the qualifications of staff within the Financial and Business Strategy Division.

Members were pleased to receive the report, and felt it was important that the efforts of staff to achieve qualifications be recognised.

RESOLVED: That the report be noted.

61. **Dismissal of Executive Director:**

Members considered a confidential report of the Director of Financial and Business Strategy, which set out a response to an issue raised in an Investigation and Review report.

A Member referred to one of the recommendations made within the Investigation and Review report, and suggested that it would be helpful to receive a report on how the recommendation was being addressed. It was also suggested that it would be helpful to get the views of the external auditors on that issue and on the matter as a whole. It was advised, however, that the external auditors had been kept informed on this matter and had not expressed a wish to carry out any additional work on it.

RESOLVED: That the response to the issue raised in the Investigation and Review report be noted.

62. **Contract Procedure Rules:**

The Committee received a confidential report of the Director of Financial and Business Strategy which set out details of waivers of the Contract Procedure Rules.

There was some discussion as to whether there was a need to strengthen controls in this area. Officers advised that this could be looked at as part of the review of the Procedure Rules, but also outlined other measures already in place.

In response to a query from a Member, officers undertook to provide the Committee with further information on a particular waiver.

RESOLVED: That the report be noted.

63.

Date of Next Meeting:

The Chair noted that the next meeting of the Audit Committee was scheduled to take place on Thursday 27 October 2005, and queried whether there was a need for another meeting of the Committee before then. It was agreed that this could be discussed outside the meeting.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.20 pm).

(Signed) COUNCILLOR JOHN COWAN
Chair

JOINT OVERVIEW
AND SCRUTINY
COMMITTEE

JOINT OVERVIEW AND SCRUTINY COMMITTEE

NORTHWICK PARK HOSPITAL RECONFIGURATION

MINUTES OF THE MEETING HELD ON 26 JULY 2005 AT 7 30 PM IN THE COUNCIL CHAMBER, CIVIC CENTRE, HARROW, MIDDLESEX

Members Present:

Councillor Gideon Fiegel, Vice Chair (London Borough of Brent)
Councillor Myra Michael (London Borough of Harrow)
Councillor Simon Woodroofe (London Borough of Ealing)

Reserve Members:

Councillor Brian Gate (London Borough of Harrow)
Councillor Vina Mithani (London Borough of Harrow)
Councillor Hazel Ware (London Borough of Ealing)

Observing:

Councillor Eric Silver (London Borough of Harrow)
Councillor C Bath (London Borough of Harrow)

Also Present:

Kem Guthlac (Scrutiny Officer, London Borough of Harrow)
Lynne McAdam (Scrutiny Service Manager London Borough of Harrow)
Barbara Gill (Acting Director of Strategy, North West London Strategic Health Authority)
Anne Landau (Local Liaison Committee, Northwick Park & St Marks)
Nahreen Matlib (Scrutiny Officer, London Borough of Ealing)
Julian Maw (Chair - Local Liaison Forum)
Betty Mdoe (Scrutiny Administrator, London Borough of Harrow)
Andrew Morgan (Chief Executive, Harrow PCT)
Nico Pollen (Local Liaison Committee, Northwick Park & St Marks)
Lopa Sarkar (Policy Officer, London Borough of Brent)
Raelene Sheean (Consultation Manager, Northwick Park Redevelopment)
Nigel Spalding (Scrutiny Officer, London Borough of Ealing)
Edwina Shackelford (Minute taker)

Cllr Fiegel apologised for a slightly later start. He explained that he would be taking the Chair for the meeting as Cllr Bluston had unfortunately had an accident with his car during the afternoon and, therefore, would not be present.

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr H. Bluston ((Chair JOSOC) London Borough of Harrow), Cllr Mary Farrell (Member, London Borough of Brent) and Mr Richard Porter (Observer, London Borough of Ealing).

2 DECLARATIONS OF INTEREST

Cllr Eric Silver declared he is a pharmacist contractor for the London Borough of Harrow, Primary Care Trust.

Cllr Gate stated that his wife is a Nurse Practitioner at St Peter's, Harrow.

3 ARRANGEMENT OF THE AGENDA

Item 6 was taken before items 4 and 5.

6 INFORMATION FROM NORTH WEST LONDON STRATEGIC HEALTH AUTHORITY (SHA)

Subject to confirmation, to receive a presentation from the SHA on it's strategic plan for NW London hospitals and the possible impact on the proposed reconfiguration of Northwick Park Hospital. The implications of the new financial arrangements for the NHS (specifically focusing on Payments by Results, the Patients' Choice Agenda and the GP specialist)

Cllr Fiegel welcomed Barbara Gill (Strategic Health Authority) to the meeting to give a presentation on the SHA views with regard to Brent, Harrow and Northwick Park.

Copies of the presentation paper were given. Members were invited to ask questions as the presentation was given and also apologies given for the fact that the Chief Executive and the new Director of Finance were unable to be present at the meeting. She stated that the public consultation on Northwick Park Hospital reconfiguration was postponed because the SHA needed to do a sector review across northwest London hospitals. The health needs of the population change over time and it was felt that the SHA needed to be responsive to those needs by adapting and providing services for the best and most appropriate way for the population. National policies change and they could be grouped together under system reform. In addition, there were a lot of changes in terms of national policies and there would have to be an adaptation of services to take these into account.

Ms Gill drew attention to the NICE guidance. How services were delivered would have to be looked at and there were a number of local reasons to develop a strategy for the sector and these were listed on page 2 under "Why do we need a 'sector strategy'?" Ms Gill stated that there was a significant deficit within the sector which was a big issue that needed to be addressed; there was a perception that there was too much capacity across the sector and this had been identified by the "length of stay" figures, there being a considerable excess "length of stay".

The SHA understood that there were hospitals, which needed to be redeveloped, especially Northwick Park and other hospitals, but before money is put into redevelopment it is necessary to decide what the appropriate role of these hospitals should be. The question of discharging patients too early and then having to be readmitted was raised. It was noted that during a patient's stay in hospital, improvements were required to be made – test results being received on time and the streamlining of the system. Ms Gill stressed that inefficiencies were being investigated.

In answer to Cllr Woodroffe's question regarding the general deficit Ms Gill stated that at the end of last year the position was £59.9 million; the forecast position was not very healthy and there was pressure on the SHA to address this deficit, which was one of the largest in the country. Ms Gill offered to send information that was available to Cllr Woodroffe and felt that everyone would be interested in this matter. Cllr Myra Michael expressed the view that the financial information should be available. Ms Gill answered that information was accessible and that she would send it out. She explained that the new SHA Director of Finance had only been in post for about two weeks. There were targets for the different organisations and organisations with the most serious concerns were meeting with the Director of Finance; all organisations had to put together action plans.

In terms of the deficit, the question was raised as to whether the budget was realistic taking into account the demographics of the population of the area Barbara Gill commented that the amount of money received per capita was very high compared to other areas.

Cllr Gate referred to one of the areas of concern, namely, the Maternity Unit and questioned whether the training of staff and training methods may not have been the best, noting that many of the nurses were reaching the end of their careers.

Ms Gill stated that these matters had been considered. The SHA wanted to move forward and there was a taskforce looking at this to see where roles could change and new ways of working to deliver services properly could be improved. She highlighted the fact that it was necessary to take into account that recruitment was difficult for some professions and there were national policies, which had to be adhered to.

Cllr Vina Mithani raised the question of staff cuts – would there be staff cuts or would the Government be asked to provide more money? Ms Gill replied that there was not scope for asking for more money; there were not plans for redundancies; the SHA were looking at addressing inefficiencies. It was generally felt that services could be more efficient and more responsive.

Cllr Silver expressed the view that this was being carried out from year to year and questioned why it was getting worse. Ms Gill responded that the SHA recognised that there was a problem, but felt that more could be done efficiently to improve matters e.g. some things could be done in tertiary hospitals; there could be clinical practice changes.

Cllr Fiegel concluded that the Committee had discussed the question of the budget and deficit at some length and felt it was time to move on and asked how the SHA would see any new development at Northwick Park dovetail into the scenario of a more effective delivery of health care in conjunction with the rest of the PCT development area.

Ms Gill responded that the issues for Northwick Park and other hospitals were about making sure patients who do not need to go into hospital could be treated in more local settings and, therefore, there was an issue regarding providing services locally. If there was a local outreach team they could meet the needs of people. Only people who needed to receive hospital care would go into hospital. The SHA wanted to see new technology being used to the best effect to address needs more quickly and more efficiently. There was a need for a more streamlined organisation for delivery of care, and working with other hospitals.

Ms Gill suggested that profiles of each specialist area e.g. cardiology would be developed to users: how they are provided, what the level is, and what the view is, how it is changing and what volume would be required in the future. This would involve looking at services, how they can be developed, also obtaining data e.g. postcode area of the trust, to understand what is happening, how much services costing and how the assets and advice are being used to the best effect e.g. beds, current supply and demand.

Julian Maw expressed concern that patients had to travel into central London for treatment and asked whether the SHA had taken this into account. He stated that the people of Harrow wanted a local service.

Ms Gill replied that the SHA wanted to move quickly so that delays are not any longer than at present. The SHA had to look at the fundamental issues to address the problems experienced, there being a lot of money in the large hospitals to provide and wanted to see how best they could deliver these services e.g. through local teams.

Cllr Woodroffe suggested that many of the duties that GPs did could be carried out by pharmacists; similarly work undertaken by A & E could be carried out by GPs. He felt that the presentation seemed to suggest that Northwick Park would be encouraging everybody to go to the hospital rather than to the GP's and asked what the strategy was in relation to this.

Ms Gill answer was that there were many people who went to A & E who could be treated through primary care; people should be treated at the most appropriate setting as possible and people should not go to into hospital if they could have their condition sorted out at the primary care level.

In response to Cllr Woodroffe's remarks, Ms Gill replied that there should be more clarity, stating what the philosophy was, re-access to services.

Raelene introduced herself as the Project Manager at Northwick Park and stated that she did not agree with the comments made by Cllr Woodroffe. Cllr Silver stated that the ethos was to get patients to go within a reasonable distance to be treated, but

was concerned about decisions concerning Mount Vernon hospital where people would have to go further to receive treatment.

Ms Gill explained her part as the Chair of the Steering Group involved with Mount Vernon and the importance of not sacrificing the quality of services and the treatment that patients received. Cllr Silver commented that the quality of service provided by Mount Vernon was well known. Ms Gill felt that she could not comment on the previous reviews of Mount Vernon pointing out that the Bedfordshire and Hertfordshire Authorities managed it. She added that when they reviewed their services it was decided it would be better to move to the new services in Hatfield.

Cllr Michael felt that the public did not understand what was happening; they needed to be reassured that there was going to be good primary care. She referred to Mount Vernon which the public felt was an excellent service provider.

Ms Gill replied that she understood Cllr Michael's views and welcomed her comments. Cllr Michael felt that the SHA did not listen to what the public had said about Mount Vernon and Cllr Silver supported this comment. BG opinion was that she had a neutral aspect on the situation, a thorough process had been gone through and the final decision had been unanimous, taking into consideration workforce and clinical safety. Although she had chaired the Steering Group she could not comment on what had gone on before.

Lynne McAdam expressed concern about the timing of the SHA Review and wondered how it could be done in two months. BG explained that SHA was working very quickly to bring all the data together, the aim being to reach a point where the broad framework is clear enough to allow the local projects to go forward to the next stage. She welcomed views on how to improve communications. In terms of length of time Ms Gill referred to page 7; it was hoped to have some models available for consultation in October. It was not known when formal consultation would take place.

Moving on to "Payment by Results" Kem Guthlac felt there was a conflict with the model given. This especially relates to the national tariff (single pricing) and the requirement to operate market forces factor by the Trusts. The model may be difficult to achieve on local level if the two concepts are adopted. Ms Gill explained that it is a national system funded by the NHS who set the tariffs.

With regard to efficiency Cllr Michael asked if there was anything in place to redress the situation when patients were readmitted. Ms Gill did not feel there was, but stated that she would check the details. Cllr Michael emphasised that this was an important matter. Ms Gill did not think there was any difference in price for a readmission, although it may be monitored.

Cllr Mithani pointed out that the complex cases were more likely to need specialist care and this matter was about understanding what percentage needed extra care so that the quality of care delivered to a specific person was appropriate.

Ms Gill was concerned that large hospitals should not be built that did not have the flexibility to adapt in the future. The details of the alternatives to the PFI schemes

and providing the capital were the most likely source of finding the level of capital to fund these schemes. She commented that in view of the high level of capital required, PFI schemes could be more effective way of providing finance.

Nigel Spalding on "Payments by Results" asked whether the SHA or anybody in NW London knew how patients should make their choice about which hospital they should attend. Ms Gill replied that this is a very complex issue, people choosing to go to one hospital for one condition and another hospital for a different condition. The SHA had been looking at the results of studies carried out in various places, taking into account factors such as travel and quality of care. The SHA wished to use the best knowledge from other studies.

Cllr Woodroofe acknowledged that model options would be produced in October. He enquired when further consultation would take place. Ms Gill stated that she could not answer this question. There would be more discussion as to the best way forward in this complex process.

Cllr Fiegel thanked Ms Gill for attending and for the presentation. He hoped that the Committee would be able to obtain a better picture of the models so that they could dovetail into the process and take forward the matters referred to in the presentation with regard to Northwick Park Hospital and primary health care to create a more efficient and effective health service.

4 MINUTES OF THE MEETING HELD ON 29 JUNE 2005

The minutes of the meeting held on 29 June 2005, having been circulated, were taken as read and were signed as a correct record.

5 LEGAL ADVICE ON THE STATUS OF THE JOSOC – PAPER A

Cllr Woodroofe stated that the Committee would need to make a decision at the end of September with regard to its future. Cllr Fiegel agreed that a meeting should be set up with Cllr Bluston present for early September to review next steps.

7 CENTRE FOR PUBLIC SCRUTINY ADVISOR

It was agreed that there is no point in trying to appoint an adviser while the Committee do not know if the reconfiguration will proceed or not.

8 COMMITTEE WORK PROGRAMME – PAPER C

This item would be considered in September.

9 ANY OTHER BUSINESS

None.

10 DATE OF NEXT MEETING

Cllr Fiegel proposed that the date be left to the Chair, when he is better, to liaise with Kem Guthlac and other officers to arrange a meeting in early September, while the members take the August period as a recess.

Cllr Fiegel thanked everyone for attending and wished everyone a very peaceful and happy summer recess.

The meeting closed at 9 20 pm.

PP. Councillor G. Fiegel (Vice Chair)

Councillor H. Bluston
Chair

THE CABINET,
EXECUTIVE SUB-COMMITTEES,
CABINET ADVISORY PANELS
AND
CONSULTATIVE FORUMS

CABINET

REPORT OF CABINET

MEETING HELD ON 28 JULY 2005

Chair: * Councillor N Shah

Councillors: * D Ashton * Marie-Louise Nolan
* Burchell † O'Dell
* Margaret Davine * Bill Stephenson
* Dighé * Thornton
† C Mote

* Denotes Member present
† Denotes apologies received

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Service Planning and Financial Planning 2006-07**

The Executive Director (Organisational Development) introduced the report, which advised that under the Council's Constitution, Cabinet was required to propose, and Council agree, a timetable for consideration of the budget. She advised that the report set out the details of the proposed service and financial planning for 2006/7 and drew on the work of both the Overview and Scrutiny Committee and the Community Budget Group.

The Executive Director (Organisational Development) reported that the proposals would lead to a different means of consultation with residents on the budget and built on the recommendations of Scrutiny in relation to communications. The process had a far greater focus on value for money, built on the work that Cabinet had been doing via the quarterly strategic performance report and proposed a move to a 3-year service planning process.

Cabinet, having made a number of resolutions in relation to the detailed proposals,

Resolved to RECOMMEND:

(1) That the timetable, as set out in Appendix 1, for preparing the 2006/07 budget for consultation at the meeting of Cabinet in December 2005 be approved;

(2) that the endorsement of the Corporate Plan 2006/09 follow the Council elections in May 2006 and be published in July 2006.

Reason for Recommendation: To meet the statutory requirements to set a legal budget, determine the Council Tax Base and report the surplus or deficit on the collection fund.

(See also minute 800).

APPENDIX 1**PROPOSED SERVICE PLANNING AND BUDGET TIMETABLE 2006/07**

Key Milestones 2005/06	Budget	Service Plan
End July 2005	Issue high level service plan guidance and timetable	
End July 2005	Report to Cabinet on Service & Financial Planning process and timetable for 2006/07	
August - September 2005	Delivery of high level service plans	
August - September 2005	CMT / Directors / Portfolio Holders review current MTBS and high level service plans	
September 2005	Budget Review Working Group to consider high level issues Full service planning guidance and templates issued.	
September/October 2005	Development of detailed budgets by Directorates	Development of more detailed service plans by Directorates
September/October 2005	Open Budget Assembly	
October 2005	Challenge process (Executive and Scrutiny members)	
October 2005	Report to Cabinet on MTBS refresh and issues for Corporate Plan	
November 2005	Budget Review Working Group to consider service & budget plans.	
Early December 2005	Provisional Finance Settlement received.	
15 December 2005	Reports to Cabinet to seek approval prior to consultation on draft MTRBS and revenue budget for 2006/07 draft MTCBS and capital programme for 2006/07 draft medium term HRA	
December 2005	Cabinet to approve Schools budget	
By 31 st December 2005	Executive Director (People First) gives notice of the Council's determination of the amount of the schools budget to the Secretary of State and to the governing body of every school maintained by the authority.	
January 2006	Reports to Cabinet on deficit/surplus on Collection Fund Council Tax Base for Tax Setting purposes	Draft Corporate Plan
January 2006 (dates to be confirmed)	Stakeholder meetings to discuss budget and service issues	
30 th January 2006	Overview and Scrutiny to consider initial budget proposals	Initial draft of service plans and Corporate Plan
By 31 st January 2006	Director of Financial and Business Strategy to notify precepting and levying bodies of Council Tax Base.	
End January 2006	Final finance settlement received.	
Early to mid February 2006	Details of GLA Precepts and other levies received	Challenge process to detailed service plans
16 th February 2006	Cabinet: Receives details of the finance settlement; Receives responses from	Amendments to Directorate service plans in light of challenge process feedback

Key Milestones 2005/06	Budget	Service Plan
	consultation; Considers budget proposals including advice on robustness of estimates and adequacy of balances; Recommends 2005-06 budget and Council Tax to Council.	
23 rd February 2006	Council approves: MTRBS, revenue budget for 2005-06 and Council Tax MTCBS HRA for 2005-06 and rents	
End February – 1 st week March	Council Tax billing begins	
10 th March 2006	Statutory date by which the Council must determine the 2004-05 Council Tax	
By end March 2006	Corporate budget book and service plans published.	
By end of May 2006		BVPIs collected
30 th June 2006		BVPP published incorporating the Corporate Plan. Sign off Corporate Plan to be timetabled around Cabinet and full Council dates.

PART II - MINUTES788. **London Bombings - 7 July 2005:**

The Cabinet observed a minute silence as a mark of respect to the victims of the London bombings on 7 July 2005.

The Chair paid tribute to the Council's emergency planning team, volunteers and local Police for their response and work since the attacks.

789. **Declarations of Interest:**

RESOLVED: To note that the following interest was declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
18. Interim Sport, Recreation and Open Space Strategy	Councillor Dighé	The Member indicated a personal interest in that his daughter was a member of the Harrow School of Gymnastics. He would remain in the room whilst the matter was considered and voted upon.

790. **Minutes:**

RESOLVED: That the minutes of the meeting held on 23 June 2005, having been circulated, be taken as read and signed as a correct record.

791. **Arrangement of Agenda:**

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

792. **Petitions:**

Mr Herbie Crossman presented a petition containing 1,165 signatures, which requested CCTV and more police patrols in the Rayners Lane shopping area. He read the terms of the petition to the meeting which were as follows:-

"We the undersigned request the London Borough of Harrow to urgently consider the installation of CCTV and for more patrols in the Rayners Lane shopping area."

RESOLVED: That the petition be received and noted.

793. **Public Questions:**

RESOLVED: To note that no public questions had been received.

794. **Forward Plan 1 August - 30 November 2005:**

RESOLVED: To note the contents of the Forward Plan for the period 1 August – 30 November 2005.

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

RESOLVED: To note that no reports had been received.

796. **Executive Director Vacancies:**

The Chief Executive introduced the report, which sought approval to a number of recommendations in relation to the Council's Senior Management structure. She advised that Members had been well briefed on the proposals, which had been formed against a different background to that of 2002 when the current directorate structure had been approved. In particular, she highlighted that the budget situation was now different and that the Business Transformation Partnership would mean a complete rebuild of the Council's financial management systems.

The Chief Executive advised that her report set out a proposed timetable for recruitment and addressed some anomalies in the current structure. She added that there would be some indirect consequences of the proposals for a number of support staff but that these individuals had been contacted separately.

In response to a question in relation to the role of the Area Director for the new Directorate, the Chief Executive stated her intention to retain the current model but that she would wish to discuss this matter with the new Executive Director. She undertook to write to all Members of Cabinet with an update on the role and positioning of the Area Director posts.

The Chair reported that, at one stage, Unison had indicated that they would wish to make comments at Cabinet on the proposals and had submitted a written report. He advised, however, that Cabinet did not receive reports of this nature but that he understood that it had been circulated to Members of Cabinet for their information.

RESOLVED: (1) That the proposal to merge Business Connections and Organisational Development into a Business Development Directorate be approved;

(2) that the timetable and proposals for populating the structure of the Directorate, as set out in the report of the Chief Executive, be approved;

(3) that the proposal to regrade the Directors of Strategy in all directorates, as set out in the report of the Chief Executive, be approved;

(4) that the incentivisation of the Director of Business Transformation to implement the Business Transformation Partnership, as described in the report of the Chief Executive, be approved;

(5) that the timetable for advertising the post of the Executive Director (Urban Living), as set out in the report of the Chief Executive, be approved.

Reason for Decision: There were currently two vacant Executive Director posts and this afforded the opportunity to consider the Council's structure. The proposals in the Chief Executive's report offered the opportunity to streamline the existing management arrangements, rectify salary anomaly in the structure and provided for a better use of resources.

797. **Corporate Governance Update:**

The Director of Corporate Governance introduced the report, which sought approval to the framework on Corporate Governance. He drew Members' attention to the tabled, updated version of the report which included a column detailing the relevant Portfolio Holders and updated some of the actions required.

The Director of Corporate Governance advised that the development of the framework would be reported to Cabinet on a quarterly basis as part of the Strategic Performance Report.

RESOLVED: (1) That the framework on Corporate Governance be approved;

(2) that the actions for 2005/06 be noted.

Reason for Decision: To provide clarity in relation to the Council's governance arrangements.

798. **Town Centre Development Strategy:**

The Director of Strategic Planning introduced the report and drew Members' attention to the recommendation of the Town Centre Project Panel. He advised that the proposals had been the subject of considerable consultation.

RESOLVED: (1) That the Harrow Town Centre Development Strategy be adopted as supplementary planning guidance and used for development control purposes;

(2) that the Development Control Committee be advised of decision (1) above.

Reason for Decision: To finalise the Harrow Town Centre Development Strategy, in response to public consultation, and enable it to be used for development control purposes. Approval of the Development Strategy would improve service delivery by establishing a planning framework to guide and promote development in Harrow Town Centre.

799. **Harrow-on-the-Hill Station Planning Brief:**

The Director of Strategic Planning introduced the report and drew Members' attention to the recommendation of the Town Centre Project Panel. He advised that the proposals had been the subject of considerable consultation.

The Director of Strategic Planning circulated a colour copy of the Planning Brief to Members of Cabinet only and indicated that the final version would be subject to the agreement of the relevant Portfolio Holder.

RESOLVED: (1) That the revised text of the Planning Brief for Harrow on the Hill Station be adopted as supplementary planning guidance and used for development control purposes;

(2) that the Portfolio Holder for Planning, Development and Housing be delegated responsibility for final approval of the complete document;

(3) that the Development Control Committee be notified of Cabinet's decision.

Reason for Decision: Approval of the brief would improve service delivery by establishing a planning framework to guide and promote development in Harrow Town Centre and would help to facilitate the implementation of a key Proposal Site in the Harrow Unitary Development Plan.

800. **Service Planning and Financial Planning 2006-07:**

(See also Recommendation 1).

Cabinet, having recommended a timetable for the preparation of the 2006/7 budget for consultation,

RESOLVED: (1) That, in relation to the value for money framework, the service planning and budget process be run in a manner that was consistent with managing value for money and which entailed

- (i) further integration of service planning, budgeting and corporate planning;
- (ii) running a higher level service planning process which included performance, planning and budgeting information;
- (iii) developing an organisational performance and finance challenge process for use in these processes which monitored performance and finance information consistently with Gershon reporting;

(2) that, in relation to Medium Term Planning, to agree to run the Corporate Plan and Service Plans over a three year time horizon such that budgeting, performance and planning processes operate to the same timescales;

(3) that improved internal and external communication was required ;

(4) that the current corporate priorities be retained for the next Corporate Plan

(5) that the impact with the proposed Open Budget process be noted.

Reason for Decision: To build on the significant developments to the budgeting and planning process last year.

801. **Revenue and Capital Budget Monitoring to 30 June 2005:**

A representative of the Director of Financial and Business Strategy introduced the report, which set out the current revenue, Housing Revenue Account and Capital Project positions. She drew attention to the financial information detailed in the appendices.

In response to a Member's question in relation to the shortfall in the People First directorate, the Executive Director (People First) undertook to provide a written response setting out the detail behind each of the bullet points in the report. She advised Members of the reasons for the use of agency social workers and that the service was to be reviewed during the summer with a view to putting a recruitment and retention package in place.

In relation to the shortfall in Land Charges, the Chief Executive indicated that she was reviewing the staffing requirements to ensure that they were in line with the action plan. In response to a Member's question as to whether there was any limit on the amount that could be charged for a Land Charge search, the Director of Corporate Governance undertook to arrange for a written response to be provided.

RESOLVED: That the current revenue, Housing Revenue Account and Capital Budget position be noted.

Reason for Decision: To effectively monitor the Council's revenue and capital budgets.

802. **Risk Management - Strategic Risk Register - Strategy Document:**

The Executive Director (Organisational Development) introduced the report, which sought approval to the Strategic Risk Register and risk management strategy. She drew Members' attention to the appendix, which set out the key risks that could impact on the Council's ability to meet its objectives and priorities.

In response to Members' comments, the Executive Director (Organisational Development) indicated that the layout of the report could be reviewed to separate strategic and operational risks.

RESOLVED: (1) That the Strategic Risk Register be approved;

(2) that reports about risk management progress and the management of key risks be submitted to Cabinet on a quarterly basis;

(3) that the Risk Management Strategy document, a requirement of the CPA, be approved.

Reason for Decision: To support risk management, financial management and performance management processes. Approval would improve the Council's CPA rating under the recently published key lines of enquiry.

803. **Race Equality Scheme Year 3 Progress Report - 1 June 2004 - 31 May 2005:**

The Executive Director (Organisational Development) introduced the report, which had been prepared in accordance with the general and specific duties of the Race Relations (Amendment) Act 2000 (RRAA) to eliminate unlawful discrimination, promote equality of opportunity and good relations between people of different racial groups. The report also complied with the Commission for Racial Equality's Statutory Code of Practice on the duty to promote race equality, which supported the implementation of the RRAA.

The Executive Director (Organisational Development) outlined the content of the report and advised that it summarised progress made in service delivery. Work this year had seen an emphasis on consultation with and feedback from service users and the report set out the good practice that had emerged during the year. She added that there was, however, still work to be done and that there needed to be continued consultation with service users.

The Executive Director (Organisational Development) reported that now the Council had reached the end of its current 3 year plan, it was proposed that a 1 year plan be developed for 2005/6. It was proposed that from 2006 a plan be developed which integrated all areas of equality.

RESOLVED: (1) That the progress made in service delivery and employment for the third year of Harrow's Race Equality Scheme, 1 June 2004 to 31 May 2005, be noted;

(2) that proposals to implement a revised Race Equality Scheme, as set out in the report of the Executive Director (Organisational Development), be noted;

(3) that authority for approval of the revised Race Equality Scheme be delegated to the Portfolio Holder for Communications, Partnership and Human Resources and nominated members;

(4) that a further progress report be submitted under the revised RES in one year's time.

Reason for Decision: The information contained in the report outlined how the Council was meeting its commitments under its Race Equality Scheme and in relation to its management of equalities generally. The Race Relations (Amendment) Act 2000 and the Commission for Racial Equality's Statutory Code of Practice on the Duty to Promote Race Equality placed a statutory duty for all public authorities to produce a race equality scheme.

804. **LIFT/PFI Project:**

The Executive Director (People First) introduced the report which updated Members on the People First Social Care LIFT/PFI project to deliver three community resource and

two six bedded residential unit centres for people with learning disabilities. The report summarised adjustments to the project which had been made in the light of legislative and organisational changes impacting on both the Council and Primary Care Trust (PCT).

The Executive Director (People First) highlighted that the Learning Disability residential unit of 79 Bessborough Road did not meet DDA or CSCI standards and was at risk of being closed down by the end of the financial year resulting in a residential loss to the Council.

In response to a Member's question, the boundaries of the LIFT scheme were clarified as the section fronting on to Christchurch Avenue, which left the use of the site open for consideration. The Executive Director (People First) advised that a detailed analysis of the location of the units was proposed and that there would be a further report to Cabinet on the development of the PFI project.

RESOLVED: (1) That, subject to Cabinet approval of a viable business plan, an Outline Business Case for three Neighbourhood Resource Centres be prepared which combined day care provision for people with severe learning disabilities and other complex needs with community based support from assessment and care management staff and outreach workers.

(2) that the proposal to deliver residential buildings outside LIFT be endorsed.

Reason for Decision: (1) The LIFT/PFI project for three neighbourhood resource centres supported the Council's corporate priorities (2) To secure the continued provision by the Department of Health of the £10 million PFI credits for which the credit life expired on 31 March 2005.

805. **CPA Cultural Services Inspection and Action Plan:**

The Executive Director (People First) introduced the report, which set out the findings of the recent inspection of Cultural Services and the action plan developed to fulfil the recommendations of the inspection.

RESOLVED: That the inspection report and the actions being taken be noted.

Reason for Decision: The Action Plan showed how the service planning process would be used to address the issues raised in the Inspector's report.

806. **Interim Sport, Recreation and Open Space Strategy:**

The Director of Strategy (Urban Living) introduced the report, which sought approval to the interim Sport, Recreation and Open Space Strategy.

The Director of Strategy (Urban Living) reported that, following Cabinet approval of the proposals, there would be a 6 month period of working with the community to develop the strategy and action plan to ensure community ownership. In response to a question, the Director of Strategy (Urban Living) undertook to provide Members with details of the individuals interviewed/consulted on the draft strategy.

Members discussed the possibility and location of an Olympic sized swimming pool and noted the deficit in swimming facilities in certain parts of the Borough. The Director of Strategy (Urban Living) advised that the study indicated that smaller local pools were required to meet the needs of the community. In relation to the plan submitted by Wealdstone Swimming Club, the Portfolio Holder for Education and Lifelong Learning advised that the Club had been invited to attend a meeting with himself and the Leader of the Council.

The Portfolio Holder for Education and Lifelong Learning advised that he had requested that an Olympic Task Force be established and that he would wish it to be cross party. It was hoped that the group could analyse what facilities were needed and where.

RESOLVED: That the interim Sport, Recreation and Open Space Strategy be approved in order that consultation and engagement with residents, community groups, key stakeholders and internal departments could commence, in line with the Audit Commission and PPG 17 Planning Requirement.

Reason for Decision: Effective consultation and engagement would lead to a widely owned strategy that delivered the objectives of Harrow's overarching cultural strategy.

(See also Minute 789).

807. **Harrow's Greenbelt Management Strategy:**

The Director of Strategy (Urban Living) introduced the report, which sought approval to the proposed draft Harrow Green Belt Management Strategy for the purposes of consultation and engagement.

The Director of Strategy (Urban Living) reported that a study had been carried out by Land Use consultants on behalf of the Council, the findings of which had informed the draft strategy. She advised that there had been considerable interest from groups in the greenbelt and that, over the next few months, a robust Green Belt Management Strategy would be developed. She advised Members that some of the proposals might have a heavy price tag.

In response to a Member's question, the Portfolio Holder for Planning, Development and Housing indicated that he would provide Members with details of those consulted on the draft strategy.

RESOLVED: That the proposed draft Harrow Green Belt Management Strategy be approved in order that consultation and engagement with residents, volunteers, community groups, key stakeholders and internal departments could commence.

Reason for Decision: Effective consultation and engagement would lead to a widely owned best practice strategy and management plan for Harrow's Green Belt. The Green Belt Management Strategy supported Harrow's corporate priorities of strengthening Harrow's communities, valuing Harrow's customers and Harrow as a true learning community.

808. **Key Decision - Annual Food Enforcement Service Plan:**

The Chief Environmental Health Officer introduced the report, which sought approval to the statutory Annual Food Service Plan. The Food Standards Agency had indicated that all authorities must have a service plan in place. He added that the service plan would form an integral part of the service planning arrangements reflecting the work at a team level and building up to the service-wide plans being developed in support of the Corporate Performance Management Framework. The Food Service Plan for 2005/06 had been revised from previous years to incorporate the requirements of the Food Standards Agency Audit Report in 2004/5.

RESOLVED: That the Annual Food Service Plan be approved.

Reason for Decision: The Council was required by the Food Standards Act 1999 to consider and formally approve an annual food service plan covering enforcement activities.

809. **Neighbourhood Renewal:**

The Director of Strategy (Urban Living) introduced the report, which sought approval, in principle, to the establishment of a Neighbourhood Renewal Area in Wealdstone. She reported that Government evidence indicated that neighbourhood governance could secure improvements in public services.

The Director of Strategy (Urban Living) reported that the paper considered where Harrow should pilot the neighbourhood renewal model and that, from the work carried out, the strong indication was that Wealdstone should be the pilot area. She added that there were, however, a number of other areas that required consideration and that over the next few months proposals would be worked up and brought back to a future meeting of Cabinet.

RESOLVED: (1) That, in principle, the establishment of a Neighbourhood Renewal Area (NRA) in Wealdstone be approved;

(2) to note that an NRA Business Plan would be developed for consideration at Cabinet in October 2005;

(3) that a consultation process with local groups, residents, Ward Councillors and the Wealdstone Regeneration Advisory Panel and other stakeholders on the proposal commence;

(4) to note that work was ongoing to evaluate the priority needs of other neighbourhoods of the Borough and that this would be reported to Cabinet in October 2005.

Reason for Decision: The Harrow Vitality Profiles highlighted the need for a concentrated effort in Wealdstone to address priority needs, housing condition and town centre regeneration. The proposal met the objectives of Harrow's Draft Community Engagement Strategy and the CPA 2005 requirement for community engagement at neighbourhood level.

810. **Petts Hill Bridge - Update:**

The Director of Strategy (Urban Living) introduced the report, which outlined the progress being made to secure funding for a new bridge at Petts Hill. In response, Members welcomed the successful outcome of the negotiations to date.

RESOLVED: That the progress being made to secure funding for a new bridge at Petts Hill be noted.

Reason for Decision: To note the update on the investigation for a more comprehensive solution.

811. **WLWA - Joint Municipal Waste Management Strategy:**

A representative of the Area Director (Urban Living) introduced the report, which set out the draft strategy and arrangements for the consultation process on the joint Waste Strategy.

RESOLVED: That the recommendations and timetable for consultation on the Waste Strategy as set out in Section 3 to the report of the Area Director (Urban Living) be approved.

Reason for Decision: The Council would increase its recycling rates and reduce its future liabilities under the Landfill Allowance Trading Scheme.

812. **Clarendon Road Restricted Zone:**

The Director of Strategy (Urban Living) introduced the report and drew Members' attention to the recommendation from the Town Centre Project Panel in relation to Clarendon Road Restricted Zone.

RESOLVED: That the modifications to traffic orders that were needed in Clarendon Road to relocate the motorcycle parking bays and to create a restricted zone, with uniform waiting and loading restrictions that would permit less intrusive signing and road markings, be approved.

Reason for Decision: The proposals would maximise improvements aimed at easing pedestrian flow and ensure that the traffic management and street scene improvements were fully co-ordinated with a distinctive public realm improvement that had been developed for Clarendon Road.

813. **Harrow-on-the-Hill Village Conservation Area: Proposed Revised Article 4 Direction:**

The Director of Strategy (Urban Living) introduced the report and drew Members' attention to the recommendations of the Strategic Planning Advisory Panel in relation to the proposed revised Article 4 Direction at Harrow on the Hill Village Conservation Area.

RESOLVED: (1) That the proposed new Article 4 Direction for Harrow on the Hill Village Conservation Area, to include the properties and classes of permitted development described and denoted in Appendix 1 and Maps A and B to the report of the Group Manager, Planning and Development considered by the Strategic Planning Advisory Panel on 13 July 2005, be agreed;

(2) that the Director of Legal Services be authorised to carry out the necessary publicity and notification in relation to (1) above prescribed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning (General Permitted Development) Order 1995, in that respect.

Reason for Decision: The revised Article 4(2) Direction would result in the following benefits:

- better clarity for residents and Council officers with regards to what forms of development require planning permission
- additional forms of development would be controlled, such as the replacement of roof tiles or the erection of satellite dishes

- additional properties, including locally listed buildings that were missed off the original Article 4 Directions would be covered by the revised Direction.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.30 pm).

(Signed) COUNCILLOR NAVIN SHAH
Chair

CONSULTATIVE
FORUMS

EMPLOYEES' CONSULTATIVE FORUM**5 JULY 2005**

Chair:	* Councillor Marie-Louise Nolan	
Councillors:	* Mrs Bath * Billson (1) * Currie	* Mrs Joyce Nickolay * N Shah * Toms
Representatives of HTCC:	(Currently no appointees)	
Representatives of UNISON:	* Ms M Cawley * Ms S Duffell * Ms A Jackson Mr G Martin	Mr K McDonald * Ms D Prasad * Shankar Sivashankar

* Denotes Member present/Employee Representative present
(1) Denote category of Reserve Member

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**143. **Appointment of Chair:**

RESOLVED: To note the appointment at the meeting of Cabinet on 19 May 2005 of Councillor Marie-Louise Nolan as Chair of the Forum for the Municipal Year 2005/2006.

144. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Janet Cowan	Councillor Billson

145. **Declarations of Interest:**

Councillor Currie declared a personal interest in that he was a lifelong member of UNISON. Councillor Toms declared a personal interest in that he was a lifelong member of the NUT.

RESOLVED: To note that the following interest was also declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
15. Middle Management Review	Councillor Currie	Declared a prejudicial interest and accordingly he left the room and took no part in the discussion or decision-making on this item.

146. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
7. Matters Arising from the Last Meeting	This report was not available at the time the main agenda was printed and circulated. Members were asked to consider the report, in order to receive an update on issues discussed at the last meeting.
11(a). Health and Safety Executive Management Inspection 2005	This report was not available at the time the agenda was printed and circulated. Members were asked to consider the report in order to receive the outcome of the HSE management inspection and to be informed of the action plan

		developed to address the issues raised.
11 (b).	Stress at Work Project	This report was not available at the time the agenda was printed and circulated. Members were asked to consider the report to receive information on action being taken to address the issue of stress at work, in accordance with the Forum's previous request.
12.	Recruitment and Selection Practises	This report was not available at the time the main agenda was printed and circulated. Members were asked to consider the item in accordance with the Forum's request to receive a report on the Council's recruitment and selection practises.
14.	Failure to act on Hazard Notice issued to Children & Families – Millmans Resource Centre	This report was not available at the time the main agenda was printed and circulated. The Forum was asked to consider the item to receive a report on concerns regarding health and safety raised by UNISON.
15.	Middle Management Review	This report is a response to the concerns set out in the employees' side report on the Middle Management Review. Members were asked to receive the report to consider the response.
16.	Investigation Requested by the Employees' Consultative Forum	This report was a late addition to the agenda. Members were asked to consider the report, to update the Forum on an issue arising from the last meeting.

(2) agenda item 15 be considered as the first item of substantive business;

(3) agenda items 13 and 16 be considered together; and

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

<u>Agenda item</u>	<u>Reason</u>
14. Failure to act on Hazard Notice issued to Childrens & Families – Millmans Resource Centre	This item contained exempt information under Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it referred to a particular employee.
16. Investigation Requested by the Employees' Consultative Forum	This item contained exempt information under Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it referred to a particular employee.

147. **Appointment of Vice-Chair:**

RESOLVED: That Shankar Sivashankar, an employee side representative, be appointed as Vice-Chair for the Municipal Year 2005/2006.

148. **Minutes:**

RESOLVED: That the minutes of the meeting held on 19 April 2005, having been circulated, be taken as read and signed as a correct record, subject to the following amendment:

Minute 136 – Staff Survey and Strategy for People Progress Report
Add "Several Members offered to join staff in a refuse collection".

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

- (i) Minute 136 - Staff Survey and Strategy for People Progress Report
A representative of UNISON reported that following discussions with employees, arrangements had been made for Members to participate in a refuse collection.

- (ii) Minute 141 - Attacks on the Integrity of the Branch and its Officers
It was reported that no discussions had taken place to review the facilities agreement with UNISON.

RESOLVED: That the matters arising from the last meeting of the Forum be noted.

150. **Public Questions:**

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

151. **Deputations:**

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

152. **Petitions:**

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

153. **Middle Management Review:**

A representative of UNISON advised that a report relating to this item had not been distributed with the agenda papers, as UNISON had been informed that the report dealt with matters that did not fall within the Forum's terms of reference. The representative of UNISON expressed the view that the Middle Management Review (MMR) process was having an adverse effect on staff, and requested the Forum to consider the report. The Chair informed Members that she had been advised that the report considered matters that were subject to ongoing procedures relating to individual employees. At the suggestion of UNISON the Forum,

RESOLVED: To (1) withdraw reports relating to the Middle Management Review from the agenda; and

(2) hold a special meeting before the summer recess to consider issues surrounding the Middle Management Review.

154. **Health and Safety Report:**

The Forum received two reports of the Executive Director (Business Connections), the first of which detailed the outcome of the Health and Safety Executive (HSE) Management Inspection 2005 and provided Members with an action plan that had been developed to address the issues arising from the inspection. The second report provided information on action being taken to address the issue of Stress at Work.

An officer reported that the HSE had visited Harrow Council on 31 January 2005 for a two-week inspection of the Council's health and safety procedures. Members were referred to the post-inspection Action Plan at page 7 of the third supplemental agenda. The action plan had been developed in response to the HSE's findings, in line with the Council's obligations. It was added that the HSE would return after one year to chart the progress made by the Council. An officer also reported that the Health and Safety Partnership Board, consisting of Health and Safety 'champions' from each directorate, had been charged with monitoring progress on the action plan and ensuring that the directorates were adhering to the Council's procedures. A representative of UNISON felt that staff needed to be involved in the process. An officer clarified that the Partnership Board was an attempt to tackle health and safety on a strategic level and added that it was in its initial stages. The Chair added that health and safety was not solely a human resources issue but rather a matter of importance across the Council.

A representative from UNISON warned the Forum of the seriousness of problems relating to stress. It was the UNISON representative's view that the level of stress experienced by employees was a result of the culture that had developed within the Council's management. It was added that some UNISON members had reported significant levels of stress and pressure from work. The Forum was advised that a Stress Strategy Group had been established to monitor the issue on a regular basis. A Member from UNISON welcomed the Forum's commitment to dealing with the issue and emphasised that health and safety should be a top priority for Members and officers.

A Member expressed concern that the issue had not been to Cabinet, given that it was a corporate matter that affected the culture of the Council. Following further discussion, it was suggested that a report on stress could be submitted to the Cabinet meeting on 28 July 2005.

RESOLVED: That progress on the Action Plan be reported at each meeting of the Forum.

155. **Recruitment and Selection Practises:**

The Forum received a report of the Executive Director (Organisational Development), which provided details of the Council's recruitment and selection procedures. UNISON representatives expressed concern at the recruitment and selection practises carried out across the Council and stressed that such practises could have a negative impact on service delivery. The Forum's debate centred on the levels and reasons for temporary appointments and the number of agency workers employed and their impact on the Council's budget.

RESOLVED: That the report be noted.

156. **Investigation Requested by the Employees' Consultative Forum:**

Members received a confidential report of the Executive Director (Business Connections), following a request from the Forum at its previous meeting.

RESOLVED: That the Forum refer Recommendation 1 of the report to the Constitutional Review Working Group for consideration.

157. **Failure to act on Hazard Notice issued to Children & Families - Millmans Resource Centre:**

The Forum considered a confidential report in this matter from UNISON.

RESOLVED: That the Forum receive an information item reporting progress in the implementation of the action plan at a future meeting.

158. **Date of the Special Meeting of the Employees' Consultative Forum:**

RESOLVED: That a Special Meeting of the Forum to discuss the Middle Management Review be held on Thursday 21 July 2005 at 7.30pm.

159. **Extension to and Termination of the Meeting:**

In accordance with the provisions of Overview and Scrutiny Procedure Rule 6.7 (Part 4F of the Constitution) it was

RESOLVED: At 10.00 pm to continue until 10.15 pm.

(Note: The meeting having commenced at 7.55 pm, closed at 10.15 pm)

(Signed) COUNCILLOR MARIE-LOUISE NOLAN
Chair

**EMPLOYEES' CONSULTATIVE FORUM
(SPECIAL)****21 JULY 2005**

Chair:	* Councillor Marie-Louise Nolan	
Councillors:	* Mrs Bath * Burchell (2) * Janet Cowan	* Mrs Joyce Nickolay * N Shah * Toms
Representatives of HTCC:	(Currently no appointees)	
Representatives of UNISON:	* Ms M Cawley * Ms S Duffell * Ms A Jackson Mr G Martin	Mr K McDonald Ms D Prasad * Shankar Sivashankar

* Denotes Member present/Employee Representative present
(2) Denotes category of Reserve Member

[Note: Councillors John Cowan, Dighé and Jean Lammiman also attended this meeting to speak on the item indicated at Minute 168 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES****161. Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Currie	Councillor Burchell

162. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Burchell	Declared a personal interest by virtue of his spouse's membership at Harrow UNISON and in that he was a former branch officer at NALGO. He would remain in the room whilst matters were considered and voted upon.
Councillor Toms	Declared a personal interest in that he was a lifelong member of the NUT. He would remain in the room whilst matters were considered and voted upon.

163. Arrangement of Agenda:

A representative from UNISON expressed concern that the inclusion of agenda item 10 would reduce the time for consideration of a range of issues related to the Middle Management Review. The Chair explained that it had been included on the agenda as it was felt that a number of the conclusions of the report had implications for the Council's staff that should not wait until the Forum's next meeting in November 2005.

RESOLVED: That (1) agenda item 8 be considered in conjunction with agenda item 9;

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

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
9. Middle Management Review – report from UNISON	This report was not available at the time the agenda was printed and circulated as further information was being sought for inclusion in the report. Members were asked to receive the report in order to consider the concerns of the employees' side.
10. Investigation into the Occupational Health Services and Associated Matters	This item was included on the agenda at the request of the Chair, following the circulation of the main agenda. Members were asked to consider the report, as a number of the conclusions of the investigation demanded urgent attention.

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

<u>Agenda item</u>	<u>Reason</u>
8. Middle Management Review – report of the Executive Director (Organisational Development)) These reports contained exempt information under Paragraphs 1 and 11 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) in that they contained information relating to a particular employee; former employee; applicant to become an employee of; or a particular office-holder; or applicant to become an office-holder under, the authority, and information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office-holders under the authority.
9. Middle Management Review – report from UNISON	
10. Investigation into the Occupational Health Services and Associated Matters	This report contained exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) in that it contained information relating to a particular employee; former employee; applicant to become an employee of; or a particular office-holder; or applicant to become an office-holder under, the authority.

(Note: Councillors Mrs Bath, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for agenda items 8 and 9 to be considered under Part I of the agenda).

- 164. **Minutes:**
RESOLVED: That the minutes of the meeting held on 5 July 2005 be deferred until printed in the next Council Bound Minute Volume.
- 165. **Deputations:**
RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).
- 166. **Public Questions:**
RESOLVED: To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).
- 167. **Petitions:**
RESOLVED: To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

168. **Middle Management Review:**

The Forum received a confidential report of the Executive Director (Organisational Development) and a confidential employees' side report from UNISON on the Middle Management Review (MMR). A representative from UNISON introduced the employees' side report and explained the main concerns regarding the MMR process. Among these concerns was the issue of assimilation. The UNISON representative read an extract from the Protocol for Organisational Change, which stated that only in exceptional circumstances would staff not be assimilated. It was further explained that this policy appeared to have changed, without the approval of the Forum. Further concerns centered on the introduction of 'development needs.' The Forum was also advised of alleged inconsistencies in the selection process, whereby some candidates had been appointed with more development needs than unsuccessful candidates. The UNISON representatives therefore urged clear guidance to be issued to those staff conducting interviews to allow for a greater degree of consistency. It was concluded by the UNISON representative that the interviewing and selection process was subjective and open to inconsistencies. Although UNISON recognised that the process had begun with good intentions, attention was drawn to the damaging effect upon those staff involved and the subsequent unsettling working environment. UNISON representatives expressed doubt as to whether the Council was in a suitable position to undergo further organisational change through the Business Transformation Partnership (BTP).

Members were invited to comment on the employees' side report. The Forum discussed the role of consultants in the MMR process, including the associated costs and some of the reasons for employing consultants in certain areas of the Council. Although the Forum recognised that the process of organisational change was rarely without a degree of unrest, Members were keen that the process be further scrutinised.

In response to the employees' side report, officers introduced the report of the Executive Director (Organisational Development) and responded to the issues raised by UNISON representatives. In relation to the issue of assimilation, officers confirmed that Protocol for Organisational Change had not changed since the Forum had last received a report on the document. An officer further reported that during a series of meetings with UNISON, it was explained that jobs in the MMR would be different under the New Harrow Project, which would exclude the possibility of assimilation. The Forum was referred to page 8 of the agenda and heard an extract of a document that had been the subject of consultation with UNISON and had been distributed to all managers, which explained that all appointments in the new structure would be subject to the same recruitment process. The Forum was also advised that by allowing appointments to be made 'with development needs' a greater proportion of staff had been successful in their application.

An officer read an extract from the conclusion of the report conducted by Dr Sadhev, which gave a generally positive synopsis of the MMR process. It was noted that a report to the Overview and Scrutiny Committee had revealed some weaknesses in the MMR, which had resulted in a refinement of the process. There was an acceptance that the process had not adhered to the timescales and as a result 'Champions' had been appointed in each directorate to help move the process along. It was advised that arrangements were in place for management to meet with UNISON representatives to discuss displaced employees, with a view to preparing a report to the Corporate Management Team (CMT).

In relation to complaints made by employees against the MMR, an officer reported that only one formal complaint had been received which had been the subject of investigation. A UNISON representative noted that this was due to the perception by many staff that they would fail to receive a fair hearing. An officer responded by noting that without a formal complaint or evidence of any unfair treatment, they were not able to take any corrective action. The Forum was subsequently advised of an individual case that highlighted issues previously discussed at the meeting.

The Forum agreed to ask the Overview and Scrutiny Committee to accelerate its review of Phase 2 of the Middle Management Review. The Chair of the Overview and Scrutiny Committee, who was in attendance at the meeting in a speaking role, agreed to report back to the review group on the key issues identified at the meeting. It was hoped that the review group's involvement in the review of the MMR, together with discussions outside the meeting, would help to create a perception among staff that complaints against the process would be subject to independent scrutiny.

RESOLVED: That (1) a copy of Dr Sadhev's report be circulated to Members of the Forum; and

(2) the Overview and Scrutiny Committee review group be asked to accelerate its review of Phase 2 of the MMR.

169. **Investigation into the Occupational Health Services and Associated Matters:**
The Forum received a confidential report of the Executive Director (Organisational Development), which reported the findings of an investigation into the Occupational Health Service and associated matters. The Forum proposed urgent action on recommendations 13.2, 13.3 and 13.6. Recommendations 13.1, 13.4 and 13.5 would be considered at a later date to allow UNISON an opportunity to discuss them with their Executive Committee.

RESOLVED: That the above be noted.

170. **Any Other Business:**
The Forum was informed that a report on an investigation previously conducted would be available to Members of the Forum. The outcome of the report would be confirmed at a later date.

RESOLVED: That the above be noted.

171. **Extensions 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: At (1) 10.00 pm to continue until 10.15 pm; and

(2) 10.15 pm to continue until 10.25 pm.

(Note: The meeting having commenced at 7.40 pm, closed at 10.25 pm)

(Signed) COUNCILLOR MARIE-LOUISE NOLAN
Chair

CABINET
ADVISORY
PANELS

BEST VALUE ADVISORY PANEL**12 JULY 2005**

Chair: * Councillor Idaikkadar

Councillors: * Bluston * Osborn (1)
* Currie * Pinkus
* Vina Mithani * Ray (4)

* Denotes Member present
(1) and (4) Denote category of Reserve Member

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Best Value Review - Harrow's Economy**

The Panel received a report of the Director of Financial and Business Strategy which set out a scoping document for the Best Value Review on Harrow's Economy.

The Director of Financial and Business Strategy introduced the report and identified the objective of the review which was to bring together the different strands of work being carried out by officers in order to give it a strategic focus. She responded to a number of questions from Members and informed them that:

- small businesses were defined by the number of people employed - less than five staff – and not by the turnover or the definition applied by the Companies House;
- not all businesses were registered for VAT purposes and that many operated from residential properties;
- the mapping exercise would help gather data about the business community of Harrow;
- the business portal was intended to encourage local businesses to register voluntarily which would help improve the Council's knowledge of the businesses in Harrow;
- 'Harrow In Business' was closely involved in the review;
- it was disappointing that, in order to expand, small businesses appeared to move out of Harrow and that the review might reveal why this was happening.

In the discussion that followed, a Member emphasised the need to involve the Chamber of Commerce and the West London Alliance and sought assurances that this would happen. He referred to the proposals for the development of Harrow Town Centre and emphasised the need to try to attract large business as part of the development process. Another Member referred to the large number of commercial properties which were vacant and suggested that businesses could be encouraged to use these premises.

In response, the Director of Financial and Business Strategy reported that:

- the Council was in the process of developing its relationship with various agencies and local businesses as part of this review;
- the portal was a web-site dedicated to businesses in Harrow;
- the first step was to set up a comprehensive data base which would develop as the Business Transformation Partnership (BTP) develops, into a single business account;
- officers from different Directorates were involved in the process in order to ensure a strategic focus.

She agreed that the vacant properties ought to be utilised and that the Council would look to create opportunities for business to move into these premises as part of the review.

Following further discussion, a Member commented that:

- the scoping ought to be thorough;
- the various agencies such as the LDA ought to be fully utilised;
- additional sources of funding ought to be examined;
- a long-term view of Harrow's economy was essential and that Harrow should ensure that it did not miss out on the opportunities available to the London boroughs as part of the staging of the 2012 Olympics and that the proposed regeneration of Harrow Town Centre would also bring to Harrow;
- there was a need for Harrow to have an established policy on the use of the money received as part of the Section 106 Agreements.

The Director of Financial and Business Strategy reported that the Council's desire was to try to provide information, advice and support to local business as part of this review. She added that details of the contracts, which local businesses could bid for, would be provided via the business portal. She explained that the intention was to achieve a balanced economy. She was of the view that the review would help identify reasons why some of the businesses chose to locate/move out of Harrow and also provide opportunities to local businesses to bid for a broad range of Council contracts.

The Director of Financial and Business Strategy stated that:

- it was possible that the Council would re-examine opportunities for Business Improvement Districts which businesses in Harrow Town Centre had previously rejected;
- the West London Alliance would be meeting soon to ensure that the area of West London was not overlooked in the opportunities associated with the 2012 Olympics but that this would be looked at separately and would not be part of the review;
- a separate review of funding opportunities was also underway;
- the purpose of the review of Harrow's Economy was to build a relationship with local businesses first and then widen the review by linking with the LDA and other agencies.

A Member enquired about the techniques that would be used to regenerate parts of the Borough and whether these would be applied equally to both wholesale and retail businesses. She also mentioned the need to look at parking provision. Another Member referred to the apparent lack of reference in the report to fostering links with the ethnic minority business community in the Borough.

In response, the Director of Financial and Business Strategy drew Members' attention to page 8 of the report and referred to the proposed development of the Social Enterprise Strategy and the Incubator Units at Forward Drive. She added that the links with the ethnic minority businesses community and its relationship with the outside world would be addressed. She stated that it was important that the review was forward looking and that it would look at the educational skills required, which business sectors were attracted to Harrow and the reasons behind those that preferred to establish elsewhere. She added that the business portal would be launched soon and that it would be advertised in Harrow People, the Council's own newspaper, which was distributed to all households in the Borough. Additionally, other advertisement campaigns targeting the business community would also be undertaken.

The Director of Organisational Performance added that, in addition to the economic development and regeneration proposals, a strategy on neighbourhood renewal would be submitted to Members.

Resolved to RECOMMEND: (to the Portfolio Holder)

That the scoping document for the Best Value Review on Harrow's Economy be approved.

PART II - MINUTES157. **Appointment of Chair:**

RESOLVED: To note the appointment of Councillor Idaikkadar as Chair of the Best Value Advisory Panel for the Municipal Year 2005/06, as agreed at the Cabinet meeting held on 19 May 2005.

158. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor D Ashton Councillor Burchell	Councillor Osborn Councillor Ray

159. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
10. Harrow's Economy	Councillor Bluston	The Member indicated an interest in that he was a Director of Harrow In Business having been appointed by the Council and a member of the Chamber of Commerce and Trade. He remained in the room whilst the matter was considered and voted upon.

160. **Appointment of Vice-Chair:**

RESOLVED: To appoint Councillor Burchell as Vice-Chair of the Best Value Advisory Panel for the Municipal year 2005/06.

161. **Arrangement of Agenda:**

RESOLVED: That (1) the following items be admitted to the agenda for the reasons and special circumstances stated:

<u>Item</u>	<u>Reason</u>
10. Harrow's Economy	This report was not available at the time the main agenda was printed and circulated. Members were asked to consider the report in order to receive their regular update on procurement.
11. Procurement – Update	This report was not available at the time the main agenda was printed and circulated. Members were asked to consider the report to recommend the scoping document for the Best Value Review.

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

<u>Item</u>	<u>Reason</u>
11. Procurement – Update	The report contained exempt information under paragraph 8 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that contained information relating to any expenditure to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods and services.

162. **Minutes:**

RESOLVED: That (1) the minutes of the meeting held on 22 March 2005, having been circulated, be taken as read and signed as a correct record;

(2) The minutes of the previous meeting be circulated with all future agendas.

163. **Public Questions:**

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

164. **Petitions:**

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

165. **Deputations:**

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

166. **Harrow's Economy:**

See Recommendation 1

167. **Work Programme:**

The Director of Organisational Performance (Organisational Development) reported orally on the work programme of the Panel. He stated that the traditional role of the Best Value Advisory Panel had altered and would continue to do so in light of the changes in the government's agenda. He added that best value had, to some extent, been replaced by the Comprehensive Performance Assessment (CPA), the efficiency agenda (Gershon Review), the efficiency strategy and the efficiency targets and how these targets were being achieved. He stated that the Panel's work in these areas could continue but that there would be less emphasis on the traditional service reviews conducted by this Panel.

Members noted that the role of this Panel would continue to alter and commented as follows:

- that the roles of the Best Value Advisory Panel and the Scrutiny bodies ought to be resolved as there were some 'grey' areas which had resulted in some duplication of work;
- that there was a need to review whether there was a meaningful role for the Best Value Advisory Panel;
- that the relationship between the Best Value Advisory Panel and the Scrutiny bodies should be examined, together with the role of the Panel in the Council's decision-making process.

Members referred to the booklet titled 'Best Value Performance Supplement 2005/06' produced by the Council and expressed concern that it had been approved by Cabinet without any reference to the Panel. Members enquired why this had not happened as the Panel's remit was to examine such areas of work.

In response, the Director of Organisational Performance apologised for this oversight. He suggested that it would be appropriate to submit a report to the next meeting of the Panel setting out the relationship between the Panel and the Scrutiny bodies. He explained that the Scrutiny bodies had a greater role to play in relation to the CPA.

A Member stated that it would be useful if the report also focussed on the distinction between the Panel and the Scrutiny bodies. He also commented that the most notable difference between the two was that Members tended to drive and conduct Scrutiny reviews but senior officers managed and conducted Best Value reviews.

Members also referred to the following discussions at previous meetings of the Panel:

- the need to link certain reviews with the Council's Scrutiny bodies.

- the benefits of holding joint meeting(s) of the Panel and the Overview and Scrutiny Members.

RESOLVED: That the Director of Organisational Performance be requested to submit a report to the next meeting of the Panel setting out the relationship between the Panel and the Scrutiny bodies and reviewing the future role of the Panel.

168. **Procurement - Update:**

Members considered a confidential report of the Director of Financial and Business Strategy which set out the savings achieved through the procurement process. The Group Manager for Procurement and Community Links (Business Connections) introduced the report and informed Members that monthly meetings were held with managers to inform them about the levels of savings that would need to be delivered from their individual budgets.

Members welcomed the detailed breakdown on savings provided in the report and requested that the following additional information be provided in future reports submitted to the Panel:

- a further breakdown of the figures which would help identify savings achieved in individual areas;
- further details about individual savings.

A Member highlighted the importance of engaging with the ethnic minority communities of Harrow on the issue of procurement and another Members enquired how procurement would be instigated in relation to the Decent Homes Standards.

In response, the Group Manager for Procurement and Community Links stated that:

- the Business Transformation Partnership (BTP) would play a fundamental role in how services were procured;
- the business portal would help provide the views of local businesses on the tendering of contracts;
- further discussions would take place between officers in relation to the Decent Homes Standards.

He added that discussions with 'Harrow In Business' were already underway in order to address the issue of engaging with local businesses and added that the Council would be looking to forge further links through the West London Alliance.

RESOLVED: That the report be noted.

(Note: The meeting having commenced at 7.30 pm, closed at 8.55 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****12 JULY 2005**

Chair: Toms

Councillors: * Choudhury * Janet Cowan (in
* Councillor Omar (3) the Chair)Advisers: † Mr D A Jones
(Vacancy)* Denotes Member present
(3) Denotes category of Reserve Member
† Denotes apologies received**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - Admissions to County Schools**

On 12 July 2005, there were 5 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>
H10	11	Bentley Wood
H11	10	Harrow High
H12	10	Rooks Heath
H13	10	Hatch End
H14	10	Rooks Heath

PART II - MINUTES429. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Toms	Councillor Omar

430. **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.431. **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 the special circumstances and grounds for urgency detailed below:

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
8.(a) Admissions to County Schools	This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency.

(2) 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 of 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.
8.(a) Admissions to County Schools	

432. **Minutes:**

RESOLVED: That the signing of the minutes of the meetings held on 14 June and 28 June 2005 be deferred until printed in the next Council Bound Minute Volume.

433. **Public Questions:**

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

434. **Petitions:**

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

435. **Deputations:**

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

436. **Admissions to County Schools:**

See Recommendation 1.

(Note: The meeting having commenced at 5.00 pm, closed at 5.15 pm)

(Signed) COUNCILLOR JANET COWAN
(Vice-Chair in the Chair)

STRATEGIC PLANNING ADVISORY PANEL

13 JULY 2005

Chair: * Councillor Burchell

Councillors: * Mrs Bath * Idaikkadar
* Blann (1) * Mrs Kinneer
* Harriss (3) * N Shah

Non-voting Councillor Branch
Co-opted Member:

* Denotes Member present
(1), (3) Denote category of Reserve Member

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Access for All Supplementary Planning Document (SPD)**

The Panel considered a report of the Director of Strategy (Urban Living) which provided information on the progress made in respect of the Access for All Supplementary Planning Document and its accompanying Sustainability Report.

Officers advised that a number of specialist groups had already been consulted, including Harrow Association of Voluntary Services, and it was proposed that the document be sent to statutory consultees.

Members commended officers on the report which they considered to be a good example of technical information displayed in a user-friendly way. Officers confirmed that it was intended that the document would eventually be printed in full accessible colour, and would be offered in alternative formats and other languages, subject to demand.

Resolved to RECOMMEND: (to the Portfolio Holder)

That (1) officers be authorised to commence the initial work on the engagement with the four statutory consultation authorities with environmental responsibilities in line with the European Directive 2001/42/EC Strategic Environmental Assessment Directive (SEA) and the Sustainability Appraisal (SA) process under the Planning and Compulsory Purchase Act;

(2) in the event that adverse comments are received following statutory consultation, any revisions to the Access for All Supplementary Planning Document be brought back to the Strategic Planning Advisory Panel for consideration before further consultation is undertaken;

(3) following (1) and, if applicable (2), subsequent consultation be undertaken with relevant authorities, the public and key stakeholders on the scope of the Access for All Supplementary Planning Document and its accompanying Sustainability Appraisal.

[REASON: To ensure that new and existing developments, services and facilities are accessible to everyone and built in accordance with the spirit of the Disability Discrimination Act 1995].

RECOMMENDATION 2 - Harrow on the Hill Village Conservation Area: Proposed Revised Article 4 Direction

The Panel considered a report of the Group Manager (Planning and Development) which proposed a new Article 4 Direction for Harrow on the Hill Village Conservation Area.

In response to concern expressed by a Member regarding the absence of consultation with residents on the proposed Direction, the Director of Strategic Planning advised that it was normal not to consult prior to issuing an Article 4 Direction and that, in not consulting, the Council was complying with legislation. Officers emphasised that the new Direction involved merging two existing Directions into one, with minor additional changes.

Resolved to RECOMMEND: (to Cabinet)

That (1) the proposed new Article 4 Direction for Harrow on the Hill Village Conservation Area, to include the properties and classes of permitted development described and denoted in Appendix 1 and Maps A and B of the report of the Group Manager (Planning and Development), be agreed;

(2) the Director of Legal Services be authorised to carry out the necessary publicity and notification in relation to (1) prescribed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning (General Permitted Development) Order 1995, in that respect.

[**REASON:** To make the existing Article 4(1) Directions easier to understand and operate and introduce new controls on a number of buildings].

PART II - MINUTES32. **Appointment of Chair:**

RESOLVED: To note the appointment at Cabinet on 19 May 2005 of Councillor Burchell as Chair of the Strategic Planning Advisory Panel for the 2005/06 Municipal Year.

33. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Anne Whitehead
Councillor Marilyn Ashton

Reserve Member

Councillor Blann
Councillor Harriss

34. **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.

35. **Appointment of Vice-Chair:**

Nominations were received and seconded for Councillors Marilyn Ashton and Anne Whitehead. Upon being put to a vote it was

RESOLVED: To appoint Councillor Anne Whitehead as Vice-Chair of the Strategic Planning Advisory Panel for the 2005/06 Municipal Year.

36. **Arrangement of Agenda:**

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

37. **Minutes:**

RESOLVED: That the minutes of the meeting held on 16 March 2005, having been circulated, be taken as read and signed as a correct record.

38. **Public Questions:**

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

39. **Petitions:**

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

40. **Deputations:**

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

41. **Housing in Wealdstone: Reference from the Wealdstone Regeneration Advisory Panel Meeting held on 8 June 2005:**

The Panel received a reference from the Wealdstone Regeneration Advisory Panel meeting held on 8 June 2005. The reference requested the Strategic Planning Advisory Panel to consider the Wealdstone Regeneration Advisory Panel's concerns regarding the number of family homes being converted into smaller units in the Wealdstone area, the associated parking problems that arose from such conversions, and to consider whether the Local Development Scheme could prioritise the review of the Council's policy on conversions, with a view to limiting the percentage of conversions permitted.

Some Members expressed the view that Wealdstone experienced particular problems caused by conversions because many properties did not have large enough gardens to provide adequate parking when converted to flats. Other Members felt that Wealdstone was not unique in the Borough and should not be treated in isolation.

Officers advised the Panel that the Council's conversion policy had been established through the Unitary Development Plan, and any amendments would need to take place within the Local Development Framework. The current conversion policy had been in application for just one year and any changes so soon would need to be justified. All housing policies would be reviewed as part of the Core Strategy, and evidence would need to be collected and analysed to decide the most appropriate policy.

The Chair suggested that Members of the Wealdstone Regeneration Advisory Panel be given an opportunity to comment when the conversion policy was reviewed.

RESOLVED: To consider the conversion policy in conjunction with other housing policies as part of the Local Development Framework.

42. **Conservation Area Appraisals Programme - Update:**

RESOLVED: To note the update report.

43. **Consultation on the West London Sub-Regional Development Framework:**

The Director of Strategic Planning introduced the report which set out the process for the preparation of a Harrow response to the West London Sub-Regional Development Framework.

In response to a question from a Member, the Director of Strategic Planning explained that the Framework document covered six London alliance boroughs. Each borough would be given the opportunity to produce an individual response, which would be assimilated into the Sub-Regional response. Producing an individual response provided Harrow with an opportunity to raise specific points that affected the Borough.

The Panel welcomed the Director of Strategic Planning's suggestion that a workshop for Members be held sometime before the next meeting. It was agreed that officers would prepare a briefing note for the Members' workshop to help with the formulation of Harrow's response. Members noted that, due to time constraints, it was likely that the workshop would be held during August.

Noting that the report stated that "costs arising from proposals will need to be contained within existing approved directorate budgets", a Member requested a breakdown of those costs. The Director of Strategic Planning advised that officers worked on various projects and their time spent on each was not recorded separately.

RESOLVED: (1) To note the report;

(2) that the Director of Strategic Planning arrange a date for the workshop, and provide Members with a briefing note.

44. **Developing the Statement of Community Involvement (SCI):**

The Panel considered the report of the Director of Strategy (Urban Living) which outlined the process for producing the Statement of Community Involvement (SCI).

In response to a question from a Member, officers confirmed that the full document would not automatically be sent to everybody on the consultation list. The full document would be available on the website and a short version would be created to provide a summary of key points. The Panel supported the production of a shorter version of the document written in a simple and direct style to maximise engagement with as many readers as possible.

A Member suggested that the list of organisations being consulted should include Harrow Strategic Partnership, Community Consultative Forum and Multi-Agency Forum.

RESOLVED: That (1) the report be noted;

(2) all Members of Council be sent a copy of the truncated version of the document.

45. **Access for All Supplementary Planning Document (SPD):**
See Recommendation 1.

46. **Harrow on the Hill Village Conservation Area: Proposed Revised Article 4 Direction:**
See Recommendation 2.

(Note: The meeting having commenced at 7.30 pm, closed at 9.22 pm)

(Signed) COUNCILLOR KEITH BURCHELL
Chair

EXECUTIVE
SUB-COMMITTEES

TOWN CENTRE PROJECT PANEL

14 JULY 2005

Chair: * Councillor Burchell

Councillors: * D Ashton * N Shah
C Mote * Bill Stephenson (1)

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

PART I - RECOMMENDATIONS**RECOMMENDATION 1: Harrow-on-the-Hill Station Planning Brief**

Your Panel received a report of the Director of Strategic Planning, which finalised the text for the Planning Brief for Harrow on the Hill Station following consultation with the public, landowners and stakeholders. Members were reminded that the Panel had approved the draft Supplementary Planning Guidance (SPG) at its meeting in July 2004 and considered preliminary results of the public consultation at its meeting on 18 November 2004. Since November 2004 it was reported that lengthy discussions had taken place with Transport for London (TfL) to ensure and subsequently confirm that they were satisfied with the final brief. The Director of Strategic Planning advised the Panel that an illustrated version of the final brief was being prepared.

The Director of Strategic Planning read excerpts from a letter received from the London Planning Practice on behalf of Dandara, setting out concerns on the viability of the SPG, and urging the Council not to adopt the SPG until further work on viability had been assessed. In response, the Director of Strategic Planning noted that the brief was a planning framework, which, if necessary, could be amended over time and also stated that the viability would ultimately only be determined if a developer was procured during the marketing process. The officer concluded that it was in the best interests of the Council to move forward at the earliest opportunity.

A Member welcomed the report and felt that it demonstrated a clear vision that would benefit the residents of the Borough for many years and contribute towards a vibrant town centre.

Resolved to RECOMMEND: (to Cabinet)

That (1) the text for the Planning Brief for Harrow on the Hill Station be approved as Supplementary Planning Guidance and used for Development Control purposes;

(2) the Portfolio Holder for Planning, Development and Housing be delegated responsibility for the final approval of the document; and

(3) Cabinet notify the Development Control Committee of its decision.

[Reason: To finalise the Planning Brief for Harrow on the Hill Station in response to public consultation and enable it to be used for Development Control purposes.]

RECOMMENDATION 2: Town Centre Development Strategy

Your Panel considered a report of the Director of Strategic Planning, which asked Members to recommend to Cabinet the approval of the Town Centre Development Strategy. An officer reminded Members of the ambitious goal to develop the town centre over the forthcoming five to ten years. Members were referred to paragraph 2.2.1 of the officer report, which noted the comments received in response to the consultation process. It was added that as a result of this feedback a number of amendments had been made to the strategy.

Members discussed the possibility of exploiting the opportunities as a result of the opening of Wembley Stadium in 2006 and the London Olympics in 2012.

Resolved to RECOMMEND: (to Cabinet)

That (1) the Harrow Town Centre Development Strategy be adopted as Supplementary Planning Guidance and used for Development Control purposes, subject to the revisions set out in the officer report; and

(2) Cabinet advise the Development Control Committee of its decision.

[Reason: To finalise the Harrow Town Centre Development Strategy, in response to public consultation, and enable it to be used for Development Control purposes.]

RECOMMENDATION 3: Clarendon Road Restricted Zone

Your Panel considered a report of the Director of Area Services (Urban Living), which sought approval to introduce additional measures to those previously agreed on Clarendon Road to further ease pedestrian flow and improve amenity.

It was recognised that yellow road markings would detract from the distinctive public realm improvements that were being developed but it was concluded that the creation of a pedestrian zone, the normal means by which they could be omitted, was not a viable option. Discussions with the Department for Transport (DfT) had revealed that they would consider use of a special procedure that would create a 'restricted zone' thereby excluding the need for markings. It was added that regular enforcement inspections and clearly visible, but discreetly located, road signs would be required to make it clear that the area was restricted.

Resolved to RECOMMEND: (to Cabinet)

That (1) officers be authorised to take all necessary steps under Section 6 of the Road Traffic Regulation Act to extend the time of the loading restrictions in Clarendon Road to "No Loading at Any Time" in the area between the south east corner of St George's Shopping Centre and the adjacent disabled person's parking spaces and to modify the traffic orders to allow the relocation of the motorcycle bays as shown in Appendix 1 of the officer report, the details of which be delegated to officers and subject to consideration of any formal objections to the traffic orders; and

(2) officers be authorised to seek special authorisation from the DfT for the creation of a restricted zone, with uniform waiting and loading restrictions that permit less intrusive signing and road markings, in Clarendon Road.

[Reason: To maximise improvements aimed at easing pedestrian flow and ensure that the traffic management and streetscene improvements are fully coordinated with the distinctive public realm improvements that have been developed for Clarendon Road.]

PART II - MINUTES

48. **Appointment of Chair:**

RESOLVED: To note the appointment at the Cabinet meeting on 19 May 2005 of Councillor Keith Burchell as Chair of the Executive Sub-Committee for the Municipal Year 2005/06.

49. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor O'Dell	Councillor Bill Stephenson

50. **Declarations of Interest:**

RESOLVED: To note that the following interest was declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Bill Stephenson	Declared a personal interest in that he was a Governor at Harrow College. Accordingly, he remained in the room whilst matters were considered and voted upon.

51. **Appointment of Vice-Chair:**

RESOLVED: That Councillor O'Dell be appointed as Vice-Chair of the Panel for the Municipal Year 2005/06.

52. **Arrangement of Agenda:**

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

<u>Item</u>	<u>Reason</u>
14. Town Centre Project Plan and Progress Report	The report contained exempt information under paragraphs 1, 13 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

(2) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the following agenda items 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. Clarendon Road Restricted Zone	The report was not available at the time the agenda was printed and circulated. Members were asked to consider the report in order to make a recommendation to Cabinet.
14. Town Centre Project Plan and Progress Report	Members were asked to consider the addendum, which was not available at the time the main agenda was printed and circulated, in order to enable them to consider the correspondence received since the agenda was published.

53. **Minutes:**

RESOLVED: That the minutes of the meeting held on 18 November 2004, having been circulated, be taken as read and signed as a correct record.

54. **Petitions:**

RESOLVED: To note that no petitions had been received at this meeting under the provisions of Executive Procedures Rule 14.

55. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Executive Procedure Rule 15.

56. **Harrow-on-the-Hill Station Planning Brief:**

See Recommendation 1 above.

57. **Town Centre Development Strategy:**

See Recommendation 2 above.

58. **Cafe Culture:**

The Panel received a report of the Director of Strategic Planning, which sought approval of the Café Culture guide for Harrow Town Centre. It was explained that the guide had been developed in response to a recommendation from the Harrow Town Centre Forum. The objectives of developing a Café Culture were consistent with the Harrow Town Centre Development Strategy, although it was recognised that the process would need to be effectively managed in terms of the design layout.

In order to encourage a diverse evening economy, it was agreed that the hours of operation should be extended beyond 8.00 p.m. and possibly up to the prescribed licensed hours of the premises. A Member expressed some concern at how the Development Control Committee would monitor and enforce the guide. It was clarified that the details and layout of the design would be considered as part of the planning application. Following further discussion on this issue, it was concluded that the document should be used as a good practice guide. The Panel also saw no reason why the guide should not be applied across the Borough.

Further discussion centred on the appropriate method of approval. It was agreed to authorise officers to deal with the document in the most appropriate way.

RESOLVED: That the draft Café Culture guide for Harrow be approved, subject to the views of the Development Control Committee.

59. **Clarendon Road Restricted Zone:**

See Recommendation 3 above.

60. **Town Centre Project Plan and Progress Report:**

The Panel considered a confidential report of the Director of Strategic Planning. Following discussion on a range of the issues relating to the officer report, it was

RESOLVED: That (1) the Town Centre Project Plan set out in Appendix 1 to the officer report be agreed;

(2) the Director of Strategic Planning be authorised to undertake a joint marketing exercise of land at Harrow on the Hill station with Transport for London; and

(3) the Panel receive an update on the joint marketing exercise at a future meeting.

(Note: The meeting having commenced at 7.30 pm, closed at 8.45 pm)

(Signed) COUNCILLOR KEITH BURCHELL
Chair

