

2005 – 2006
August/September 2005
Volume 4



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

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* Note: (1) A meeting of the Housing Improvement Options Advisory Panel commenced and adjourned on 26 July 2005, and concluded on 9 August 2005; the minutes of that meeting are therefore included in this Minute Volume.

COUNCIL
AND
COUNCIL
COMMITTEES

DEVELOPMENT
CONTROL
COMMITTEE

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 7 SEPTEMBER 2005

Chair: * Councillor Anne Whitehead

Councillors: * Marilyn Ashton
 * Mrs Bath
 * Billson
 * Bluston
 * Janet Cowan

Idaikkadar
 * Ismail (1)
 * Miles
 * Mrs Joyce Nickolay
 * Thornton

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

[Note: Councillors Mrs Kinnear and Stephenson also attended this meeting to speak on the items indicated at Minute 973 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
972. 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 Choudhury	Councillor Ismail

[Note: Following a vote, it was agreed that Councillor Thammaiah, who arrived during the meeting, would not be permitted to attend as a Reserve Member for Councillor Idaikkadar, since Councillor Thammaiah's attendance as a Reserve Member had not been declared under the appropriate item on the agenda].

973. Right of Members to Speak:

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

Councillor Mrs Kinnear	Planning Applications 1/01, 3/03 and 5/02
Councillor Stephenson	Planning Application 2/15

974. Declarations of Interest:

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

- (i) Planning Application 2/03 – 59 Moss Lane, Pinner
 Councillor Anne Whitehead declared a prejudicial interest in the above application as she had once been in the employment of the applicant. Accordingly, she left the room and took no part in the discussion or decision-making on this item.
- (ii) Planning Application 2/07 – First Floor, Premier House, 38-40 High Street, Wealdstone
 Councillor Bluston declared a personal interest in the above application arising from the fact that, in his role as Chair of the Health and Social Care Scrutiny Sub-Committee and Joint Overview and Scrutiny Committee for Northwick Park, he had a close association with the applicant. Accordingly, he remained in the room and took part in the discussion and decision-making on this item.
- (iii) Planning Application 2/07 – First Floor, Premier House, 38-40 High Street, Wealdstone
 Councillor Anne Whitehead declared a personal in the above application arising from the fact that, in her new job, she would have an association with

the applicant. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.

- (iv) Planning Application 2/19 – 88-92 High Street, Wealdstone
Councillor Janet Cowan declared a personal interest in the above application in that she was acquainted with the applicant's architect. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.
- (v) Planning Application 2/25 – Rear of 7/9 Village Way East, Harrow
Councillor Marilyn Ashton declared that all Members of the Conservative Group had a prejudicial interest in the above application as the family of a fellow Member of the Conservative Group was involved in the application. Accordingly, Councillors Marilyn Ashton, Mrs Bath, Billson Janet Cowan and Mrs Joyce Nickolay left the room and took no part in the discussion or decision-making on this item.
- (vi) Planning Application 3/02 – 53-55 Moss Lane, Pinner
Councillor Anne Whitehead declared a prejudicial interest in the above application as she had once been in the employment of the applicant. Accordingly, she left the room and took no part in the discussion or decision-making on this item.
- (vii) Agenda Item 14 – 2 Elmsleigh Avenue, Kenton, Harrow
Councillor Marilyn Ashton declared a prejudicial interest in the above item as she knew the resident.

[Note: Agenda Item 14 was subsequently withdrawn from the agenda (See also Minute 975)].

975. **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 contained information relating to various items on the agenda and was based on information received after the agenda was despatched. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.
18. Brockley Hill, Stanmore – Variation to Section 106 Agreement dated 29 June 2005	Members were asked to consider this item as a matter of urgency as the public open space was to be handed over to the Council at the end of September 2005 and the Deed of Variation needed to be completed before the public open space was handed over.

and

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

(3) Agenda Item 14 – 2 Elmsleigh Avenue, Kenton, Harrow be withdrawn as the action required by Group Manager (Planning and Development) had been complied with between the time that the agenda had been printed and the date of the meeting.

976. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 27 July 2005, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume.

977. **Public Questions:**

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

978. **Petitions:**

RESOLVED: To note receipt of the following petitions which were referred to the Group Manager (Planning and Development) for consideration:

- (i) Petition Objecting to Planning Application Ref: P/2021/05/CDT – Junction of Shaftesbury Avenue/Welbeck Road – 8M High Telecommunications Mast and 2 Equipment Cabins
Councillor Bluston presented the above petition, which had been signed by 37 residents adjoining and in close proximity to the proposed development location.
- (ii) Petition Objecting to Planning Application Ref: P/2021/05/CDT – Junction of Shaftesbury Avenue/Welbeck Road – 8M High Telecommunications Mast and 2 Equipment Cabins
Councillor Anjana Patel presented the above petition, which had been signed by 37 residents adjoining and in close proximity to the proposed development location.
- (iii) Petition Objecting to Planning Application Ref: P/1233/05/CFU – Biro House, TXU Site and Arches, Stanley Road, South Harrow
Councillor Mrs Kinnear presented the above petition, which had been signed by 49 residents.
- (iv) Petition for the Improvement of Common Areas at Stanmore Park
Councillor Marilyn Ashton presented the above petition, which had been signed by 95 residents of Stanmore Park.

[Note: The petitions presented under (i) and (ii) above were identical].

979. **Deputations:**

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

980. **Harrow-on-the-Hill Station Planning Brief: Reference from Cabinet Meeting held on 28 July 2005:**

The Committee received a reference from the Cabinet meeting held on 28 July 2005 which advised the Committee that the revised text of the Planning Brief for Harrow on the Hill Station had been approved by Cabinet as supplemental planning guidance to be used for development control purposes. Cabinet had delegated responsibility for final approval of the complete document to the Portfolio Holder for Planning, Development and Housing.

RESOLVED: That the above be noted.

981. **Town Centre Development Strategy: Reference from Cabinet Meeting held on 28 July 2005:**

The Committee received a reference from the Cabinet meeting held on 28 July 2005, which advised the Committee that the Harrow Town Centre Development Strategy had been approved by Cabinet as supplemental planning guidance to be used for development control purposes.

RESOLVED: That the above be noted.

982. **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 2/02 and 2/15 on the list of planning applications.

[Note: The person who had requested to make representation in respect of item 2/02 left the meeting before the item was heard].

983. **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.

984. **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.
985. **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; this item having been requested by a Member at the meeting on 27 July 2005.
986. **1 and 1A Buckingham 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 rear single storey outbuilding
(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 Notices under Section 330 of the Town and Country Planning Act 1990; and/or
(ii) comply with the Enforcement Notice.
987. **47 Turner Road, Edgware:**
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 covered walkway side and rear conservatory extensions
(ii) permanent removal of their 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 Notices under Section 330 of the Town and Country Planning Act 1990; and/or
(ii) comply with the Enforcement Notice.
988. **Brockley Hill, Stanmore - Variation to the Section 106 Agreement dated 29 June 2000:**
The Committee received a report of the Director of Legal Services.
- RESOLVED:** That authority be given to enter into the Deed of Variation of the S106 Agreement dated 29 June 2000, as outlined in the officer's report.

989. **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 10.30 pm;

(2) at 10.30 pm to continue until 11.00 pm;

(3) at 11.00 pm to continue until 11.15 pm;

(4) at 11.15 pm to continue until 11.30 pm;

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

(5) at 11.45 pm to continue until midnight.

(Note: The meeting, having commenced at 7.42 pm, closed at 0.04 am).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

SECTION 1 – MAJOR APPLICATIONS

- LIST NO:** 1/01 **APPLICATION NO:** P/1233/05/CFU
- LOCATION:** Biro House, TXU Site & Arches, Stanley Road, South Harrow
- APPLICANT:** Rebekha Jubb for Barratt Homes Ltd
- PROPOSAL:** Redevelopment: 1 Block of 3/5/6/7 Storeys, 1 Block of 3/4 – 180 Flats (51 Affordable); Offices; Parking Use of 11 Arches A1/A2/A3/A4/B1/D1/D2 Uses (Resident Permit Restricted)
- DECISION:** INFORM the applicant that:
- (1) the proposal is acceptable subject to A) the direction of the Greater London Authority, and B) 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 this application relating to:
- (i) the developer shall fund all costs of public consultation, analysis, reporting and implementation of a possible extension to the local Controlled Parking Zone, at any time within 3 years of 75% occupation of the development if, in the Council's opinion, a monitoring period shows unacceptable on-street parking, up to a maximum amount of £30,000 index linked;
 - (ii) approval and implementation of a travel plan (to include an annual review) prior to occupation of the development;
 - (iii) developer shall complete the approved conversion works to the arches and adjacent access way no later than the occupation of a maximum of 115 residential units on the site;
 - (iv) developer shall not commence the development or any part thereof unless and until:
 - a) details of off site foul and surface water drainage have been approved in writing by the Local Planning Authority in consultation with the Sewerage Undertaker and
 - b) arrangements have been made to the satisfaction of the Local Planning Authority, in consultation with the Sewerage Undertaker, for the provision of adequate foul and surface water drainage for the whole of the development. Such drainage should be secured where appropriate by means of a public sewer requisition pursuant to Sections 98 to 101 of the Water Industry Act 1991.
 - (v) prior to commencement of development, submission to and approval by the Local Planning Authority of a scheme which:
 - a) provides a minimum of 51 units of affordable housing for rent in accordance with a scheme to be agreed with the Local Planning Authority (for future management by an RSL);
 - b) ensures that the affordable housing units are available for occupation in accordance with a building and occupation programme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on the site.
- All affordable housing shall be provided in accordance with the definition of affordable housing set out in the 2004 Harrow Unitary Development Plan.
- (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.
- [Note: Councillor Thornton wished to be recorded as having voted against the decision to grant the application].

(See also Minute 973 and 978)

LIST NO: 1/02 **APPLICATION NO:** P/1399/05/CFU
LOCATION: Broadfields House, Broadfields, Harrow
APPLICANT: Turley Associates for Merlian Estates Ltd
PROPOSAL: Redevelopment: Two Storey Block with Accommodation in Roof to Provide 12 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.

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/1572/05/CVA
LOCATION: The Fat Controller, 362-366 Station Road, Harrow
APPLICANT: Brown Associates for Broken Foot Inns Ltd
PROPOSAL: Variation of Condition 2 of Permission E/161/95/FUL to Permit Opening until 2.00 A.M. on Thursday, Friday & Saturday Night/Following Morning
DECISION: GRANTED variation in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/02 **APPLICATION NO:** P/1700/05/CFU
LOCATION: 73/75 Whitchurch Lane, Edgware, (1-2 Pretoria Villas)
APPLICANT: Mahmut Hilmi – Architects for Mr D Bhandari & Mr H Eshghi
PROPOSAL: Construction of 3 Storey Block of 6 Flats, Car Parking and Outbuilding at Rear (Residents Permit Restricted)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

(See also Minute 982)

LIST NO: 2/03 **APPLICATION NO:** P/1299/04/CFU
LOCATION: 59 Moss Lane, Pinner
APPLICANT: Paul Samson for Mr & Mrs Spanswick Smith
PROPOSAL: Change of Use: Nursing Home to Residential (Class C2 to C3)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Note: (1) The Chair, Councillor Anne Whitehead, having declared an interest in this item and left the room, the Vice-Chair, Councillor Marilyn Ashton, took the Chair;
(2) At the conclusion of this item, Councillor Anne Whitehead resumed the Chair].

(See also Minute 974)

LIST NO: 2/04 **APPLICATION NO:** P/851/05/DLB

LOCATION: Plot 6, 25 King Henry Mews, Harrow on the Hill

APPLICANT: Macleod & Fairbriar

PROPOSAL: Listed Building Consent: Railings and Screen to Roof Terrace at Rear

DECISION: GRANTED listed building consent in accordance with the works 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 reason:

(i) At present Waldron Cottage suffers from considerable overlooking. This proposal would add further to this overlooking to the detriment of the amenity of the people in Waldron Cottage.

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

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

(3) Councillors Mrs Bath and Billson wished to be recorded as having voted against the decision to grant the application].

LIST NO: 2/05 **APPLICATION NO:** P/598/05/DFU

LOCATION: Plot 6, 25 King Henry Mews, 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: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/06 **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: 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 reason:

(i) The proposal would be detrimental to the character of the Conservation Area and the Grade II listed building.

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, Bath, Billson and Janet Cowan wished to be recorded as having voted against the decision to grant the application].

LIST NO: 2/07 **APPLICATION NO:** P/1264/05/CFU
LOCATION: First Floor, Premier House, 38-40 High Street, Wealdstone
APPLICANT: Rolfe Judd Planning for Central & N W London NHS Trust
PROPOSAL: Change of Use of 1ST Floor to Offices (Class B1) and/or Medical/
Educational Services (Class D1)
DECISION: GRANTED permission in accordance with the development described in the
application and submitted plans, subject to the conditions and informative
reported.

(See also Minute 974)

LIST NO: 2/08 **APPLICATION NO:** P/1701/05/CVA
LOCATION: Land at the R/O 1-3 Canada Park Parade, Columbia Avenue, Edgware
APPLICANT: Ashmount Properties Ltd
PROPOSAL: Removal of Condition 13 of Planning Permission EAST/1277/01/FUL,
subject to Provision of Capital Sum for Affordable Housing
DECISION: DEFERRED at the request of the Committee to allow officers to seek further
clarification as to why the units did not meet the Housing Associations'
requirements.

LIST NO: 2/09 **APPLICATION NO:** P/1193/05/CVA
LOCATION: 269/271 Station Road, Harrow
APPLICANT: Graham Bolton Planning for Yates Group plc – Suzanne Wood
PROPOSAL: Variation of Condition 5 of Permission E/24/96/FUL to Allow Opening Until
Midnight Sunday to Wednesday and 02:00 Hours Thursday to Saturday
DECISION: GRANTED variation in accordance with the development described in the
application and submitted plans, subject to the conditions and informative
reported.

LIST NO: 2/10 **APPLICATION NO:** P/2942/04/DFU
LOCATION: Harrow School Football Lane and Adjoining Accessways, Harrow on the Hill
APPLICANT: Kenneth W Reed & Assocs. for Harrow School
PROPOSAL: 4 Areas of Road Works Including Bollards, Barriers and Control Boxes;
Hardsurfacing & Alterations to Garlands Lane (Revised)
DECISION: GRANTED permission in accordance with the development described in the
application and submitted plans, subject to the conditions and informative
reported.

LIST NO: 2/11 **APPLICATION NO:** P/1722/05/DFU
LOCATION: 6 Hazelcroft, Pinner
APPLICANT: Mayur Patel for Mr Kirit Patel
PROPOSAL: Two Storey Side to Rear; Single Storey Front, Rear and Side Extension
(Revised)
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/1801/05/CFU
LOCATION: 17 Little Common, Stanmore
APPLICANT: John L Sims for Beazer Investments Ltd
PROPOSAL: Single Storey Side Extension
DECISION: DEFERRED at officer's request to consult CAAC.

LIST NO: 2/13 **APPLICATION NO:** P/1265/05/CFU
LOCATION: Green Island Lodge, Hillside Road, Pinner
APPLICANT: Mr M Alwis
PROPOSAL: Provision of Gates at Entrances and Resurfacing of Driveway
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition and informatives reported, and the additional condition set out in the Addendum.

LIST NO: 2/14 **APPLICATION NO:** P/1080/05/CFU
LOCATION: 18 Brookshill Avenue, Harrow
APPLICANT: B Taylor for Mr & Mrs Hooper
PROPOSAL: Two Storey Side and Single Storey Rear Extension
DECISION: DEFERRED at Committee's request for officers to seek the following amendments:
1) provide a subordinate roof with a 1 metre first floor front setback;
2) remove the two proposed rear gables.

LIST NO: 2/15 **APPLICATION NO:** P/1422/05/DFU
LOCATION: 46 Station Road, North Harrow
APPLICANT: Howard J Green for Mr E Beckett
PROPOSAL: Change of Use: At Ground Floor from Estate Agents (Class A2) to Restaurant & Café (Class A3); Conversion of First & Second Floor Offices to Two Self-Contained Flats; External Staircase and Alterations at Rear
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the additional condition set out in the Addendum.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector;
(2) there was no indication that a representative of the applicant representative was present and wished to respond.
(See also Minute 973 and 982)

LIST NO: 2/16 **APPLICATION NO:** P/1591/05/DFU
LOCATION: Land R/O 47- 49 Gayton Road, Harrow
APPLICANT: Gillett Macleod Partnership for Mr S O'Brien
PROPOSAL: Two Semi-Detached Bungalows, Forecourt, Parking and Access from Northwick Park Road (Resident Permit Restricted)
DECISION: DEFERRED at the request of the Committee to enable a Member site visit to take place before the application is considered.

LIST NO:	2/17	APPLICATION NO:	P/1283/05/DFU
LOCATION:	7 Aberdeen Road, Wealdstone		
APPLICANT:	C&S Associates/W H Saunders for B Brendan-Langan		
PROPOSAL:	Conversion of House into 2 Self-Contained Flats, Single Storey Rear Extension (Resident Permit Restricted)		
DECISION:	REFUSED permission for the development described in the application and submitted plans, for the following reasons:		
	(i) The proposal presents an over-intensification of the site to the detriment of the neighbouring terraced properties, by reason of the additional activity generated by the creation of an additional dwelling.		
	(ii) There is no amenity space available for the upper level flat to the detriment of the residential amenities of the future occupiers.		
	(iii) The overall size of the front yard area will be insufficient to cope with four wheelie bins and green boxes, which is the minimum number required for two separate dwellings, giving rise to an overcrowding of the limited space available 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) Councillor Bluston 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:	2/18	APPLICATION NO:	P/1702/05/CVA
LOCATION:	Horseshoe Bar, 326 Eastcote Lane, South Harrow		
APPLICANT:	Leo Mullane		
PROPOSAL:	Variation of Condition to Allow Opening Monday – Thursday 10:00 to 01:00; Friday & Saturday 10:00 to 02:00; Sunday 11:00 to 01:00		
DECISION:	GRANTED variation in accordance with the development described in the application and submitted plans, subject to the condition and informative reported.		

LIST NO:	2/19	APPLICATION NO:	P/1036/05/CFU
LOCATION:	88-92 High Street, Wealdstone		
APPLICANT:	Roger L Hammond for Niza Enterprises Ltd		
PROPOSAL:	Change of Use: Ancillary Retail to Residential on 1 st and 2 nd Floors to Form 7 Flats, Alterations and Entrance at Ground Floor (Resident Permit Restricted)		
DECISION:	REFUSED permission for the development described in the application and submitted plans, for the following reasons:		

- (i) The proposal will adversely affect the ground floor customer area because the relocation of the ancillary shop facilities from the upper floors will give rise to an overall loss of 40% of the current customer retail area. This will be detrimental to the viability of the A1 retail outlet.
- (ii) The loss of the ancillary space on the first floor will have the potential to damage the retention of the only reasonable standard food store and A1 outlet in an area where the footfall and viability of the High Street has already been severely eroded, resulting in a loss of amenity to the local residents and future occupiers of the considerable number of residential developments now under construction.

[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) Councillor Bluston 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].

(See also Minute 974)

LIST NO: 2/20 **APPLICATION NO:** P/1784/05/CLA
LOCATION: Marlborough School, 81 Marlborough Hill, Harrow
APPLICANT: Rickard Partnership for Harrow Council
PROPOSAL: Single Storey Extension to Hall, Provision of New Doors to Classroom Building
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/21 **APPLICATION NO:** P/1218/05/DFU
LOCATION: Plots 1, 2 & 6, 88 High St and 19 & 25 King Henry Mews, Harrow on the Hill
APPLICANT: Archer Architects for Mr R Deacon
PROPOSAL: Alterations and Conversion of Three Flats to Form One Dwelling
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition and informative reported.

LIST NO: 2/22 **APPLICATION NO:** P/774/05/DFU
LOCATION: 49 Brancker Road, Kenton
APPLICANT: Mr Jamshed Jee
PROPOSAL: 2 Storey Side to Rear, Single Storey Front & Rear Extensions, Rear Dormer, Conversion to 2 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: 2/23 **APPLICATION NO:** P/1493/05/DFU
LOCATION: Freshfields, 12 Reenglass Road, Stanmore
APPLICANT: Mance Design & Architecture for Mr Nilesh Shah
PROPOSAL: 1st Floor Extension to Provide Two Storey House, Single and 2 Storey Rear Extension Front Porch, Alterations to Elevations (Revised)
DECISION: DEFERRED at the request of the Committee to enable a Member site visit to take place before the application was considered.

[Notes: Prior to discussing the above application, it was moved and seconded that the application be deferred to allow a Member site visit to take place before the application was considered. Upon being put to a vote, this was carried].

LIST NO: 2/24 **APPLICATION NO:** P/136/05/CFU
LOCATION: Land Adj. 269 Watford Road, Harrow
APPLICANT: Eley & Associates for Ali Musani
PROPOSAL: Demolition of Existing Commercial Building, and Development of Replacement Detached Building to Accommodate Pool and Gym for Use in conjunction with Adjacent Dwelling House
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the additional condition set out in the Addendum.

LIST NO: 2/25 **APPLICATION NO:** P/1503/05/DFU
LOCATION: Rear of 7/9 Village Way East, Harrow
APPLICANT: JRA Design Associates for Mr T J Harris
PROPOSAL: Single Storey Storage Building and Parking Spaces at Rear
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

(See also Minute 974)

LIST NO: 2/26 **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 for consideration alongside the application for the change of use of the whole site.

[Notes: (1) Prior to discussing the above application, it was moved and seconded that the application be deferred to allow a Member site visit to take place before the application was considered. Upon being put to a vote, this was carried;

(2) Councillors Bluston, Ismail, Miles and Anne Whitehead wished to be recorded as having voted against the decision to defer the application].

LIST NO: 2/27 **APPLICATION NO:** P/944/05/DFU
LOCATION: 120 Old Church Lane, Stanmore
APPLICANT: P Witham, ADT Consultants Ltd for Mr Hasnaini
PROPOSAL: Replacement Two Storey House with Accommodation in Roof
DECISION: DEFERRED at the request of the Committee to enable a Member site visit to take place before the application was considered.

LIST NO: 2/28 **APPLICATION NO:** P/1055/05/DFU
LOCATION: 3 Welbeck Road, South Harrow
APPLICANT: Howard J Green FRICS for GP Direct
PROPOSAL: Change of Use from Residential to Healthcare Services (GP Direct) with Platform Lift at Side
DECISION: DEFERRED at officer's request for further consideration related to access.

LIST NO: 2/29 **APPLICATION NO:** P/1475/05/DFU
LOCATION: 99 Arundel Drive, Harrow
APPLICANT: Encinol Construction UK Ltd for Mr & Mrs Kumarendran
PROPOSAL: Conversion of Dwelling House to Two Self-Contained Flats and One House; Parking at Front and Rear
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

- (i) The proposal represents an over-intensification of the site by reason of the associated disturbance and general activity generated by two additional dwellings to the detriment of the residential amenities of the occupiers of the neighbouring properties.
- (ii) The division of the rear garden into three sections will give rise to excessive disturbance to the neighbouring properties and will be detrimental to the residential amenity of the neighbouring occupiers.

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

LIST NO: 2/30 **APPLICATION NO:** P/1126/05/DFU
LOCATION: 258 Torbay Road, Harrow
APPLICANT: Smiths for Paceland Estates Ltd
PROPOSAL: Two Storey Side, Single Storey Side and Rear Extension; Conversion of Extended Building to 3 Self-Contained Flats; Parking at Rear
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

- (i) The proposal represents an over-intensification of the site by reason of the additional activity and associated disturbance generated by two additional dwellings which will be detrimental to the residential amenities of the neighbouring properties.
- (ii) The amenity space will be divided into three sections which will give rise to an over-intensive use of the rear garden to the detriment of the residential amenities of the neighbouring 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) Councillor Bluston 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:	2/31	APPLICATION NO:	P/1528/05/CVA
LOCATION:	44 College Hill Road, Harrow Weald		
APPLICANT:	Suquena Panjwani		
PROPOSAL:	Variation of Condition 2 of Permission E/254/02/FUL to Allow Nursery Use for 12 Children		
DECISION:	REFUSED permission for the development described in the application and submitted plans, for the following reason:		
	<ul style="list-style-type: none"> (i) Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highways would be detrimental to the free flow of safety of traffic on the neighbouring highways and the amenities of neighbouring residents. 		
	[Notes: (1) The vote to refuse the application was unanimous;		
	(2) the Group Manager (Planning and Development) had recommended that the above application be granted].		

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO:	3/01	APPLICATION NO:	P/1234/05/CVA
LOCATION:	246/248 Uxbridge Road, Hatch End		
APPLICANT:	D Edward King for Ask Restaurants		
PROPOSAL:	Removal of Condition 5 of Permission W/8/02/FUL to Permit Use of Outside Rear Area for Dining		
DECISION:	REFUSED permission for the variation described in the application and submitted plans for the reason and informative reported.		

LIST NO:	3/02	APPLICATION NO:	P/874/04/CFU
LOCATION:	53-55 Moss Lane, Pinner		
APPLICANT:	Paul Samson for Mr & Mrs Spanwick Smith		

PROPOSAL: Change of Use of No 55 from Flats to Nursing Home (Class C3 to C2) Single/2 Storey Linked Extension to 53 & 55 for Addit Bedspaces (Revised)

DECISION: REFUSED permission for the development described in the application and submitted plans for the reasons and informatives reported.

[Note: (1) The Chair, Councillor Anne Whitehead, having declared an interest in this item and left the room, the Vice-Chair, Councillor Marilyn Ashton, took the Chair;

(2) At the conclusion of this item, Councillor Anne Whitehead resumed the Chair].

(See also Minute 974)

LIST NO: 3/03 **APPLICATION NO:** P/1957/05/CFU

LOCATION: Highway Land at Sudbury Hill, Opposite South Hill Avenue, Harrow

APPLICANT: LCC Development Services Ltd for T-Mobile (UK) Ltd

PROPOSAL: 8M High Telecommunications Mast and Equipment Cabins

DECISION: REFUSED permission for the development described in the application and submitted plans, subject to the receipt of no further material planning objections by the end of the notification expiry period on 8 September 2005, for the reason and informative reported.

[Notes: (1) During discussion of the above application Members expressed concern that the plans might be inaccurate;

(2) The decision to refuse the application was unanimous].

(See also Minute 973)

LIST NO: 5/01 **APPLICATION NO:** P/1956/05/CDT

LOCATION: Land Outside 48 Courtenay Avenue, Harrow Weald

APPLICANT: LCC Development UK Ltd

PROPOSAL: Determination: 7.7M High Telecommunications Mast and Equipment Cabinets

DECISION: REFUSED approval of details of siting/appearance for the reason and informative reported.

LIST NO: 5/02 **APPLICATION NO:** P/2021/05/CDT

LOCATION: Junction of Shaftesbury Avenue/Welbeck Road, South Harrow

APPLICANT: LCC UK

PROPOSAL: Determination: 8M High Telecommunications Mast and 2 Equipment Cabinets

DECISION: REFUSED approval of details of siting/appearance for the reason and informative reported.

[Note: The decision to refuse the application was unanimous].

(See also Minute 973)

OVERVIEW AND
SCRUTINY
COMMITTEE

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

(SPECIAL) MEETING HELD ON 12 SEPTEMBER 2005

Chair: * Councillor Jean Lammiman

Councillors: * Nana Asante (2) * Mark Ingram
 * Bluston * Osborn
 * Mrs Champagne (2) * Pinkus
 * Gate * Seymour
 * Mitzi Green * Thammaiah

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

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

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

Ordinary Member

Councillor Blann
 Councillor Versallion

Reserve Member

Councillor Nana Asante
 Councillor Mrs Champagne

316. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

Member

Councillor Bluston

Nature of Interest

Declared an interest arising from the fact that he was Chair of the Early Retirement Sub-Committee.

317. Arrangement of Agenda:

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

318. Minutes:

RESOLVED: That the minutes of the meeting held on 19 July 2005 be deferred to the next ordinary meeting of the Committee.

319. 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 Overview and Scrutiny Procedure Rules 8, 9 and 10 respectively.

320. Question and Answer Session with the Leader and the Chief Executive:

The Chair welcomed the Leader of the Council and the Chief Executive to the meeting.

The Chair advised that it was being considered whether the regular question and answer sessions with the Leader and the Chief Executive should occur separately from the main Overview and Scrutiny Committee meetings. The Chair noted that this meeting represented a trial of the proposed new arrangement, and invited Members to provide the Chair with their views on this arrangement.

The Chair invited Members to ask their questions of the Leader and the Chief Executive.

Question 1: What is happening to staff displaced by the Middle Management Review (MMR) process in general, and in Urban Living in particular?

The Chief Executive responded that the transition support arrangements put in place at the commencement of the MMR process had continued to be provided to staff in all directorates, including displaced staff. A total of 127 staff had attended group workshops and 140 staff had had one to one meetings with the transition support team.

The new structure was in the process of being implemented and a number of potentially displaced staff were undertaking interim roles and project work to support continuity of service delivery. The Chief Executive reported that in Urban Living the MMR process had not progressed as quickly as in other directorates, and consequently fewer staff had been identified as being potentially displaced.

The process by which the Council dealt with displaced staff was set out in the Council's Protocol for Managing Organisational Change. Cabinet would be receiving a report in October 2005 which would outline proposals for managing staff identified as displaced by the MMR, which would include:

- Providing continuing access to transition support
- Operating a 'clearing house' system to ensure that displaced staff were considered for all potentially suitable vacancies in the council.
- Building a job search network including neighbouring boroughs, job centres and partner organisations such as Eden Brown through which the Council would proactively manage job searches for suitable jobs outside of the Council.
- Considering requests from volunteers who wanted to be considered for voluntary redundancy/early retirement
- Providing additional training and development to assist in career development and job searches.
- In the event that the Council was unable to find employment for a displaced employee, then the Council would have to consider severance with enhanced payments including, where appropriate, early payment of pension benefits.

Question 2: What is the Chief Executive's assessment of staff morale across the council?

The Chief Executive responded that she continued to be heartened by the commitment of staff at all levels whether they were affected by MMR or not, but acknowledged that some pools of dissatisfaction did exist. In response to comments made by Members regarding their concerns about efficiency in areas of the organisation where morale was low, the Chief Executive stated that efforts were being redoubled to make sure that staff did not feel unhappy or disadvantaged. The reduction in levels of sickness and absence that had been reported by the Leader at the last meeting were good indicators of staff morale.

The Leader stated that, in his experience across the Council, it was not the case that staff were unhappy, although he agreed with the Chief Executive's view that there were some areas where there was work to be done.

A Member suggested that a regular staff survey at departmental level would help to identify issues. The Chief Executive confirmed that plans were underway to have a rolling programme of staff surveys. The first cycle of the new Individual Performance Appraisal and Development (IPAD) system was nearly complete and would help identify any concerns staff had.

Question 3: Could the Chief Executive explain the rationale behind the proposed new organisational structure being considered by Cabinet in July?

The Chief Executive responded that two years ago the organisation had been faced with a major programme of change in financial management and performance management. Since then, significant improvements had been made in financial management and the Council was now at the leading edge of performance management. This meant that the Council no longer needed the extra capacity and single focus from two corporate Services Departments.

Looking ahead, the Council's focus needed to be on developing a single change programme with an integrated directorate driving this change. The new directorate allowed the Council to bring together its financial, technological and people resources through:

- Integrated financial and service planning
- A strong value for money focus
- Connecting this closely with BTP
- Bringing all our transactional services together

In response to concerns raised at the last meeting of the Committee that the newsletter informing staff of the proposed new directorate had been issued before Cabinet had approved the change, the Chief Executive stated that she had felt it appropriate to keep staff informed of the proposed changes before a decision was made by Cabinet.

Question 4: Councillors are becoming increasingly aware that customer service standards at the point of first contact, especially with regard to customer complaints and Member enquiries, are deteriorating. What is being done to improve this?

The Leader responded that he was not aware of these concerns, as they not been drawn to his attention by Members. There was evidence that customer satisfaction with the Council was increasing; a recent MORI 'quality of life' survey had shown that fifty-four per cent of residents were satisfied with the overall service provided by the Council. This represented a substantial increase from 2003/4 when forty-five per cent had expressed satisfaction. This overall level of satisfaction compared with an average of fifty-two per cent across London, which placed Harrow twelfth in London. Residents had identified collection of household waste, recycling, litter clearance and libraries as having improved in particular. A significant increase had been identified in public satisfaction in key council services, particularly Planning and Environmental Services.

Seventy per cent of respondents had indicated that, when they last contacted the Council, they found staff to be helpful. Only seventeen per cent had replied that they found Council staff to be unhelpful. The Business Transformation Partnership would aim to increase satisfaction rates to eighty per cent.

The Chief Executive stated that the Council did not have up to date equipment or facilities. If the proposed Business Transformation Partnership was agreed by Cabinet, it was proposed that more effective call centre and reception facilities would be installed by May 2006. This would also allow instant surveying to take place which would enable the Council to collect timely and accurate information on customer satisfaction.

Question 5: How is the council's ambition to be rated as 'good' under the next Comprehensive Performance Assessment refresh progressing? What are the council's improvement priorities for achieving the 'good' rating?

The Chief Executive responded that in 2002 the Council had been rated as 'weak'. In the assessment due to take place in December 2005 it was likely that the Council would be assessed as 'fair'. This assessment would be carried out using new, more stringent, guidelines, that had not yet been finalised. The Council was carrying a very poor score in its corporate assessment from 2002. Since then, the Council had made significant progress in financial management, performance management and service improvement which meant that this score was likely to have improved if the Council had a corporate assessment in 2005. Unfortunately, the Audit Commission had changed its programme of Corporate Assessments to the Council's disadvantage, and this made it very difficult to progress to 'good'. The Audit Commission had recently published its new CPA framework, which 'raised the bar', and the Council had been promised a corporate assessment 2006/7 against this new framework. The priority areas for improvement to reach 'good' were:

- Strengthening the Harrow Strategic Partnership (HSP)
- Further improvements in Value for Money
- Children's and adults services

Further reports to Members on the implications of the new CPA framework were being prepared.

Question 6: How is the council responding to the Children Act?

The Chief Executive responded that significant progress had been made in the arrangements to implement fully the Children's Act in 2006. These included:

- the establishment of the Safeguarding Board to replace the Area Child Protection Committee;
- the establishment of the Children and Young People Strategic Partnership as part of the Harrow Strategic Partnership;

- the agreement with the Primary Care Trust (PCT) on Joint Governance Arrangements relating to Children and Adults' Services in the development of a Children's Trust;
- the grouping together of, and co-location of, a number of teams to improve service delivery for Children including Children with Special Needs and Children with disabilities;
- the establishment of a transition team including the Youth and Connexions Service, the Youth Offending Team and the Leaving Care Team;
- in line with the spirit of the Children's Act, considerable resource had been put into schools to develop extended schools and community provision in schools;
- a strategy for the development of nine Children's Centres would be brought to Cabinet in October enabling multi-disciplinary arrangements at an area level in the support of children and families;
- joint work was being undertaken by Children's Services, Community and Learning Development and Schools in relation to exclusions and behaviour management;
- the Early Years and Childcare Partnership was working closely with the private and voluntary sector providers of nursery provision across the Borough and had close working relationships with the foundations stage advisers in the Inclusion and Achievement division.

In response to a question from a Member regarding the report into exclusions that had recently been made available, the Chief Executive stated that she had not yet seen a copy, but would be taking a keen interest as the current level of exclusions was unsatisfactory.

Question 7: How is the Harrow Strategic Partnership (HSP) performing? In particular, how can the HSP contribute toward the development and delivery of the Local Area Agreement (LAA)?

The Leader responded that the HSP had made progress since it was established. A Community Strategy had been published and Management Groups had been established in each area of the Partnership's work. The work of the Safer Harrow Management group has been commended by Government and the Council had made significant progress in delivering its requirements in response to the Children's Act. Agreement had been reached on improvements to partnership working with the health service and the Council had successfully participated in the West London Community Cohesion Pathfinder. There was more work to be done in mainstream partnership working and, to this end, one of the Council's new corporate priorities was 'impact through partnership working'.

The Council would be a part of the next phase of Local Area Agreement Pilots, which would give further opportunity to agree joint priorities with partners and back them with new resources. The HSP was leading on the development of the LAA.

The Chief Executive added that the HSP Summit Meeting with partners and stakeholders had taken place and the outcome of this would be submitted to the Government Office for London by the end of September 2005. The Chief Executive commended those involved with the HSP on their energetic and committed work.

Question 8: How do you see the open budget process working?

The Leader responded that the commitment of the Council to the effectiveness of the process was important. The new initiative had been well-received locally and nationally, and the Leader looked forward to open involvement and participation with stakeholders. The process presented an opportunity for real dialogue with the local community.

The Chief Executive added that the open budget process would run alongside internal budget processes. A greater emphasis would be put on value for money. The central event in the process would be the Assembly which was being planned for 23 October 2005. A discussion document would be produced giving key information about Council policy and spending levels and this would inform both the Assembly and other stakeholders. The process would enable the Council to receive improved feedback to inform Members of what the public felt were spending priorities.

321. **Question and Answer Session with the Leader and the Chief Executive:**
The Chair invited Members to ask confidential questions, which were answered by the Leader of the Council and the Chief Executive.

(Note: The meeting, having commenced at 6.30 pm, closed at 7.45 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN
Chair

SCRUTINY
SUB-COMMITTEES

**STRENGTHENING COMMUNITIES SCRUTINY
SUB-COMMITTEE****2 AUGUST 2005**

Chair: * Councillor Thammaiah

Councillors: * Janet Cowan * Lavingia
* Dharmarajah * Vina Mithani
* Ann Groves (2) * Seymour* Denotes Member present
(2) Denotes category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**156. **Appointment of Chair:****RESOLVED:** That the appointment at the Special meeting of the Overview and Scrutiny Committee on 16 May 2005, under the provisions of Overview and Scrutiny Procedure Rule 11.2, of Councillor Thammaiah as Chair of the Sub-Committee for the Municipal Year 2005/2006, be noted.157. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-Ordinary MemberReserve Member

Councillor Gate

Councillor Ann Groves

158. **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.159. **Appointment of Vice-Chair:****RESOLVED:** That Councillor Seymour be appointed Vice-Chair of the Sub-Committee for the 2005/2006 Municipal Year.160. **Arrangement of Agenda:****RESOLVED:** (1) That all items be considered with the press and public present;

(2) to note that the information item, agenda item 16 - Local Area Agreements, which was to have been provided as an oral update, had been incorporated into agenda item 17, Update on the Harrow Strategic Partnership, Harrow's Community Strategy and Expression of Interest to Negotiate a Local Area Agreement. Item 16 had therefore been withdrawn.

161. **Minutes:****RESOLVED:** That the minutes of the meeting held on 13 April 2005, having been circulated, be taken as read and signed as a correct record.162. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.163. **Petitions:****RESOLVED:** To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.

164. **Deputations:**

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

165. **Safer Harrow Communication Strategy:**

The Sub-Committee received a draft Marketing and Communications Strategy, which detailed the strategies put in place to create a 'Safer Harrow' and the progress made so far.

Members were advised that the Safer Harrow Management Group had now approved the Strategy, and that the new Harrow Police Communications Officer would be assisting with the facilitating of the Strategy. Members were advised that the fear of crime was increasing amongst Harrow residents, despite the fact that the statistics showed that the Borough was one of the safest in London. One of the main priorities of the Strategy would be to increase the quality of life for residents by reducing anti-social behaviour and crime. Part of the initiative involved focussing on attracting those from black and ethnic minorities, identifying their concerns and addressing those issues and to draw those diverse communities through a single network of communication.

Members were informed that a calendar of events and communication initiatives such as leaflets, media, and mobile roadshows had been established. Presentations and meetings had already taken place with key stakeholders and community groups including young people and had been successful. The aim was to gain support and involvement and to educate and encourage the community to adopt safety measures into their daily lives.

A Member suggested that the Magistrates Court be invited to participate with the other agencies in the Safer Harrow Partnership. In addition, it was suggested that the "Safer Harrow" leaflets should be placed in supermarkets.

RESOLVED: That the information be noted.

166. **Youth Crime Prevention Plan:**

The Sub-Committee received an oral update on the Youth Crime Prevention Plan. The officer outlined the Council's multi-agency approach and current performance in relation to youth crime and youth crime prevention in line with the provisions of the Crime and Disorder Act.

The Sub-Committee noted that the collaboration of services incorporated the utilisation of the following agencies: the police; the probation service; health authorities (PCT), education services, social services, Connexions, and other youth specialists. The Youth Crime Prevention Plan indicated that since April 2000, the level of re-offending had halved and outlined the action taken in Harrow to prevent youths offending.

Members were advised that it was important to build on the success of the Youth Offending Team (YOT) in Harrow, which was graded in the top 10% of YOTs in the country. The YOT had also made progress in reducing the fear of crime and reclaiming public areas, for example parks and bus stations, through joint working with the Crime Reduction Unit, the police and local communities.

The Sub-Committee was informed of the Intensive Supervision and Surveillance Programme (ISSP), a regime which closely monitored the activities of young people who had offended and could be used where a secure, remand or custodial sentence might otherwise have been an option. This was just one of YOT'S ongoing projects.

RESOLVED: That the presentation and work of the Youth Crime Reduction Officers be commended and noted.

167. **Preparations for in-depth Reviews:**

A report of the Director of Organisational Performance was presented to the Sub-Committee updating Members on progress made in relation to the main review for 2005/06 on reducing fear of crime. The report asked Members to consider proposals relating to the Sub-Committee's second topic for review.

Members were advised that the first Member level meeting of the reducing fear of crime review had taken place on 13 July 2005 with the Borough Commander and the Chief Environmental Health Officer in attendance. The Borough Commander had made a presentation on key issues from the Police perspective of reducing the fear of crime. The officer indicated that it was their intention to canvass Members for a further date in

September 2005 to establish the focus of the review and that it was hoped that a Home Office official would attend.

Members were informed that the Authority was accountable on the issue of Community Safety under the Crime and Disorder Act and that this was assessed as part of the Council's CPA assessment. A team to implement this project would be established, after weaknesses and strengths in community safety were identified and training arranged.

RESOLVED: That (1) the progress be noted;

(2) the scope for the "reducing fear of crime review" be agreed by the procedure for non-executive decision to enable the review to commence as soon as possible;

(3) the Membership of the Review Group be noted and agreed as:

Councillor Thammaiah (Lead)
 Councillor Nana Asante
 Councillor Ann Groves
 Councillor Dharmarajah
 Councillor Lavingia
 Councillor Janet Cowan
 Councillor Mrs Kinnear
 Councillor Vina Mithani
 Councillor Seymour (Deputy Lead)

(4) an update on the second review topic (effectiveness of the Council in supporting the capacity of the voluntary sector) be submitted to the next meeting.

168. **Post Offices in Harrow - Options Paper:**

A report of the Director of Organisational Performance provided, as part of its 2005/06 review, an update on the effects on local people of the post office closure programme. It also set out a number of proposals as to how the evaluation could be carried out.

RESOLVED: That the Scrutiny team arrange a one off informal meeting, inviting Postwatch and Post Office Ltd to attend to explore the impact of the closures on the Borough one year on.

169. **Performance Reporting to Scrutiny Committees:**

Members received a report of the Director of Organisational Performance, which detailed a report on the Authority's strategic performance around various key objectives, and sought Member's comments. In particular, Members also considered performance information from Harrow Police.

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

(2) the provision of crime statistics against other comparable boroughs be included in future reports.

170. **Update on the Harrow Strategic Partnership, Harrow's Community Strategy and Expression of Interest to Negotiate a Local Area Agreement:**

Members received a report of the Director of Organisational Performance, which advised of the Harrow Strategic Partnership (HSP) Annual Report 2005 and the monitoring of the 2004 Community Strategy.

The Sub-Committee were informed that the HSP Management and Reference Groups had all met at least once and that HSP Management and Reference Group Chairs were now invited to the first part of the HSP Executive meetings to discuss the key outcomes and issues for their Groups.

It was reported that the Authority had successfully submitted an expression of interest to Central Government to negotiate a second phase Local Area Agreement (LAA). This agreement would need to be negotiated by 28 February 2006 and would come into operation on 1 April 2006.

The Harrow Community Strategy 2004 was due to be refreshed in 2005, in order to update the local initiatives both Harrow Council and its partners would deliver over the next three years. In light of the LAA negotiation, the community strategy refresh and development of the LAA together would now occur simultaneously – with the community strategy setting out the longer term vision for Harrow – and the LAA – the practical expression of the Community Strategy. It was anticipated that the updated Community Strategy would be available in May 2006.

RESOLVED: That (1) the Harrow Strategic Partnership (HSP) Annual Report 2005 and the monitoring of the 2004 Community Strategy be noted;

(2) the development of the HSP Management and Reference Groups be noted;

(3) the inclusion of the HSP Management and Reference Group Chairs in the first part of the HSP Executive meetings be noted;

(4) the submission of an expression of interest to negotiate a Local Area Agreement be noted;

(5) the development of the refresh of the Community Strategy be noted.

171. **MORI Survey:**

The Sub-Committee was informed that 9,000 randomly selected residents had been sent a copy of the quality of life survey. 2,601 responses (29%) had been received including a good response from the BME community (34%).

The key issues to emerge from the survey as identified by MORI were as follows:

- Residents perceived many of the key aspects of quality of life to be improving – increased satisfaction with street cleaning, road and pavement repairs and public transport.
- Overall satisfaction with the Council was improving – from 45% in 03-04 to 54% in this survey.
- Net satisfaction with the quality of life stood at 67%, comparing well with other outer London boroughs.
- Residents' perceptions of levels of crime, traffic congestion and affordable decent housing had worsened.
- Number of residents feeling well informed remained static. Those who did feel well informed also expressed higher levels of satisfaction than those who did not (73% - 39%).
- Although 47% of residents felt the quality of services were good, 40% disagreed that the Council provided value for money.
- Key liveability services showed marked improvements: local recycling, collection of household waste, doorstep collection of items for recycling, keeping public land clear of litter and refuse.
- Services that a higher proportion of residents said were getting worse were sports/leisure facilities, museums/galleries, theatres/concert halls, parks and open spaces.
- More residents felt that the health service was getting worse (29%) than getting better (25%) and although there was confidence that primary care services would improve there was less confidence in relation to hospitals.

The results also suggested that:

- The levels of satisfaction and positive opinions with regard to service provision were high amongst BME communities
- More positive expressions of community cohesion emanated from those areas of the Borough that expressed higher levels of satisfaction.

The keys issues the survey revealed were:

- Fear of crime
- Road and pavement repair
- Health services
- Congestion
- Cultural services
- Customer satisfaction
- Cohesion
- Differences across areas

RESOLVED: That the report be noted.

(Note: The meeting having commenced at 7.30 pm, closed at 9.35 pm)

(Signed) COUNCILLOR KEEKIRA THAMMAIAH
Chair

**STRENGTHENING COMMUNITIES SCRUTINY
SUB-COMMITTEE****29 SEPTEMBER 2005**

Chair: * Councillor Thammaiah

Councillors: Dharmarajah * Lavingia
* Gate * Vina Mithani
* Kara (2) * Seymour* Denotes Member present
(2) Denotes category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**172. **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 Kara

173. **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.174. **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>
8. Update on the Development of the Local Area Agreement	Policy and Partnership Services had been awaiting confirmation from the Government Office for London that the timetable for the next steps in the development of the LAA (section 3.2.3) was appropriate.
9. Project Scoping – Reducing Fear of Crime Review	This report was not available at the time the main agenda was printed and circulated, as the review group had not met until 27 September 2005 to consider the draft scope. The Sub-Committee was required to approve the scope of the review to enable work to commence on the report and, as the next meeting of the Sub-Committee was scheduled to take place on 24 January 2006, such a delay would have significantly hampered the ability of the review group to complete the review in the time remaining in the municipal year.
12. Update on Current Reviews	This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item to determine amendments to the Sub-Committee's work programme.
13. Performance Report	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) all items be considered with the press and public present.

175. **Minutes:**
RESOLVED: That the minutes of the meeting held on 2 August 2005 be deferred until printed in the next Council Bound Minute Volume.
176. **Public Questions:**
RESOLVED: To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.
177. **Petitions:**
RESOLVED: To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.
178. **Deputations:**
RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.
179. **Update on the development of the Local Area Agreement:**
The Sub-Committee received a report of the Director of People, Performance and Policy, which provided an update on the Council's application to negotiate a Local Area Agreement (LAA) with the Government Office for London (GOL). Members were informed that Harrow had been successful in its initial application to enter into negotiations for a LAA. A more in-depth application was due to be submitted by the Council in November 2005. It was added that negotiations would be ongoing until February 2006 and that the deadline for the agreement to be signed was March 2006. In response to a query, it was clarified that the Government would want specific information on the projects that would be funded by the agreement. The Sub-Committee welcomed the progress towards the LAA and wished to be kept informed of future developments.
RESOLVED: That the report be noted.
180. **Project Scoping - Reducing Fear of Crime Review:**
Members received a report of the Director of People, Performance and Policy, which set out the draft scope for the Sub-Committee's Reducing Fear of Crime Review. The Sub-Committee was provided with a brief overview of the process involved in the review. In the discussion that followed, it was suggested that under stage 4 of the process, the findings of the review group should be disseminated as widely as possible, including publication in Harrow People. Members also suggested involvement in the review from groups such as Age Concern and Safer Neighbourhood Watch.
RESOLVED: That the scope for the Reducing Fear of Crime Review, be approved.
181. **Corporate Equality Plan - Update:**
The Sub-Committee received a verbal report from the Director of People, Performance and Policy, providing an overview of the Council's Corporate Equality Plan (CEP) and its achievements to date. It was added that the Council had achieved Level 2 of the Equality Standard, although it was hoped that Level 5 would be achieved within the next CEP.
RESOLVED: That the above be noted.
182. **Update on the Strategic Review of Grants:**
The Sub-Committee considered a report of the Director of Financial and Business Strategy, which provided an update on the progress in implementing the strategic review of grants. An officer explained the major changes involved in implementing the review. The most significant change was the introduction of a threshold, whereby organisations that received £10,000 or more would be funded through a Service Level Agreement (SLA). In response to a query regarding community lettings, it was reported that the Council undertook an extensive advertising campaign to ensure that all community groups were aware of the application process.
RESOLVED: That the report be noted.

183. **Update on Current Reviews:**
The Sub-Committee received a report of the Director of People, Performance and Policy, detailing the progress made on the Sub-Committee's reviews. Owing to time constraints it was,

RESOLVED: That (1) the 'Review on the effectiveness of the Council in supporting the capacity of the voluntary sector to attract funding,' be withdrawn from the Sub-Committee's 2005/06 work programme; and

(2) the review referred to in (1), be put forward for consideration during the development on the 2006/07 work programme.

184. **Performance Report:**
Members considered a report of the Director of People, Performance and Policy, which provided crime statistics for Harrow and neighbouring London boroughs. A Member commented that the figures would be more helpful if they demonstrated the crime figures per population and suggested that a future report include comparative figures for boroughs with a similar demographic make-up.

RESOLVED: That the report be noted.

(Note: The meeting having commenced at 7.32 pm, closed at 8.43 pm)

(Signed) COUNCILLOR KEEKIRA THAMMAIAH
Chair

HEALTH AND SOCIAL CARE SCRUTINY SUB-COMMITTEE**14 SEPTEMBER 2005**

Chair: * Councillor Bluston

Councillors: * Gate (4) * Myra Michael
* Jean Lammiman (1) * Vina Mithani
* Lavingia Mrs R Shah

Advisor (non-voting): * Jean Bradlow

* Denotes Member present
(1), (4) Denote categories of Reserve Member

[Notes (1) Councillors Silver and Joyce Nickolay also attended this meeting in a speaking role;

(2) Councillor Margaret Davine also attended this meeting to speak on the item indicated at Minute 257 below, and was further invited to attend for the remainder of the meeting].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**249. **Welcome to the Meeting:**

The Chair welcomed Members to the Sub-Committee and introduced all representatives in attendance. In particular, the Chair noted changes to the advertised list of attendees, and welcomed Professor Arulkumaran, who had led the Maternity Services Support Team at Northwick Park Hospital.

The Chair also noted that Garth Goodier, Chief Executive at the North West London Strategic Health Authority, had offered his apologies, and that no representative from Hillingdon PCT had been able to attend.

RESOLVED: That the above be noted.250. **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 Ann Groves	Councillor Gate
Councillor Joyce Nickolay	Councillor Jean Lammiman

251. **Declarations of Interest:****RESOLVED:** To note the following declaration of interests made by Members present at the meeting relating to business to be transacted at this meeting:

- (i) Councillor Lammiman declared that she had recently been a patient at the Royal National Orthopaedic Hospital and Northwick Park Hospital. Councillor Bluston also declared that he had been a patient at Northwick Park Hospital.
- (ii) In relation to agenda item 8, "Royal National Orthopaedic Hospital – Redevelopment Plans", Councillor Bluston wished it to be noted that he would probably be sitting on Harrow Council's Development Control Committee when it considered the Royal National Orthopaedic Hospital planning application.
- (iii) the following Members declared a personal interest in the items indicated, and remained and took part in the discussion relating to those items:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
8. Royal National Orthopaedic Hospital – Redevelopment Plans	Councillor Jean Lammiman	Declared a personal interest in that she was the acting Chair of the Royal National Orthopaedic

- | | | | |
|-----|---|-------------------------|---|
| 11. | Northwick Park Hospital – Update on Reconfiguration, Maternity Services and Star Rating | Councillor Bluston | Declared a personal interest in that he was Chair of the Joint Overview and Scrutiny Committee on the redevelopment of Northwick Park Hospital. |
| | | Councillor Lavingia | Declared a personal interest in that he was coordinator of Northwick Park Hindu Services. |
| 12. | Mount Vernon Hospital | Councillor Myra Michael | Declared a personal interest by virtue of her husband's position at Mount Vernon Hospital. |
| 13. | Harrow Primary Care Trust – Financial Update | Councillor Gate | Declared a personal interest in that his spouse was a health professional employed by Harrow Primary Care Trust (PCT). |

(iv) Councillor Silver declared an interest in that he was a contractor with the Harrow PCT.

252. **Arrangement of Agenda:**

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

253. **Minutes:**

RESOLVED: That the minutes of the meeting held on 6 June 2005, having been circulated, be taken as read and signed as a correct record.

254. **Public Questions:**

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

255. **Petitions:**

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

256. **Deputations:**

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

257. **Royal National Orthopaedic Hospital - Redevelopment Plans:**

Members received a report and verbal update on the redevelopment of the Royal National Orthopaedic Hospital (RNOH) from Mr Eric Fehily, Project Director at the RNOH. The Sub-Committee was informed that the RNOH NHS Trust had organised a series of consultations to seek support for the outline planning application, which was to be determined by the Development Control Committee on 11 October 2005. In summarising the redevelopment plans, Mr Fehily emphasised that they must be deliverable, affordable and flexible. He also emphasised the need to work within the constraints of the green belt location.

Members enquired about access to the site, the scope of the consultation and the funding for the programme. Mr Fehily responded as follows:

- alterations had been made to the road layout to facilitate access to the site;
- public buses would be provided from stations to the site, to complement a free bus service;
- wider consultation was promoted through advertisements in local newspapers, a patient website, and through the PCT and PPI forums;

- the consultation with local residents was addressing issues surrounding housing, car-parking and the green belt location;
- additional funding would be required to develop the grounds to run the clinical model, which was not considered a core NHS function.

Members were invited to review the Trust's outline planning application and meet with representatives from the RNOH Trust and Design Team at a consultation event on Monday 19 September 2005. The Chair requested feedback on the responses from the consultation with local residents, citing the importance of local opinion.

RESOLVED: That the above be noted.

258. **Attendance by the Portfolio Holder for Social Care and Health:**

Councillor Margaret Davine, the Portfolio Holder for Social Care and Health, was in attendance to answer Members' questions regarding her portfolio. The Portfolio Holder said that her work was characterised by a 'hands-on' approach, and that she encouraged strong partnership working that was user-focused.

Members addressed the Portfolio Holder as detailed below:

Question: Why had £600,000 worth of invoices to the Harrow PCT not been paid, and if they had been paid, why had it taken so long?

It was clarified that the Council had provided the PCT with a list of clients who received payment for care, and that there had been discrepancies between the list for 2003/04 and the list for 2004/05. Before processing the invoices, the PCT needed to check that the payment had been approved by the Continuing Care Panel. It was noted that a report into the financial losses incurred on joint PCT contracts had been requested by Council, with a view to make recommendations on how it could be avoided in the future. Members re-iterated the need for such a report.

Question: Can the Portfolio Holder guarantee that the domiciliary care charges will not be increased?

The Portfolio Holder stated that although domiciliary care charges would not be increased in the next budget round, it was impossible to say that they would not increase, as changes to charges were impacted upon by changes in government legislation.

Question: Could the Portfolio Holder clarify her position on the use of IT with front-line staff, with particular reference to the single assessment approach?

It was reported that a single assessment integrated IT system for adult services would be live by November 2005, which would allow a client's basic details to be shared across People First.

Question: How were adult and children's services progressing with their star rating?

The Portfolio Holder reported that although the indicators were good, it was difficult to tell whether the rating would be consistent across the whole board. It was added that there would be an inspection of older people's services in the Autumn.

Questions were also asked relating to the Strategic Performance Report, and it was suggested that it would be useful to indicate trends in the Comments column on the report.

The Chair thanked the Portfolio Holder for her contribution on behalf of the Sub-Committee, and added that she would be welcome to remain for the rest of the meeting.

RESOLVED: That the above be noted.

259. **North West London Strategic Health Authority - Sector Review:**

The Sub-Committee received a verbal report from Ms Barbara Gill, Acting Executive Director of Strategy at the North West London Strategic Health Authority (NWLSHA), which outlined the development of a strategy for healthcare in North West London.

Members were asked for their support and comments on the reasons and principles underpinning the change. A full discussion had been arranged for the Joint Overview and Scrutiny Committee for the Redevelopment of Northwick Park Hospital to be held the following week.

Members were informed that some broad options for the reconfiguration of services would be available by late November 2005, as a basis for further engagement. Formal consultation on the Sector Strategy would not take place before June 2006.

In response to Members' questions, the following clarification was provided:

- the Healthcare Commission provided the overall performance management framework and quality standards that the NWLSHA operated within, whilst the NWLSHA monitored organisations locally;
- the financial deficit within organisations under the NWLSHA would need to be addressed by improving efficiency in services;
- once the principles underpinning the review had gained support, the implications on services would be developed in greater detail.

A Member challenged the focus on medics 'achieving targets', and suggested that these pressures prevented staff from performing their jobs effectively. Ms Jean Bradlow stressed that targets weren't inhibiting patient care, but highlighting inefficiency and underlying system problems that needed addressing.

Members expressed concern about the affordability of drugs, and encouraged stronger partnership with drug agencies. In particular, Members stressed that there should be equal opportunities for patients accessing drugs. It was reported that the National Institute for Clinical Excellence (NICE) was investigating the cost and clinical effectiveness of drug procurement, in addition to the equality issues of drug supply.

A Member supported the principle of providing certain types of healthcare in a community setting, but suggested that a challenge facing the NWLSHA would be where to locate such 'community hospitals'. It was further suggested that health education should be emphasised in the principles of the strategy.

The Chair thanked Ms Gill, on behalf of the Sub-Committee, for attending the meeting.

RESOLVED: That the above be noted.

260. **Northwick Park Hospital - Update on Reconfiguration, Maternity Services and Star Rating:**

Members received a collective verbal report from Ms Mary Wells (Chief Executive, North West London Hospital NHS Trust), Ms Mai Buckley (Director of Midwifery, Royal London Teaching Hospital) and Professor Arulkumaran (Professor of Obstetrics and Gynaecology, St George's Medical School), which focused on the maternity services provided by Northwick Park Hospital. It was reported that although there had been a delay in the publication of the Healthcare Commission's report, the Trust was progressing well with the delivery of its action plan for the maternity unit. The report covered the following issues:

- **Capacity** – using capacity at other Trusts during the refurbishment was reducing the number of women treated, which was making an impact.
- **Recruitment** – the recruitment campaign was going well, and vacancies were falling rapidly. Twenty additional midwife posts had been filled. Whilst there was a marginal shortfall in the overall complement of staff, it compared favourably with the shortfall within other London hospitals. The number of consultants employed had increased, and consultants were working in parallel to ensure that experienced people were always on the floor.
- **Training and maintaining quality** – regular training sessions had been created. Links had been established with the teaching hospitals in London, to help maintain standards and facilitate recruitment.
- **User-involvement** – a group had been established to create a Women's Partnership Unit, that would link in with the other PPI forums. A women's adviser would also be provided.

The Sub-Committee was thanked for its understanding and support of the problems faced by the maternity unit. Professor Arulkumaran reported that he was working with the unit to ensure that changes were implemented and executed, and added that the unit needed to focus not only on becoming safe but also improving standards and quality. The Sub-Committee was invited to view the unit once the refurbishment had been completed.

The Chair thanked all three representatives for attending, and also thanked them for their continuing involvement with the Sub-Committee.

RESOLVED: That the above be noted.

261. **Mount Vernon Hospital:**

Mr Nick Evans, representing West Hertfordshire Hospitals, and Ms Caroline Lowdell from the NWLSHA had been invited to discuss the redesign of the burns and plastic services at Mount Vernon Hospital, and the implications of moving ambulatory radiotherapy from Mount Vernon Hospital, with particular reference to the broader implications on cancer services.

Mr Evans reported that a report commissioned by Bedfordshire and Hertfordshire Hospitals had recommended that the burns and plastic services should be relocated from Mount Vernon Hospital. This change was recommended because the buildings at Mount Vernon were considered too old, and the gradual loss of other services placed constraints on the use of the burns and plastic services, with a 'co-location' of services preferred. It was advised that a formal public consultation would be completed before any ideas were finalised.

Ms Lowdell referred the Sub-Committee to papers circulated prior to the meeting on the outcome of the Mount Vernon ambulatory feasibility study and the cancer strategy. She highlighted the need to properly resource and manage the Mount Vernon cancer services through the transitional period whilst they were being relocated.

Members commented on the excellence of the services provided by Mount Vernon hospital. In response to a question about the potential of the site for redevelopment, it was stated that those present had not been involved in any discussion of this matter, and that Hillingdon Hospital Trust as owner of the site, as well as provider of local acute services there, would be better placed to inform members on overall site issues. Members requested more information on the background of the decision not to redevelop the hospital.

The Chair thanked Mr Evans and Ms Lowdell on behalf of the Sub-Committee for attending the meeting.

RESOLVED: That the above be noted.

262. **Harrow Primary Care Trust - Financial Update:**

Members received a report from Mr Neil Ferrelly, the Director of Finance and Information at Harrow PCT, which advised the committee on the PCT's distance from the NHS target allocation, and the financial position for 2004/05 and 2005/06. Mr Andrew Morgan, the Chief Executive at Harrow PCT, was also in attendance to answer Members' queries.

Mr Ferrelly advised that the PCT's recurrent allocation was approximately £20,000 above the NHS target allocation at the start of 2006/07, which resulted in Harrow being in receipt of more than its 'fair share' of the funding available to PCTs. By maintaining growth beneath the national average, it was hoped to reduce the distance from target to £18,600 by 2007/08. The PCT had exceeded its resource limit by £969,000 in 2004/05. In 2005/06, an overall savings plan had been identified to ensure the PCT remained within the resource limit in 2005/06.

A Member suggested applying for additional grants to support the financial position. Mr Ferrelly advised that London healthcare was in receipt of more than its fair share of funding available to the PCTs, and that Harrow PCT would not be considered for any additional grants. In response to concerns regarding the potential loss of primary services and conversion of primary services into secondary services, Members were informed that services needed to be provided in the most appropriate setting and at an appropriate volume.

RESOLVED: That the above be noted.

263. **Green Paper on Adult Services:**

The Sub-Committee received a report of the Director of Community Care, which advised Members of the Council's formal response to the Government's recent consultation on the Adult Social Care Green Paper. However, Members agreed that it was too late in the evening to consider the report thoroughly, and it was agreed to defer the item to a Special Meeting of the Sub-Committee.

RESOLVED: That the report be deferred until a Special Meeting of the Sub-Committee in October 2005.

[See also Minute 264 below].

264. **Any Other Business:**(i) **Special Meeting of the Health and Social Care Scrutiny Sub-Committee**

Members were informed that the three NHS Trusts for Harrow needed to consult with the Sub-Committee on their performance assessments. The deadline for completion was October, and so the work could not be incorporated into the established work programme of meetings. The Sub-Committee agreed to hold a Special meeting on 6 October 2005 at 6.00 pm to address the consultation, and also to conclude discussions on the Green Paper on Adult Services and address the items on the information circular which could not be covered in the time available for this meeting.

RESOLVED: That the Health and Social Care Scrutiny Sub-Committee hold a Special Meeting on 6 October 2005 at 6.00 pm to discuss the items identified above.

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

(2) at 10.30 pm to continue to 11.00 pm;

(3) at 11.00 pm to continue to 11.15 pm;

(4) at 11.15 pm to continue to 11.30 pm;

(5) at 11.30 pm to continue to 11.45 pm; and

(6) at 11.45 pm to defer item 14, Green Paper on Adult Services, to another meeting of the Sub-Committee.

(Note: The meeting having commenced at 7.30 pm, closed at 11.45 pm)

(Signed) COUNCILLOR HOWARD BLUSTON
Chair

ENVIRONMENT AND ECONOMY SCRUTINY SUB-COMMITTEE**26 SEPTEMBER 2005**

Chair: * Councillor Blann

Councillors: * Arnold * Miles
 * Knowles * Seymour
 * Lavingia * Anne Whitehead

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**172. **Attendance by Reserve Members:****RESOLVED:** To note that no Reserve Members were in attendance at this meeting.173. **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.174. **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. Housing Needs and Supply Annual Statistical Summary	The delay was due to a discrepancy found in the figures that needed to be amended.
15. Local Area Agreements	Policy and Partnership Services was awaiting confirmation from the Government Office for London that the timetable for the next steps in the development of the LAA (section 3.2.3) were appropriate.

(2) agenda items (14) and (15) be considered after item (9) and before item (10);

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

175. **Minutes:****RESOLVED:** That, having been circulated, the minutes of the meeting held on 8 June 2005, be taken as read and signed as a correct record.176. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.177. **Petitions:****RESOLVED:** To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.178. **Deputations:****RESOLVED:** To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.179. **References from Council and Other Committees:****RESOLVED:** To note that there were no references from Council or other committees.

180. **Attendance by the Planning, Development and Housing Portfolio Holder:**

RESOLVED: To note that the Planning, Development and Housing Portfolio Holder had sent his apologies as he was unable to attend the meeting.

181. **Housing Need & Supply Annual Statistical Summary:**

The Sub-Committee received a report of the Interim Director of Corporate Property, outlining the statistics relating to housing need and supply during 2004/5. It was noted that table 9.4, indicating Out of Borough Nominations, was a new addition to the Annual Statistical Summary.

In response to a question posed by a Member regarding the statutory housing obligations of the London Borough of Harrow, the officer present stated that the Council had accepted a duty to house 96 of the 1,993 households that had made applications. The officer stated that this figure could be better understood by placing it in the context of the Council's homelessness prevention system, which included the Fresh Start Scheme and the Sanctuary Scheme. Together with a mediation scheme, in which the Council worked with young people to reduce the likelihood of their exclusion from home, Harrow's homelessness prevention system meant that the Council acted before many people were deemed homeless, thus reducing the number of households to which it owed a statutory duty.

In response to a question from a Member regarding Council assistance in evictions from private sector accommodation, the officer stated that Harrow had built up good working relations with private sector landlords, which in some cases had helped to prevent this situation from arising.

In response to questions regarding the data presented in the Housing Need and Supply Annual Statistical Summary, the officer stated that the Information Circular from the 8 June 2005 meeting of the Sub-Committee outlined the number of voids from the previous year, but that at the time of the current meeting, there were no data available to show, throughout the annual period, the duration that properties lay vacant. It was also noted that the figure of 49 transferring council tenants for 2004/5 indicated that although relatively fewer tenants sought to transfer dwellings and incentives were offered for tenants to downsize their dwelling, few of the larger dwellings were being transferred.

Responding to a question put by a Member about LOCATA banding, the officer advised that bands A to C were priority groups and that band D comprised the remainder of Homeseekers. It was noted that of the 4443 households registered at 1 April 2005 just over 51.3% fell into band C, 47.1% into band D, 1.3% into band B, and 0.3% (approximately 25) fell into band A.

RESOLVED: That the report be noted.

182. **Your Home, Your Needs Best Value Review - Update:**

RESOLVED: To note that (1) it had not been possible for officers to complete the report in time for the meeting;

(2) the report would be considered at a future meeting of the Sub-Committee.

183. **Public Green Spaces Review - Scope:**

The Sub-Committee received a report of the Director of People, Policy and Performance outlining the scope of the Public Green Spaces Review.

Officers had identified three themes to be addressed by the Review, namely physical access, community involvement and consideration for biodiversity, and confirmed that the first Review Group meeting would be held on 27 September 2005.

In response to questions from Members, officers advised that all costs for the Review would be met from the existing Scrutiny budget. If approved by Review Groups in January 2006, there would be a period of consultation with Lead Officers from relevant directorates, and that this would lead to consideration of the Review by the Sub-Committee. If approved, the Review would then be recommended to Cabinet before the May 2006 elections.

RESOLVED: That the Scope be agreed.

184. **Scrutiny Review of Tourism - Scope:**
The Sub-Committee received a Scoping Report of the Scrutiny Review of Tourism. Officers stated that one of the primary functions of the Review would be to assess Harrow's Tourism Strategy, which had been approved by Cabinet earlier in 2005. Key themes that the Review would pick up on would include sustainability, infrastructure and community involvement. A member of the Sub Committee welcomed the Review and highlighted the importance of emphasising Harrow's rich heritage.
- RESOLVED:** That the Scope be agreed.
185. **Food Safety Audit - information briefing:**
The Sub-Committee considered a report of the Chief Environmental Health Officer on the Food Safety Audit, which advised the Sub-Committee on the recommendations of the Food Standards Agency following the audit carried out in May 2004.
- Officers stated that the Food Standards Agency would return to Harrow in November 2005 to re-inspect and to check that the Action Plan was being duly completed; he proposed to report back to the Sub-Committee following this re-inspection.
- Responding to questions posed by Members of the Sub-Committee, the officer stated that the information presented in the Audit, together with the recommendations of the Food Standards Agency, was approved on 28 July 2005 by Cabinet in the form of the annual Food Service Plan. The Sub Committee heard that in accordance with the Food Service Plan, documented procedures had been reviewed and amended. The officer stated that the Food Standards Agency had been working on a pilot scheme to publish the results of the Audit on the internet, but that at present, this was not ready to be launched.
- RESOLVED:** To note the report.
186. **Local Area Agreements:**
The Sub-Committee considered a report of the Director of People, Performance and Policy, which outlined the development of Harrow's Local Area Agreement (LAA). Officers advised that Harrow had been awarded the opportunity to negotiate an LAA with Government Office for London, which meant that the Council and its partners would agree targets and priorities for Harrow with central Government. It was explained that the benefits of the LAA would include increased flexibility to find local solutions to local problems, and to prioritise spending to achieve the priorities set by the LAA. These priorities were grouped around four blocks: Children and Young People, Safer and Stronger Communities, Healthier Communities and Older People, and Economic Development and Enterprise.
- The Sub-Committee was briefed on the timetable for the development of the LAA, according to which Harrow had to decide headlines within the four blocks by the end of September 2005. Specific freedoms, flexibilities and funding streams would then be determined in the following months, with Harrow's LAA to be submitted to the Government Office for London by the end of February 2006, in time for the LAA to come into operation on 1 April 2006. Members heard that the LAA set a three-year programme of delivery.
- Responding to questions from Members, officers explained that the priorities within the headline indicators had been decided by Cabinet and the Harrow Strategic Partnership Board and Executives, in consultation with lead officers in relevant directorates. As yet there were no additional costs imposed on the Harrow Strategic Partnership, as the costs of the proposals were incurred in terms of time taken to develop the LAA by officers.
- Some Members expressed the view that the report contained technical uses of language which they considered to be unclear. Although they were grateful for the clarification provided by the officer present, they considered that it would be useful in future to receive reports which provided both more background information and context. Members considered that this issue had arisen as a result of reports to scrutiny committees being written in the same style as similar reports to Cabinet, and suggested that because of the differing roles of each body, a different approach in drafting and presenting reports be adopted. It was resolved that this issue be raised with the Overview and Scrutiny Committee as a general comment on reports presented to Scrutiny Sub-Committees. The Chair also proposed that the Sub-Committee receive a follow-up report on the LAA at its March 2006 meeting.
- RESOLVED:** That (1) the report be noted;

(2) the appropriateness of this style of report for Scrutiny purposes be raised with the Overview and Scrutiny Committee;

(3) the Sub-Committee receive a follow-up report on the LAA at its March 2006 meeting.

187. **Any Other Business:**

The Chair tabled a list of items to be included in the agenda of the meeting scheduled for 29 November 2005. Due to the large volume of work, it was suggested that, if Members were in agreement, an additional meeting be held. Dates proposed to the Sub-Committee were 21 November and 5 December 2005.

RESOLVED: That (1) a special meeting of the Sub-Committee be held on 5 December 2005;

(2) the Portfolio Holders for Planning, Development and Housing, and Environment and Transport be invited to attend either the 29 November 2005 or 5 December 2005 meeting.

(Note: The meeting having commenced at 7.30 pm, closed at 8.50 pm)

(Signed) COUNCILLOR ALAN BLANN
Chair

LICENSING
AND GENERAL
PURPOSES
COMMITTEE

REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE

MEETING HELD ON 19 SEPTEMBER 2005

Chair:	* Councillor Idaikkadar	
Councillors:	* Arnold	* Dharmarajah
	* Mrs Bath	* Ann Groves
	* Billson	* Knowles
	* Blann	* Vina Mithani
	* Branch	* John Nickolay
	* Choudhury	* O'Dell
	* Janet Cowan	* Ray

* Denotes Member present

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

RESOLVED: To note that no Reserve Members were included in the Committee's membership.

71. 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.

72. Arrangement of Agenda:

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

73. Minutes:

RESOLVED: That the minutes of the Special meeting held on 16 May 2005 and the meeting held on 16 June 2005, having been circulated, be taken as read and signed as a correct record.

74. Public Questions, Petitions or 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 and 16 (Part 4B of the Constitution) respectively.

75. Nomination for the Early Retirement Sub-Committee - Additional Reserve Member:

RESOLVED: That Councillor Ann Groves be appointed as a Reserve Member to the Early Retirement Sub-Committee.

76. Mini-Valuation:

Members received a report of the Executive Director (Business Development) proposing that further information be sought from the scheme actuary following the revocation of the 2005 pension regulations and the resulting impact to Harrow's pension fund. The outturn of the mini valuation was to be forwarded to the Office of the Deputy Prime Minister (OPDM).

RESOLVED: That (1) a letter be sent to the ODPM advising them that Harrow expected regulations to be amended to address the additional burden of costs associated with revocation, enclosed with a copy of the actuaries report; and

(2) the Group Manager be instructed to write to all associated employers, providing them with the actuary report and advising them of their right to make contributions higher than those detailed in the 2004 valuation rates and adjustment certificate.

77. **Housing Act 2004: Criteria for Enforcement Action under the Housing Health and Safety Rating Scheme:**

A report of the Chief Environmental Health Officer was presented to the Committee, which asked Members to consider prioritising enforcement action against properties listed within category 1 under the Housing Act 2004.

An officer explained that the Housing Act legislation enabled Councils to establish a registration scheme, which provided local authorities with a system to tackle poor housing conditions in the private rented sector. Members were informed that local authorities had a duty to take enforcement action when a property was established to be under category 1, ie. hazardous to the occupants or in substantial disrepair. Whilst properties identified under category 2 carried a discretionary power to act, there was no statutory duty to do so. Properties were graded under a Health and Safety Rating System: the greater the risk, the higher the hazard, which when totaled up determined which category a property would be designated to. The officer advised that 95% of properties within the Authority were likely to be classified as category 1, and that prioritising action at category 1 premises on a risk assessed basis would enable resources to be targeted to improve the living conditions for the most vulnerable people who were at the greatest risk.

RESOLVED: That (1) enforcement action under the Housing Act 2004 be granted to those properties where the hazard, when assessed under the Housing Health and Safety Rating System, fell into bands A, B or C representing a category 1 hazard, where there was a statutory duty for the Council to take enforcement action; and

(2) this be reviewed after 1 year and a report be submitted to the Licensing & General Purposes Committee to agree any amendments required.

78. **Housing Act 2004: Adoption of an Additional Licensing Scheme for Houses in Multiple Occupation consisting of 2 Storey Properties:**

Members received a report of the Chief Environmental Health Officer, which outlined the powers given to local authorities in the Housing Act 1985 to establish a registration scheme for houses in multiple occupation (HMOs).

In order to continue the existing scheme adopted by Harrow in 2000 and to protect the most vulnerable people who were at the greatest risk, Members approved adoption of the existing scheme under the Housing Act 2004. Multiple occupancy was at the lower end of the rental private sector market, and provided homes for those on a low income. It was vital that Harrow maintained a register of accommodation to meet housing needs. The scheme contained in the legislation related to three storey properties with 5 or more occupants only and as such fell well short of the Council's existing scheme. The existing scheme included properties of two storeys and as such was more relevant to the local needs and property type. If the existing scheme was not adopted, it was considered that the landlord would be placing people at considerable risk.

RESOLVED: That (1) the additional licensing scheme (transitional scheme) be approved for 3 years to license 2 storey Houses in Multiple Occupation (HMOs) with 5 or more tenants from the date of commencement of Part 2 of the Housing Act 2004 in November 2005; and

(2) the additional licensing scheme be approved at the end of the transitional period to ensure that 2 storey HMOs continue to be covered.

79. **Licensing Act 2003, Transitional Arrangements and end of Grandfather Rights for Conversion of Existing Licenses:**

The Chief Environmental Health Officer reported on applications for personal licences, which had fallen within officers delegated powers and had been granted, as required under the new Licensing Act 2003.

Members noted the 84% success rate of applications received and addressed by the Authority within the set timeframes. The Chief Officer thanked the members of the Licensing and General Purposes Committee for the support and guidance offered to officers in enabling the Panel Hearings within the timescales. The officer advised the Committee that 75 premises had failed to submit a conversion application by the deadline of 6 August 2005 but that the Licensing Team had already contacted those affected to offer them some guidance. Members congratulated the Licensing Team and Democratic Services for their hard work and efforts in meeting the deadlines.

RESOLVED: That the list of personal and premises licences granted under delegated authority be noted.

80. **Update on Licensing Issues:**
The Chief Environmental Health Officer updated Members on issues arising from Licensing Panel meetings following implementation of the Licensing Act 2003 and the implications of possible appeals, if a robust system was not put in place. He advised that a letter summarising a meeting held between the Leaders of each political party, the Chair of Licensing and General Purposes Committee, the Portfolio Holder for the Environment and Transport and Licensing officers would be sent to all Members of the Licensing and General Purposes Committee in due course.

RESOLVED: That the update be noted.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.15 pm).

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

LICENSING AND
GENERAL PURPOSES
PANELS

CHIEF OFFICER APPOINTMENTS PANEL

2 AUGUST 2005

Chair: * Councillor N Shah

Councillors: * Miss Bednell (1) * Miss Lyne
* Dighé * C Mote

* Denotes Member present

(1) Denotes Nominee substitution (see Minute 51 below).

PART I - RECOMMENDATIONS -- NIL**PART II - MINUTES**49. **Chair of the Panel:**

The Licensing and General Purposes Committee at its special meeting on 16 May 2005, under the provisions of Committee Procedure Rule 7.2, duly appointed Councillor Navin Shah as Chair of the Panel for the Municipal Year 2005/06.

RESOLVED: To note the appointment of Councillor Navin Shah as Chair of the Panel for the forthcoming year.

50. **Arrangement of Agenda:**

RESOLVED: That the item appearing in Part II of the agenda (Minutes 54 and 55 refer) be considered with the press and public excluded on the grounds that it contained confidential information, which was exempt under the provisions of Paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972, as amended, in that it related to applicants to become an office-holder with the Authority.

51. **Membership:**

RESOLVED: That the attendance of a nominee Member at this meeting, further to the formula membership of the Panel, be noted as follows:-

<u>Original Member</u>	<u>Nominee Member</u>
Councillor D Ashton	Councillor Miss Bednell

52. **Declarations of Interest:**

RESOLVED: That it be noted that there were no declarations of interest by Members in relation to the business on the agenda for this Panel meeting.

53. **Minutes:**

RESOLVED: That the minutes of the Chief Officer Appointments Panel meetings held on 1 October, 27 October and 1 November 2004, having been circulated, be signed as correct records.

54. **Appointment of Executive Director (Business Development):**

The post had been established by the Cabinet at its meeting on 28 July 2005 as part of a revised organisational structure for two Directorates of the Council.

The Panel having interviewed one internal, ring-fenced, short-listed candidate for the new post of Executive Director (Business Development), it was

RESOLVED: That Ms Jill Rothwell, previously Executive Director (Organisational Development), London Borough of Harrow, be appointed to the new post of Executive Director (Business Development), London Borough of Harrow, in accordance with the terms and conditions of service governing Chief Officer posts and with effect from Tuesday 9 August 2005, subject to the provisions of the Overview and Scrutiny Procedure Rule 22 regarding the Cabinet decision on the new Directorate organisation and the provisions of the Officer Employment Procedure Rule 4(b).

55. **Appointment of Director of People, Performance and Policy:**

This post had been established by the Cabinet at its meeting on 28 July 2005 as part of a revised organisational structure for two Directorates of the Council.

The Panel having interviewed an internal, ring-fenced, short-listed candidate for the new post of Director of People, Performance and Policy, it was

RESOLVED: That Mr P Najsarek, previously Director of Organisational Performance, London Borough of Harrow, be appointed to the new post of Director of People, Performance and Policy, London Borough of Harrow, in accordance with the terms and conditions of service governing Chief Officer posts and with effect from Tuesday 9 August 2005, subject to the provisions of the Overview and Scrutiny Procedure Rule 22 regarding the Cabinet decision on the new Directorate organisation and the provisions of the Officer Employment Procedure Rule 4(b).

[Note: Appointment of Director of Business Transformation

This post had also been established in the same context as those referred to at Minutes 54 and 55 above.

However, there were no ring-fenced, internal applications and an appointment was not considered at this meeting.]

(Note: The meeting having commenced at 10.30 am, closed at 12.30 pm)

(Signed) COUNCILLOR NAVIN SHAH
Chair

LICENSING PANEL

2 AUGUST 2005

Chair: * Councillor Knowles

Councillors: * Choudhury * Idaikkadar

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**63. **Appointment of Chair:**

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

64. **Attendance by Reserve Members:**

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

65. **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.

66. **Arrangement of Agenda:**

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

67. **Minutes:**

RESOLVED: That (1) the minutes of the meetings held on 11 May 2005 (adjourned and completed on 22 June 2005) and 24 May 2005, having been circulated, be taken as read and signed as correct records;

(2) the minutes of the meetings held on 11 July 2005 and 18 July 2005 be signed as a correct record by the relevant Chair.

[Note: See note at conclusion of these Minutes.]

68. **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 and 16 (Part 4B of the Constitution) respectively.

69. **Application for Variation of Hours at Harrow Food & Wine, High Street Wealdstone 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 Harrow Food & Wine, 9, High Street, Wealdstone.

The application was made by Mr Chandrapal Thilagadas, the current licensee, who attended the meeting with his solicitor Ms Sarah Fairclough, the shop night manager and retail consultant Mr Joshua Simons. The retail consultant had been working with the applicant to train staff and develop procedures to support the promotion of the Council's four Licensing Objectives.

The application sought an extension to the hours permitted for sale by retail of alcohol for consumption off the premises.

The premises were located on the High Street, Wealdstone, close to the Harrow & Wealdstone Station, in a predominantly commercial area.

The application had been referred to the Panel as there were three unresolved representations from responsible authorities.

The representation from Environmental Health cited the prevention of public nuisance, and raised concern as to how the applicant would: limit noise disturbance from patrons within and outside the premises; prevent queues forming; and control litter in the

vicinity of the premises. Particular concern was raised in relation to the potential influx of customers after nearby pubs closed. Preventative measures were suggested by the applicant and accepted by the Panel. In addition, the applicant informed the Panel that a bin had been placed outside the premises and an indication alarm was fitted on the door.

The Metropolitan Police addressed all four Licensing Objectives in their representation. Particular reference was made to the applicant's failure to uphold an undertaking to Harrow Magistrates court on 12 February 2003 to include a second licensee onto the licence within two sessions (twelve weeks). The applicant had thought a second licensee had been added, although the Panel determined that it had not. The representation also highlighted a conviction against the applicant on 10 March 2004 for the sale of alcohol to a person under the legal age. This concern was also addressed in the representation from the Principal Trading Standards Officer. When asked what measures had been taken to protect children from harm, the applicant advised the Panel that the consultant had developed a recording system for all attempted underage purchases and that photo ID was required for purchasing alcohol. The Metropolitan Police noted that the training for the National Licensee Certificate Course, which was completed by the applicant before the conviction, addressed the issue of asking for ID and keeping records of attempted underage purchases. The Panel was informed that the night manager was intending to complete a licensing course. Both the Metropolitan Police and Trading Standards objected to the applicant becoming the designated premises supervisor (DPS).

It was brought to the Panel's attention that a letter had been sent to the applicant from the Crime Reduction Unit, detailing measures to be taken to prevent crime and disorder. The applicant informed the Panel that the suggested measures were either in place or being installed.

RESOLVED: That the variation to the licence for Harrow Food & Wine, 9, High Street, Wealdstone, Harrow, HA3 5BY be granted with the following amendments to the application and the following additional conditions:

AMENDMENT/S TO THE APPLICATION:

- Reduction of hours to midnight on Monday to Thursday
- Reduction of hours to 11.00 pm on Sunday

ADDITIONAL CONDITIONS:

1. A minimum of two staff to be on the premises between the hours of 3.00 pm and 8.00 pm.
2. A minimum of three staff to be on the premises from 8pm until closing.
3. Appropriate signage asking patrons to leave the premises quietly, prohibiting underage sales and restricting numbers of schoolchildren to 2.
4. Hourly litter patrols to be undertaken by staff.
5. That the applicant not be the Designated Premises Supervisor (DPS), and that another member of staff on the premises be a License holder having passed the necessary qualification to become the DPS.
6. To comply with the recommendations made by the Crime Reduction Officers.
7. The door to be kept closed from 8pm until closing.
8. The premises to operate a 'challenge under 21' policy, in that no sales of alcohol be made to any person under 21 unless that age had been challenged by staff and their correct age ascertained.
9. The premises be secured with fully operational CCTV in good working condition with a 31 day bank of recordable media.

REASONS: The above conditions were imposed in light of the representations received and in support of the Councils' four Licensing Objectives.

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

(Note: The meeting having commenced at 2.00 pm, closed at 5.20 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

4 AUGUST 2005

Chair: * Councillor Branch

Councillors: * Choudhury * Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**70. **Appointment of Chair:****RESOLVED:** That Councillor Branch be appointed Chair of the Panel for the purposes of this meeting.71. **Attendance by Reserve Members:****RESOLVED:** To note that no Reserve Members were currently appointed to the Panel.72. **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.73. **Arrangement of Agenda:****RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
11. Appendices to the Application for variation of hours at Moon and Sixpence, Uxbridge Road, Hatch End during Transitional period	(1) The Police representation was inadvertently omitted from the original agenda; (2) under the provisions of the Licensing Act, the applicant was allowed to respond to any representations up to two days prior to the meeting date. A response from the applicant was enclosed. Members were asked to receive the additional papers in conjunction with the report for agenda item 11.

(2) agenda item 10 be considered as the last application; and

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

74. **Minutes:****RESOLVED:** That the minutes of each Panel meeting are signed by the relevant Chair, to confirm their accuracy, shortly after the meeting has taken place. Minutes of such previous meetings appropriately are not submitted to subsequent Panels, which will be considering relevant cases under different Chairmanships.75. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.76. **Petitions:****RESOLVED:** To note that no petitions had been received.

77. **Deputations:**

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

78. **Application for variation of hours at Moon and Sixpence, Uxbridge Road, Hatch End 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 Licence hours for the Moon and Sixpence, 250 Uxbridge Road, Hatch End, Middlesex, HA5 4HS.

The application was made by Messer's Berwin Leighton Paisner on behalf of the applicant JD Weatherspoon Plc. The solicitor acting on behalf of the applicants, together with the Director of Operations of JD Weatherspoon and the licensee were in attendance. A member of the Hatch End Residents' Association and a local resident were also present to make a representation.

The application sought an extension of hours for the sale of alcohol and provision of late night refreshments for the hours set out in the officer report. The premises were located in close proximity to a parade of shops and restaurants and a residential area. Representations had been received from local residents and three responsible authorities.

The Panel heard an oral submission from the solicitor acting on behalf of the applicant. Members were informed that the applicant had offered the following amendments to the application and conditions:

- clearance of the garden area at the rear of the premises by 11.30 pm;
- appropriate signage asking patrons to leave quietly in consideration of local residents;
- withdraw the request seeking extensions for the supply of alcohol on twelve occasions per calendar year;
- doors and windows be closed by 11.30 pm to address the noise concerns of local residents;
- sound attenuation measures to be completed to the refrigeration unit to the satisfaction of the Council's Environmental Health Service;
- the hours for the sale of alcohol be amended to 12 midnight from Monday to Thursday (with the premises closing 12.30 am) and 1.00 am on Friday and Saturday nights (with the premises closing at 1.30 am) and 11.00 pm on Sundays (with the premises closing at 11.30 pm);
- the withdrawal of additional hours requested on Australia Day, Burns Night, St David's Day, St Andrew's Day and Halloween; and
- the additional application in Box O regarding the converted right be withdrawn.

The solicitor acting on behalf of the applicant explained that the premises would have difficulty in maintaining the pool of five managers on the premises at any given time. It was clarified that the applicant was seeking to open the premises at 8.00 am on Saturday and 9.00 am on Sunday.

The Panel heard oral statements from local residents, who expressed concern at the control of the front external area and the noise emanating from the premises. Further discussion centred on the control of the external seating area. It was suggested that the clearance of the garden area could also be extended to the front seating area.

RESOLVED: That the variation to the licence for the Moon and Sixpence, 250 Uxbridge Road, Hatch End, Middlesex, HA5 4HS be granted, as amended above, with the following additional conditions:-

CONDITIONS

1. That the licence be subject to sound attenuation measures to the refrigeration unit, which must be completed to the satisfaction of the Environmental Health Service.
2. Patrons vacate the garden by 11.30 pm.
3. That lights in the garden area be turned off by 11.30 pm.
4. Appropriate signage be displayed requesting patrons to leave the premises quietly.
5. The front external area not be used for any licensable activity after 11.30 pm and that tables and chairs be cleared from that area by 11.30 pm.
6. Rear doors and windows be closed by 11.30 pm.

7. The premises be provided with fully operational CCTV.

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

79. **Application for variation of hours at Moon on the Hill, 373-375 Station Road, 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 the Justices Licence hours for the Moon on the Hill, 373-375 Station Road, Harrow, Middlesex, HA1 2AW.

The application was made by Messer's Berwin Leighton Paisner on behalf of the applicant JD Weatherspoon Plc. The solicitor acting on behalf of the applicants, together with the Director of Operations of JD Weatherspoon and the licensee were in attendance.

The application sought an extension of hours for the sale of alcohol and provision of late night refreshments for the hours set out in the officer report. The premises were located in the town centre. Representations had been received from two local residents and two responsible authorities. The local residents expressed concern at the increase in noise disturbance from surrounding areas and the potential rise in crime and disorder.

The solicitor acting on behalf of the applicant stated that the application aimed to achieve a more gradual dispersal of patrons and was therefore in accordance with the Licensing Act. Members were informed that the applicant had offered the following amendments to the application:

- withdraw the request seeking extensions for the supply of alcohol on twelve occasions per calendar year;
- the withdrawal of additional hours requested on Australia Day, Burns Night, St David's Day, St Andrew's Day and Halloween; and
- the additional application in Box O regarding the converted right be withdrawn.

RESOLVED: That the variation to the licence for the Moon on the Hill 373-375 Station Road, Harrow, Middlesex, HA1 2AW be granted, as amended above, with the following additional conditions:-

CONDITIONS

1. Appropriate signage be displayed requesting patrons to leave the premises quietly.
2. The premises be provided with fully operational CCTV.
3. children only be allowed in designated areas.

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

80. **Application for variation of hours at Village Inn, 402-408 Rayners Lane, 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 the Justices Licence hours for the Village Inn, 402-408 Rayners Lane, Rayners Lane, Harrow, Middlesex, HA5 5DY.

The application was made by Messer's Berwin Leighton Paisner on behalf of the applicant JD Weatherspoon Plc. The solicitor acting on behalf of the applicants, together with the Director of Operations of JD Weatherspoon and the licensee were in attendance.

The application sought an extension of hours for the sale of alcohol and provision of late night refreshments for the hours set out in the officer report. Representations had been received from two responsible authorities.

Members were informed that the applicant had offered the following amendments to the application:

- the hours for the sale of alcohol be amended to 12 midnight from Monday to Thursday (with the premises closing 12.30 am) and 1.00 am on Friday and Saturday nights (with the premises closing at 1.30 am) and 11.00 pm on Sundays (with the premises closing at 11.30 pm); and

- withdraw the request seeking extensions for the supply of alcohol on twelve occasions per calendar year;
- the withdrawal of additional hours requested on Australia Day, Burns Night, St David's Day, St Andrew's Day and Halloween; and
- the additional application in Box O regarding the converted right be withdrawn.

RESOLVED: That the variation to the licence for the Village Inn, 402-408 Rayners Lane, Harrow be granted, as amended above, with the following additional conditions:-

CONDITIONS

1. Appropriate signage be displayed requesting patrons to leave the premises quietly.
2. The premises be provided with fully operational CCTV.
3. Remove tables and chairs from the front external area by 11.30 pm.

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

81. **Application for variation of hours at Change of Hart, 21 High Street, Edgware 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 Licence hours for the Change of Hart, 21 High Street, Edgware, Middlesex, HA8 7EE.

The application was made by Spirit Group Ltd. The solicitor acting on behalf of the applicant and the licensee were also in attendance.

The Panel were asked to refer to page 22 of the agenda for the correct list of the applicant's proposed hours for the sale of alcohol and late night refreshment and performance of dance.

Having discussed a number of the issues involved in the application, the applicant agreed to the following amendments:-

- that the last paragraph in Box O on page 29 of the agenda be withdrawn;
- to withdraw the request seeking extensions for the supply of alcohol on twelve occasions per calendar year; and
- the additional application in Box O regarding the converted right be withdrawn.

RESOLVED: That the variation to the licence for the Change of Hart, 21 High Street, Edgware, Middlesex, HA8 7EE be granted, as amended above, with the following additional conditions:-

CONDITIONS

1. Appropriate signage be displayed requesting patrons to leave the premises quietly.
2. The premises be provided with fully operational CCTV.
3. The premises close thirty minutes after the end of licensable activity.

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

(Note: The meeting having commenced at 2.05 pm, closed at 5.40 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

LICENSING PANEL

8 AUGUST 2005

Chair: * Councillor Mrs Bath

Councillors: * Branch * Knowles

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**82. **Appointment of Chair:**

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

83. **Attendance by Reserve Members:**

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

84. **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.

85. **Arrangement of Agenda:**

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

86. **Minutes:**

RESOLVED: That the minutes of each Panel meeting are signed by the relevant Chair, to confirm their accuracy, shortly after the meeting has taken place. Minutes of such previous meetings appropriately are not submitted to subsequent Panels, which will be considering relevant cases under different Chairmanships.

87. **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 and 16 (Part 4B of the Constitution) respectively.

88. **Application for Variation of Hours at Flying Eagle, Mollison Way, Edgware 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 Flying Eagle, Mollison Way, Edgware.

The application was made by Messrs Macneil Ltd, for a premises licence. In attendance were Mischelle Aliu and Mary Kelly, licensees for the premises.

The premises are situated in a part residential and part commercial area and the application was before the Panel as there were unresolved representations from two responsible authorities and six from local residents.

The representation from the Metropolitan Police had cited three of the four Licensing Objectives against the premises namely, the prevention of crime and disorder, public nuisance and the protection of children from harm. It stated that the premises did not have a children's certificate and that additional measures to protect children from harm should be considered in any additional conditions. Sergeant Carl Davis raised concerns in relation to the excessive hours and also indicated that door supervisors should be to the ratio of 1:50 patrons.

The officer from the Environmental Health Protection Team had cited the prevention of public nuisance. The applicant had failed to provide information as to what preventative measures they proposed with regard to noise from music and noise in general from the premises, such as patrons leaving the establishment.

Local residents had collectively cited all four of the Licensing Objectives. Mr Surendran and Mr Patel, two of the objectors, attended the meeting to present their cases. Complaints included noise emanating from patrons on and off the premises, from music, fights and vandalism, broken glass and patrons urinating in public spaces, including residential gardens.

The applicant responded to the allegations and indicated that she had not received any complaints and that at no stage had any of the residents approached her to complain. Ms Aliu felt there were adequate provisions in place. The licensee assured the Panel that she patrolled the surrounding premises every 20 minutes during functions to ensure there was no noise leakage and checked that windows remained closed. In addition, signs were placed asking patrons to leave quietly. She asked the two objectors present to contact her when the music was loud, so that she could visit the neighbouring properties to hear the noise for herself, to which the objectors agreed. In addition, she suggested a reduction in the additional hours sought.

RESOLVED: That the conversion and simultaneous variation to the Justices Licensing hours for the Flying Eagle, North Parade, Mollison Way, Edgware, Middx, HA8 SQH be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION:

Reduction of hours:

Ground Floor

All forms of entertainment to end by 11.00 pm.

Sale of alcohol to end by 11.00 pm with a 30 minutes drinking up time ie 11.30 pm finish.

First Floor Function Room

Sale by Retail of Alcohol

Monday, Tuesday & Wednesday finish at midnight

Thursday finish at 1.00 am

Friday & Saturday finish at 2.00 am

Sunday finish at 11.30 pm

Late Night Refreshments Indoors

Monday, Tuesday and Wednesday finish at midnight

Thursday finish at 12.30 am

Friday & Saturday finish at 1.30 am

Sunday finish at 11.00 pm

Hours open to the Public

Monday, Tuesday and Wednesday finish at midnight

Thursday finish at 1.00 am

Friday & Saturday finish at 2.00 am

Sunday finish at 11pm or 11.30 pm

ADDITIONAL CONDITIONS

1. Fully operational air conditioning to be kept on, and windows and doors to remain closed when the first floor function room is in use.
2. A no smoking sign to be erected in the restaurant area.
3. No admittance to unaccompanied children, and no entrance to children after 9.00 pm.
4. The outside patio/seating area to be cleared of patrons by 11.00 pm.
5. Visible and legible signs and notices to be clearly displayed asking patrons to leave quietly.
6. The car park to be fenced in and locked when the premises are no longer open to the public, according to the operating schedule.
7. Any AWP machines to be emptied each night or "boot" to be fitted.
8. Regular monitoring patrol of sound leaving the premises to check noise levels at the start of an event and hourly thereafter.
9. Fully operational CCTV during hours the premises was open to the public.
10. The installation of a noise limiter to be fitted and operational for all live and recorded music, subject to the satisfaction of the Chief Environmental Health Officer by 24 November 2005.

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 did agree].

89. **Application for Late Night Refreshment, Tennessee Fried Chicken, 227 Northolt Road, South Harrow:**

RESOLVED: Following conciliation with the Environmental Health Protection Team, this application had been withdrawn from the meeting, as there were no other representations.

90. **Application for Variation of Hours at The Leaping Bar, Carmelite Road, 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 Leaping Bar, Carmelite Road, Harrow Weald, HA3 5LS.

The application was made by Messrs TLT Solicitors on behalf of Punch Taverns Plc. In attendance were the licensees, Mr and Mrs Savage, and a representative from Punch Taverns Plc.

The premises were situated in a residential area and the application was before the Panel as there were unresolved representations from two responsible authorities.

The representation from the Metropolitan Police had cited all four of the Licensing Objectives against the premises. The main concern was the additional hours for the sale of alcohol, particularly in light of the reported incidences by the Police. Sergeant Carl Davis advised that the premises did not have a children's certificate and that additional measures to protect children from harm should be considered in any additional conditions. He also indicated that there should be a door supervisor to the ratio of 1:50 patrons. The officer advised Members that CCTV had now been installed but that several crime reduction measures still needed to be put in place. He indicated that the designated fire exit doors required modification and, should there be a break in, with the doors in their existing state, he would seek a review of the licence. He suggested that the Crime Reduction Officer be requested to carry out an on site survey and to assist with the implementation of some of the suggested measures. He also outlined measures to assist with the prevention of noise leakage.

The Environmental Health Protection Team officer cited the prevention of public nuisance. The officer was dissatisfied with the inadequate precautions to be taken with regard to the prevention of nuisance. In response, the applicant advised Members that he thought there was sufficient sound proofing by fitting the windows with loft insulation. He advised that the windows remained closed at all times and that a fan system was in place, not air conditioning. In addition, signs were placed asking patrons to leave the premises quietly.

RESOLVED: That the conversion and simultaneous variation to the Justices Licensing for the Leaping Bar, Carmelite Road, Harrow Weald, Middx, HA3 5LS be granted with the following amendments to the Application and additional conditions:

AMENDMENTS TO THE APPLICATION

Sale of Alcohol

Monday, Tuesday and Wednesday finish at 11.00 pm
Thursday finish at 11.30 pm
Friday and Saturday finish at midnight
Sunday finish at 11.00 pm

A further additional hour into the morning every Friday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning every Friday for the Easter Bank Holiday weekend.

A further hour on Boxing Day, including when it fell on a Monday, Tuesday, Wednesday or Thursday.

A further hour every Christmas Eve including when it fell on a Monday, Tuesday, Wednesday or Thursday.

All other licensable activities except recordable music to cease 30 minutes before closing time.

ADDITIONAL CONDITIONS

1. Outside patio/seating area to be cleared of patrons by 11.30 pm.
2. Regular monitoring patrol of sound leaving the premises to check noise levels at the start of an event and hourly thereafter.
3. No drinks promotions.
4. Visible and legible signs and notices to be clearly displayed asking patrons to leave quietly.
5. Doors and windows to remain closed during musical entertainment.
6. AWP machines to be emptied each night or "boot" to be fitted.
7. Fully operational CCTV during the hours the premises were open to the public.
8. DPS to join the Pubwatch scheme and regularly attend meetings.
9. The bar serving food to be designated a no smoking area and to allow the admittance of children accompanied by a responsible adult.

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

[Note: The Chair asked the applicants Mr and Mrs Savage and their representative, if they consented to the conditions listed above. Responding, their representative confirmed that they did agree].

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

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

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

(2) 10.30 pm to continue until 10.45 pm;

(3) 10.45 pm to continue until 10.50 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.50 pm)

(Signed) COUNCILLOR CAMILLA BATH
Chair

LICENSING PANEL

16 AUGUST 2005

Chair: * Councillor Mrs Bath

Councillors: * Janet Cowan * Knowles

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**92. **Appointment of Chair:**

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

93. **Attendance by Reserve Members:**

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

94. **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.

95. **Arrangement of Agenda:**

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

96. **Minutes:**

RESOLVED: To note that the minutes of each panel are signed by the relevant Chair, to confirm their accuracy, shortly after the meeting has taken place. Minutes of such previous meetings appropriately are not submitted to subsequent Panels, which will be considering relevant cases under different Chairmanships.

97. **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.

98. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

99. **Application for variation of hours during transitional period, South Harrow Off Licence, 293 Northolt Road, South Harrow:**

The Chief Environmental Health Officer's representative informed the Panel that the representations received in respect of the South Harrow Off Licence had been withdrawn that afternoon and that, as a result, the application would not now require determination by the Panel.

It was noted that the application for a conversion and simultaneous variation for South Harrow Off Licence would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions. Members requested that they be sent a copy of the letter granting the application.

100. **Application for variation of hours at New Moon, Kenton Park Parade, Kenton during transitional period:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the representations received in respect of the New Moon public house had been withdrawn that afternoon and that, as a result, the application would not now require determination by the Panel.

It was noted that the application for a conversion and simultaneous variation for the New Moon public house would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of

Licensing Functions. Members requested that they be sent a copy of the letter granting the application.

101. **Application for variation of hours at The Junction PH, Gayton Road, 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 the Justices Licensing hours for The Junction Public House, Gayton Road, Harrow.

The application was made by Messrs Blake Laphorn Linnell on behalf of Mitchells and Butlers Leisure Retail Ltd. The pub's landlord, Mr Alan Jap, and his legal representative, Ms Bushra Razek, were present. Representatives from the two responsible Authorities, the Council's Environmental Protection Team and the Metropolitan Police – who had made representations in respect of the application – were 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, films or dancing to extend to the hours listed in the report of the Environmental Health Officer and the application. The application had been referred to the Panel as there were unresolved representations from responsible authorities.

The premises were situated in the corner of Gayton Road and Lyon Road, an area which was predominantly commercial but with residential flats located at very close proximity to this establishment.

A paper setting out the details of the existing music and dancing and restricted film exhibition (video) licence, held by The Junction Public House was tabled at the meeting in accordance with Procedure A circulated with the agenda.

Prior to the consideration of the application, the applicant's representative sought to further amend the hours of operation applied for and stated that the Metropolitan Police were agreeable to the alterations. The Chief Environmental Health Officer's representative advised that further amendments to the hours of operation could not be considered by the Panel as a fresh application would have to be made by the applicant and which would have to be advertised by the Council.

The Panel proceeded to hear the application before them and as circulated in the agenda papers.

The representations from the Metropolitan Police focused on the preventative measures they expected the licensee to take in order to assist with the protection of children from harm and the prevention of crime, disorder and public nuisance together with reductions to the proposed opening hours. The representatives from the Council's Environmental Protection team placed emphasis on the prevention of noise nuisance.

Responding to issues raised, the applicant's representative, Ms Razek, advised the Panel of the measures taken to resolve these concerns. She informed the Panel that signs requesting patrons to leave the premises quietly had been installed, that windows and doors were fixed shut and that there was a policy to gradually disperse patrons leaving the premises. She explained that door supervisors were already in place, that increased CCTV had been installed, that Amusement with Prizes (AWP) machines would be emptied nightly and that the landlord was a member of a Pubwatch scheme. She asked that Members note that there had been no complaints from local residents in the five months since the arrival of the present landlord. In response to Members' concerns regarding noise from the outside drinking area she stated there was an informal agreement to clear the area by 10.30 pm.

The applicant's representative advised that as the premises were open plan, it would be difficult to designate a non-smoking area. However, parents and other patrons frequenting the public house were advised that a designated non-smoking area was not available.

The Panel was informed that the premises were fenced-off from the road and adjoining building and that the fencing would be enhanced further. This would help to further reduce the noise emanating from the outside drinking area.

The applicant's representative offered amendments to the application by withdrawing the request for extended opening hours on a number of dates and for unspecified sporting events.

RESOLVED: That the variation to the licence for the Junction Public House, Gayton Road, Harrow be granted, as amended, with the following additional amendments to the application and additional conditions which included some of the conditions listed at Annexe 2 of the Chief Environmental Officer's report and the transferred conditions from the existing music and dancing and restricted film exhibitions (video) licence tabled at the meeting:

AMENDMENTS TO THE APPLICATION:

- The withdrawal of extra hours requested for Burns Night, St David's Day, Halloween and Valentine's Night.
- The withdrawal of the request to permit licensable activities for one hour before and after 'recognised international sporting events'.

ADDITIONAL CONDITIONS:

1. The pub manager to participate in and support the local Pubwatch scheme.
2. The premises to be provided with CCTV and operated in line with the Harrow Police's guidelines both inside and outside of the premises while open to the public.
3. The use of toughened glass would continue during additional hours.
4. External areas to be cleared of patrons by 11.00 pm every evening.
5. AWP machines to be emptied nightly or fitted with boots.
6. Signs requesting patrons to leave quietly to be visible both inside and outside the premises.
7. The maximum number of patrons accommodated at any one time should not exceed 80 in the first floor function room and 180 in the ground floor.
8. Window locks to be fitted to all openable windows in the first floor function room.
9. All doors and windows on the premises to be kept closed whenever the entertainment licence is in operation except for entry and exit.
10. Registered door and/or security staff to be employed at the premises when the entertainment licence is in operation.
11. No noise emanating from the premises to be audible at a distance of 1 metre to the façade of the nearest residential dwelling.

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

[Note: The Chair asked the pub's landlord if he consented to the conditions listed above. Responding, the pub's landlord, together with his legal representative, expressed reservations about fully accepting the condition regarding the clearing of external drinking areas by 11pm each night but following further deliberations agreed to accept all the conditions.]

102. **Application for variation of hours at Wealdstone Inn, High Road, Harrow Weald during transitional period:**

The Panel received a report of the Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to the Justices Licensing hours for the Wealdstone Inn Public House, High Road, Harrow Weald.

The application was made by TLT Solicitors on behalf of Punch Taverns plc and not on behalf of Spirit Group Ltd, as stated in sections of the report. The licensee, Mr Dakeland and his legal representative, Mr John Versalo, were also in attendance. A representative from one of the responsible Authorities – the Metropolitan Police – who had made representations in respect of the application was present

The application sought an extension of hours for the sale of alcohol and the provision of live and recorded music. 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 application. The premises were situated in a detached property on the High Road, Harrow Weald, next to some residential properties.

A paper setting out details of the existing music and dancing (weekdays and Sundays) licence held by the Wealdstone Inn was tabled at the meeting, in accordance with Procedure A circulated with the agenda.

The application had been referred to the Panel as there was an outstanding representation from a responsible authority. The Metropolitan Police were concerned with the potential consequences of the removal of a special hours condition ensuring the provision of food during extended hours. The Police advised the Panel that

requests for the provision of CCTV, signage asking patrons to leave the premises quietly and the nightly emptying of Amusement with Prizes (AWP) machines had been agreed by the licensee. He also explained that door supervision had been provided on a voluntary basis as the premises were never full to maximum capacity.

The applicant clarified that children were only allowed on the premises if accompanied by adults, that they were only allowed in the outside area and the function room after 7.00 pm and were not allowed on site at all after 11.00 pm.

The applicant agreed to the inclusion of a condition requiring the enforcement of last entry or re-entry at midnight when extended hours were in place. He informed the Panel that the premises were open plan and that, as a result, it would be difficult to designate a non-smoking area.

Clarification regarding the exact proposed hours of opening was requested and it was confirmed that those hours listed on p138 of the agenda were correct, and that those listed on pages 165-166 should be disregarded.

RESOLVED: That the variation to the license for the Wealdstone Inn Public House, High Road, Harrow Weald be granted with the following conditions which include those listed at Annexe 2 of the report and those transferred from the existing music and dancing licence tabled at the meeting:

ADDITIONAL CONDITIONS:

1. A 30 minute drinking up time to be allowed for gradual dispersal from the premises.
2. The premises to be provided with CCTV and operated in line with the Harrow Police's guidelines both inside and outside of the premises while open to the public.
3. The patrons to be encouraged to leave the premises quietly.
4. Appropriate signage to be in place to request patrons to leave quietly.
5. The maximum number of persons accommodated at any one time not to exceed 200 on the ground floor.
6. All amplified entertainments to be powered via an effective noise limiter device. The settings of this limiter were not to be adjusted except by prior agreement of the Chief Environmental Health Officer.
7. Door supervisors to be provided in agreement with the Metropolitan Police.
8. No children to be allowed anywhere on the premises after 11.00 pm.
9. No entry or re-entry to the premises to be allowed after midnight.
10. AWP machines to be emptied nightly or fitted with a 'boot'.
11. The licensee to continue to participate in the Pubwatch scheme.

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

(Note: The meeting, with the agreement of all applicants and the responsible authorities, having commenced at 3.00 pm due to the late arrival of a Panel Member, closed at 5.39 pm.)

LICENSING PANEL

17 AUGUST 2005

Chair: * Councillor Branch

Councillors: * Mrs Bath * Idaikkadar

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**103. **Appointment of Chair:**

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

104. **Attendance by Reserve Members:**

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

105. **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.

106. **Arrangement of Agenda:**

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

107. **Minutes:**

See Note at conclusion of these Minutes.

108. **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 and 16 (Part 4B of the Constitution) respectively.

109. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

110. **Application for variation of hours at Kenton Sports Club, Kenton Park Road 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 Kenton Sports Club, Kenton Park Road, Kenton.

The application had been made by the Club Chairman, Mr Brendan Shardlow, for a Club Premises Certificate (CPC), which sought the supply and sale of alcohol together with live music, recorded music and dancing. The premises were situated on Kenton Park Road within a sports ground complex, in a predominantly residential area.

The application had been referred to the Panel as there was one unresolved representation from local residents and one from a responsible authority. A further petition, with 70 signatures, had also been submitted objecting to the application for extended hours. Residents had provided examples of noise from patrons, disturbance from cars and patrons sitting on residents' garden walls.

Rebecca Phillips, of Harrow Council's Planning Department, had made representations citing one of the Council's four Licensing Objectives, namely, the prevention of public nuisance. In her report, she advised that a condition of the planning permission granted stated that the premises shall not be used outside the hours of 0800 and 2300 Monday to Saturday and 0800 to 2230 hours on Sunday, without the prior written permission of the Local Planning Authority. Ms Phillips' report also noted that, at the time the planning application was being processed, the Council had received two complaints relating to noise and disturbance.

As Rebecca Phillips was unable to attend the meeting, Sophia Bix attended to represent the Planning Department.

In response to some of the issues raised, the Club Chairman advised that he had never received a complaint from residents. If the extension was granted, the Club Chairman assured residents that it was not intended that the club would regularly open for longer hours: the request had been made to prevent the club having to apply for temporary extensions on occasions when longer opening hours were required. Following clarification from officers regarding the law on 'drinking up time' in relation to members-only clubs, the Club Chairman stated that he would be agreeable to the amendment of the application for Saturday to 12 noon to 12 midnight, rather than 12 noon to 0100 hours stated on the original application. The Club Chairman advised the Panel that the club car park was sometimes used, without permission, by patrons visiting a nearby pub, and it was possible that these people were responsible for the noise reported by residents.

In response to concerns raised by residents, the Club Chairman confirmed that eighteenth birthday parties would not be allowed at the premises. Officers reminded the Club Chairman that, as a members-only club, the venue should not be hired out for functions by non-members. The Club Chairman noted that, if the extension were granted, the club would be applying for a variation to the planning permission to prevent a breach of planning consent.

Mr Potts, attending on behalf of local residents, expressed the view that the current hours were adequate and explained that the residents' main objection was late-night noise. He confirmed that residents had not raised complaints directly with the club. The Club Chairman and Mr Potts agreed that closer communication between the club and local residents would be beneficial.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Kenton Sports Club, Kenton Park Road, Kenton be granted as per the agenda with the following amendments and additional conditions:-

AMENDMENTS TO THE APPLICATION:

Saturday 12 noon to 12 midnight.

ADDITIONAL CONDITIONS:

1. Visible and legible signs and notices to be displayed inside and outside the club, requesting patrons to leave the premises quietly.
2. Doors and windows to be kept closed during musical entertainment.
3. A sign to be displayed in the car park stating that parking was for members only.

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

[Notes: (1) Prior to discussion of the above application, it was brought to the attention of the Panel that the report of the Chief Environmental Health Officer did not mention the representation from local residents, and that the representation had not been circulated with the agenda papers;

(2) officers confirmed that the representation from local residents had been received and a copy had been sent to the applicant;

(3) following consultation with the applicant and objectors, the Panel adjourned to read the representation from local residents.]

(Note: The meeting having commenced at 7.35 pm, closed at 9.18 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL**18 AUGUST 2005**

Chair: * Councillor Branch

Councillors: * Janet Cowan

* Vina Mithani

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**111. **Appointment of Chair:**

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

112. **Attendance by Reserve Members:**

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

113. **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.

114. **Arrangement of Agenda:**

RESOLVED: That (1) agenda items 12 and 13 be taken before agenda item 11;
(2) all items be considered with press and public present.

115. **Minutes:**

(See Note at conclusion of these minutes).

116. **Public Questions:**

RESOLVED: To note that no public questions were put.

117. **Petitions:**

RESOLVED: To note that no petitions were received other than that included in the agenda papers as a public representation.

(See also Minute 120).

118. **Deputations:**

RESOLVED: To note that no deputations were received.

119. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

120. **Application for variation of hours at Royal Oak, Peel Road, Wealdstone 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 Royal Oak, Peel Road, Wealdstone.

The application had been made by Messer's Blake Laphorn Linnell on behalf of Mitchells and Butlers Leisure Retail Ltd. Mr Luke Ponti, representing Mitchells and Butlers, and his legal representative Mr John Chapman, were present. Sergeant Carl Davis, representative from the Metropolitan Police, who, as a responsible Authority, had made a representation in respect of the application, was also present.

The application sought an extension of hours for the sale of alcohol, recorded music and the provision of late night refreshment. The application had been referred to the Panel as there was an unresolved representation from a responsible authority.

The premises were situated in a residential area.

The representation from the Metropolitan Police had cited three of the four Licensing Objectives, namely the prevention of crime and disorder and public nuisance and the protection of children from harm. Sergeant Davis focused on the large increase in incidents requiring the attendance of Police officers that had occurred since 2004 together with objections to elements of the proposed extended hours.

Responding to issues raised, the licensee's representative stated that the applicant wished to withdraw the request for additional opening hours on Burns Night, St David's Day, Halloween, all Bank Holiday Monday's, December 27th, December 28th, December 30th, Valentine's Night, evenings preceding working days and for international sporting events and reduce opening hours by half an hour on Sundays.

The applicant's representative stated that the applicant would be agreeing to the following conditions being placed on the licence:

- The continued maintenance of the present CCTV system
- The fitting of a protective 'boot' to AWP machines
- The clear display of notices requesting patrons to leave the premises quietly
- The provision of a non-smoking area.
- The exterior drinking area to be cleared by 11.20 pm

The applicant explained his awareness of problems that had occurred on the premises under the previous management and his understanding of local residents' concerns. He detailed the intended change in nature of the premises with an increased emphasis on the sale of food and explained the systems that the owners would use to ensure the prevention of crime and public nuisance.

An objector, who represented a number of residents who had signed a petition raising concerns about the impact of the premises being granted extra hours, explained that local residents had been very unhappy with the noise emitting from the premises. Additionally, photographs showing the condition of the front of the public house were tabled at the meeting.

The applicant's representative clarified that loud music would no longer be played as only recorded background music was included in the licence. He additionally explained that the changes to the management of the premises would lead to effective enforcement of all conditions of a licence.

RESOLVED: That the variation to the licence for the Royal Oak, Peel Road, Wealdstone be granted as amended with the following additional conditions:

AMENDMENTS TO THE APPLICATION:

1. The withdrawal of extra hours requested for Burns Night, St David's Day, Halloween, all Bank Holiday Mondays, December 27th, December 28th, December 30th and Valentine's Night.
2. The withdrawal of the request to permit licensable activities for one hour before and after 'recognised international sporting events'.
3. The reduction of extended hours requested for January 1st, St Patrick's Day, Easter Sunday, Sundays prior to bank holidays, Christmas Eve and Boxing Day from 2 hours to 1 hour.

ADDITIONAL CONDITIONS:

1. External areas to be cleared of patrons by 11.20 pm.
2. Signs requesting patrons to leave the premises quietly to be visible both inside and outside the premises.
3. CCTV to be in constant use.
4. AWP machines to be emptied nightly or fitted with a protective 'boot'.

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

121. **Application for variation of hours at Abercorn Arms, 78 Stanmore Hill, Stanmore 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 Abercorn Arms, 78 Stanmore Hill, Stanmore.

The application was made by Messer's Blake Laphorn Linnell on behalf of Mitchells and Butlers Leisure Retail Ltd.

The application sought an extension of hours for the sale of alcohol, recorded music and the provision of late night refreshment. The premises were situated in a predominantly residential area. The application had been referred to the Panel as there was an unresolved representation from a responsible authority.

The applicant's representative stated that the applicant wished to withdraw the application for extended hours on Valentine's Day, Burns Night, St David's Day, Easter Monday, all Bank Holiday Monday's, Halloween, December 27th, December 28th and December 30th. Additionally, he explained that on the remaining days when extended hours would apply, the application was amended to request an extension of one hour, rather than two.

The applicant's representative responded to the concern of the Metropolitan Police regarding the level of CCTV provision by noting that the extension to the premises' standard opening hours was modest and it was his view that increased expenditure on CCTV would not be proportionate to the increase in opening hours.

The applicant's representative also stated that the applicant would be agreeable to a condition that the exterior area would be cleared of patrons by 12.20am.

RESOLVED: That the conversion and simultaneous variation to the Justices Licensing hours for the Abercorn Arms, 78 Stanmore Hill, Stanmore be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION:

1. Licensed hours for the sale of alcohol will end at 11.30 pm on Sundays
2. The premises will close at midnight on Sundays
3. Extended hours will not apply on Valentine's Day, Burns Night, St David's Day, Easter Monday, all Bank Holiday Mondays, Halloween, December 27th, December 28th and December 30th.
4. When extended hours apply, there shall be a one hour extension only.

ADDITIONAL CONDITIONS:

1. The exterior area to be cleared of patrons by 12.20 am
2. Notices to be displayed encouraging patrons to leave the premises quietly
3. AWP machines to be emptied nightly or fitted with a protective 'boot'.

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

122. **Application for variation of hours at Club Mehfil, 32 Railway Approach, 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 the Justices Licensing hours for Club Mehfil, 32 Railway Approach, Harrow.

The application had been made by Dawn Robson, who was not present or represented at the meeting. The Council's legal representative advised the Panel that the application could still be determined.

The application sought an extension of hours for the sale of alcohol, the provision of recorded and live music and the performance of dance.

The premises were situated in a predominantly light commercial area and the application had been referred to the Panel as there was an unresolved representation from a responsible authority. The Chief Environmental Health Officer's representative raised concerns that increased opening hours would cause disruption to nearby residential properties in Marlborough Hill and Churchill Place. Additionally, she stated that despite the presence of door supervisors, she had witnessed occasions where people had gathered outside the front and rear of the building. She requested the Panel consider imposing conditions limiting entry and re-entry after a terminal hour and requiring that the front door remain closed.

RESOLVED: That the variation to the license for Club Mehfil, Station Road, Harrow be granted with the following amendments to the application, which were agreed by the Panel in the applicant's absence, and the following conditions:

AMENDMENTS TO THE APPLICATION:

1. The sale of alcohol would be allowed until 2.30 am on Mondays to Thursdays and Sundays.

2. The sale of alcohol would be allowed until 3.30 am on Fridays and Saturdays.
3. The premises would be open to the public until 3.00 am on Mondays to Thursdays and Sundays.
4. The premises would be open to the public until 4.00 am on Fridays and Saturdays.
5. No extended hours on public holidays or other stated dates would be granted with the exception of an extra 1 hour on Christmas Eve.

ADDITIONAL CONDITIONS:

1. No entry or re-entry to the premises to be permitted after 12.30 am on Mondays to Thursdays and Sundays.
2. No entry or re-entry to the premises to be permitted after 1.00 am on Fridays and Saturdays.
3. Front and rear doors to remain closed other than for usage for entry and egress.
4. The front door to remain closed, apart from in an emergency, with the rear doors being used for egress, after the hours listed in conditions 1 and 2.
5. Appropriate signage to be in place to request patrons to leave the premises quietly.

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

(Note: The meeting having commenced at 7.30 pm, closed at 9.50 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

22 AUGUST 2005

Chair: * Councillor O'Dell

Councillors: * Branch * Idaikkadar

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**123. **Appointment of Chair:**

RESOLVED: That Councillor O'Dell be appointed as Chair of the Panel for the purposes of this meeting.

124. **Attendance by Reserve Members:**

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

125. **Declarations of Interest:**

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

126. **Arrangement of Agenda:**

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

127. **Minutes:**

See Note at conclusion of these Minutes.

128. **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 and 16 (Part 4B of the Constitution) respectively.

129. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

130. **Application for variation of hours at Vine, 154, Stanmore Hill, Stanmore 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 Vine, Stanmore Hill, Stanmore.

The application had been made by TLT Solicitors on behalf of Punch Taverns Plc for a Premises Licence which sought to remove the condition that alcohol be ancillary to food and music as stipulated in Section 68 and Section 70 of the Licensing Act 1964. It was explained that the applicant was not seeking an extension to opening times. The premises were situated in a residential part of Stanmore.

The application had been referred to the Panel as there was one unresolved representation from local residents and two from responsible authorities.

Ms Melissa Murphy representing Punch Taverns Plc was present. Sergeant Carl Davis, representative from the Metropolitan Police and Bruce Williams, representative from Environmental Health, who, as responsible Authorities, had made representations in respect of the application, were also present.

The representation from Environmental Health cited one of the four Licensing Objectives, namely the prevention of public nuisance. Bruce Williams, Environmental Health Manager, reported that the applicant had failed to provide adequate information with regards to noise, and that there was a history of complaints regarding noise from the premises, including music and patrons in the car park, and those leaving the premises, disturbing local residents. Particular concern was raised about controlling the noise from the back of the premises and whether the windows and doors overlooking the garden would be improved in the refurbishment programme.

Responding to issues raised, the applicant's representative stated that the applicant would accept a condition on noise. As the premises were situated in a conservation area, it may not be possible to install double glazing.

The representation from the Metropolitan Police had cited two of the four Licensing Objectives, namely the prevention of crime and disorder and the prevention of public nuisance. Sergeant Davis explained that the section of his representation which related to extended opening hours no longer applied, as it was now clear that extended opening hours were not being sought. Sergeant Davis requested that if the licence was granted, the conditions outlined in his representation be imposed.

The applicant's representative stated that the applicant would be agreeing to the following conditions being placed on the licence:

- The exterior drinking area to be cleared by 11.00 pm
- All doors and windows to be kept closed after 11.00 pm
- Registered door supervisors to be used
- Signs to be displayed asking patrons to leave quietly

The applicant explained that structural alterations had been approved. A plan showing the changes was circulated. The Vine would be closing for a three-month period to enable the planned refurbishment to take place.

An objector, who represented residents who had raised concerns about the impact of the licence being altered in any way, explained that local residents had been very unhappy with the noise emitting from the premises. It was claimed that although alcohol was ancillary to food and music, a resident had asked for food late at night and none had been available. Objectors were concerned about the trustworthiness of the operation.

The applicant's representative reported that there would be minimal change to the existing licence. The applicant was seeking greater flexibility within the licence.

RESOLVED: That the variation to the licence for Vine Public House, Stanmore Hill, Stanmore, be granted as per the agenda, with the following additional conditions:

ADDITIONAL CONDITIONS

1. All doors and windows to be closed whilst music is being played.
REASON: The prevention of public nuisance.
2. External areas not to be used after 11.00 pm.
REASON: The prevention of public nuisance.
3. Notices to be placed in prominent positions requesting patrons to leave the premises quietly.
REASON: The prevention of public nuisance.
4. No children allowed on the premises after 9.00 pm.
REASON: The protection of children from harm.
5. Registered door supervisors to be present after 11.00 pm.
REASON: The prevention of crime and disorder, public safety and the prevention of public nuisance.
6. Amplified sound equipment to be governed by a sound-limiting device set at a level approved by the Licensing Authority.
REASON: The prevention of public nuisance.
7. AWP machine to be booted or emptied daily.
REASON: The prevention of crime and disorder.

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

(Note: The meeting having commenced at 7.35 pm, closed at 10.35 am)

(Signed) COUNCILLOR PHILLIP O'DELL
Chair

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
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- (3) not submitted to the next panel meeting for approval.

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

LICENSING PANEL

30 AUGUST 2005

Chair: * Councillor Branch

Councillors: * Janet Cowan * Dharmarajah

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**131. **Appointment of Chair:**

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

132. **Attendance by Reserve Members:**

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

133. **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.

134. **Arrangement of Agenda:**

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

135. **Minutes:**

See Note at conclusion of these Minutes.

136. **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 and 16 (Part 4B of the Constitution) respectively.

137. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for conduct of an oral hearing, which was set out in the agenda.

138. **Application for variation of hours at Sarsen Stone public house, 32 High Street, Wealdstone 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 Sarsen Stone, 32 High Street, Wealdstone.

The Chief Environmental Health Officer's representative introduced the report and informed the Panel that, whilst the Council's Planning Department was not represented at the meeting, the Chief Environmental Health Officer had been notified that the hours applied for were outside the permitted hours under the planning permission granted for the premises, as set out in paragraph 2.1.4 of the report.

The application had been made by Licenza Ltd, on behalf of Pub Ventures LLP, for an extension of hours for the sale of alcohol on Bank Holidays and St. George's Day, together with recorded music and the provision of regulated entertainment by two performers. The premises were situated in a predominately commercial part of High Street, Wealdstone, neighbouring a few late-night takeaway establishments. There was residential accommodation above some of the premises on High Street, which were likely to be occupied by tenants.

Three representatives from the applicant company were present at the meeting. The Metropolitan Police, who had made representations in respect of the application, were also present.

Appendices E, F, M and N of the report of the Chief Environmental Health Officer, which had been inadvertently omitted from the main agenda, were tabled in accordance with Procedure A circulated with the agenda.

Prior to the consideration of the application, the applicant's representative sought to further amend the number of Bank Holidays applied for. The Chief Environmental Health Officer's representative advised that further amendments could not be considered by the Panel, as a fresh application would have to be advertised by the Council. The Panel proceeded to hear the application before them and as circulated in the agenda papers.

Sergeant Stone of the Metropolitan Police had made a representation citing one of the Council's four licensing objectives, namely the prevention of crime and disorder.

In response to some of the issues raised, the applicant's representative stated that there had been no complaints from neighbours regarding noise. He added that children under the age of 14 had to be accompanied by an adult, while only those over 16 were allowed on the premises unaccompanied. He stated that no children under the age of 14 were allowed on the premises (whether accompanied or not) after 5.00 pm. He informed the Panel that the licensee was an active member of the local Pub Watch scheme.

In response to a question posed by the Panel regarding security, the applicant's representative explained that this issue had already been covered with the Licensing Officer, and that the crime reduction measures detailed in the Metropolitan Police's representation would all be met. Sergeant Stone stated that she was satisfied that the applicant could meet these conditions, and that the Police had not received any complaints from local residents pertaining to the premises. Sergeant Stone confirmed that the Police did not feel it necessary for any additional conditions to be included on the licence.

In response to further questions from the Panel, the applicant's representative advised that music had been played on the premises prior to the purchase of the premises by Pub Ventures LLP. He added that no complaints had been received from either the Metropolitan Police or Harrow Council. With regard to the hours of opening, the applicant's representative explained that retrospective planning permission would be sought to extend the opening hours to mirror the Justices Licensing Hours applied for.

During his summing up, the applicant's representative urged the Panel to approve the variation in its entirety. He stated that the premises were run in an orderly fashion, that the licensee was experienced, and that in-house training was provided to all staff.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Sarsen Stone, 32 High Street, Wealdstone be granted as per the agenda, with the following conditions set out in Annex 2 of the report:

1. Patrons will be asked to leave quietly
2. Children under 16 will only be allowed if accompanied by an adult.

REASONS: The above conditions were imposed in support of the Council's Licensing Objectives. In view of the fact that the Metropolitan Police were satisfied with the applicant's ability to adhere to its crime prevention measures, there was no need for extra conditions to be included.

139. **Application for variation of hours during Transitional period, Shanker Superstore, 231/233 Northolt Road, South Harrow:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the application for the variation in respect of the Shanker Superstore had been withdrawn that afternoon by the applicant, and that as a result, the application would not now require determination by the Panel.

It was noted that the application for the conversion would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

(Note: The meeting having commenced at 1.30 pm, closed at 2.05 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

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

LICENSING PANEL

31 AUGUST 2005

Chair: * Councillor Idaikkadar

Councillors: * Arnold * Branch

* Denotes Member present

[Note: Councillor Bluston also attended this meeting to speak on the item indicated at Minute 147 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**140. **Appointment of Chair:**

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

141. **Attendance by Reserve Members:**

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

142. **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.

143. **Arrangement of Agenda:**

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

144. **Minutes:**

See Note at conclusion of these Minutes

145. **Public Questions, Petitions, 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 and 16 (Part 4B of the Constitution) respectively.

146. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

147. **Application for variation of hours at Wards Freehouse, Lowlands Road, 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 the Justices Licensing hours for Wards Freehouse, 38-40 Lowlands Road, Harrow.

The application had been referred to the Panel as there was one unresolved representation from a Responsible Authority, Harrow Planning Control, and another from a body representing residents living in the vicinity of the premises.

The application was made by Ms Lisa Ward, who was present at the hearing. Also present, in support of the application, were Mr Patrick Ward and Mr Alan Hammett. Also in attendance was Ms Sophia Bix, Harrow Planning Control Officer and Councillor Howard Bluston, Ward Councillor, representing local residents at Appin Court.

The application sought an extension of hours for the sale of alcohol, the performance of live and recorded music and the exhibition of films.

The Panel proceeded to hear the application before them and as circulated in the agenda papers. The applicant stated that she had not received any complaints from residents in the previous two years and would continue to ensure this was the case by preventing any noise from escaping the premises, by keeping doors and windows closed and continuing to arrange for taxis to arrive at closing time to enable patrons to disperse quickly and quietly.

In response to questions from the Panel, the applicant read out a letter which she had sent to the Licensing Section, which was circulated to Panel Members and officers. Additionally she explained that the premises' outside seating area was mostly used at lunchtimes and closed at 9pm. As the premises were very small it was easy for staff to ensure that noise was kept to a minimum. The applicant also stated, following further questions, that music would not always be played beyond 11.00 pm but she wished to have the flexibility to do so when desired.

The representation from Harrow Planning Control focused on the lack of planning consent for extended opening hours and the prevention of public nuisance. The applicant tabled documents showing that planning consent had been applied for although this had not yet been assessed.

The objectors' representative expressed his concerns about the potential increase in noise and public nuisance from the premises due to a later closing time. The applicant stated that she intended to continue to operate the premises in a manner that would not cause public nuisance and explained her view that the lack of any previous complaints should support her application for extended opening hours.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Wards Freehouse, 38-40 Lowlands Road, Harrow be granted inclusive of the conditions listed at Annex 2 of the Chief Environmental Officer's report and with the following additional conditions

ADDITIONAL CONDITIONS:

1. Notices to be on prominently displayed asking patrons to leave quietly and in an orderly manner.
2. Windows and doors to be kept closed, other than when used as an entrance or exit, and when music is played after 9.00 pm.
3. The premises to remain equipped with fully operational CCTV, in line with the Harrow Police's guidelines, inside and outside during times the premises is open to the public.

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

148. **Application for variation of hours at White Horse, 50 Middle Road, 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 the Justices Licensing hours for the White Horse, 50 Middle Road, Harrow.

The application had been referred to the Panel as there was one unresolved representation from a Responsible Authority, the Metropolitan Police Service, and another from a local resident.

The application was made by solicitors acting on behalf of the White Horse, who were represented at the meeting by Mr James Anderson. Also present were the licensee, Mr Morris Fitchett, and the area manager for Fullers, Smith and Turner plc, Ms Nicky Hawkins. Also in attendance was Sergeant Carl Davis, representative of the Metropolitan Police Service.

The application sought an extension of hours for the sale of alcohol and late night refreshment, the exhibition of films, indoor sporting events and live music.

The Panel proceeded to hear the application before them and as circulated in the agenda papers. The applicant's representative stated that the premises were a traditional public house in a residential area, with the majority of its clientele living locally. The applicant's representative stated that he did not believe conditions should be attached to the licence as the pub had not received any complaints in the past. The applicant further explained that it was unlikely that the extended hours, if granted, would be used on a regular basis but would be available to provide flexibility as and when required. Additionally, the applicant was willing to accept some amendments to the licence based on the representation by the Metropolitan Police as stated below.

In response to questions from Sergeant Davis, the applicant confirmed that: the maximum capacity of the premises was approximately 150 patrons; a black and white, non-recording CCTV system was in operation; and that the AWP machines had not previously been emptied nightly or fitted with security devices. The applicant's

representative explained that the application did not provide operating conditions as he did not believe any conditions would be necessary or proportionate. The Chief Environmental Health Officer's representative stated that he viewed the applicant's risk assessment, as printed on p66, box Q of the report, as insufficient to fulfil the requirements under the Secretary of State's guidelines. Responding, the applicant's representative noted that the guidelines required applicants to ascertain whether there was good reason to suppose disorder may take place and stated the applicant's view that this was highly unlikely at his premises.

The Metropolitan Police Service representation stated that the extension of hours would create a risk of crime and disorder, particularly as there would be no Police cover available after 2.00 am. The applicant's representative responded by stating that the Police did not appear to have considered the differences between a youth-orientated, town centre establishment and these premises.

Responding to questions from the Panel, Sergeant Davis explained that the cost of improving security features such as CCTV was relatively small and that it was unusual that the applicants had not previously discussed their application with the Police.

The Panel's attention was drawn to a written representation, opposing any extension in hours, from Mr Owain Arwel Hughes, who was not present at the meeting.

The applicant's representative concluded by stating his view that the application was in accordance with the intention of the Licensing Act to provide flexibility. He requested that the Panel considered whether any conditions imposed would be overly burdensome and noted that if any concerns with the premises' fulfilment of the Council's Licensing Objectives did occur then the review process could begin.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for the White Horse, 50 Middle Road, Harrow be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION:

1. Licensed hours for the sale of alcohol to begin at 9.00 am rather than 8.00 am.
2. The premises to close at 1.00 am rather than 3.00 am on Christmas Day.
3. The terminal hour for all parts of the licence was to be reduced by half an hour.

ADDITIONAL CONDITIONS:

1. Clearly visible signage to be erected stating that alcohol was not for sale before 9.00 am.
2. AWP machines to be emptied nightly or fitted with a protective 'boot'.
3. If a scheme was available, the designated premises supervisor, or his nominee, was to attend meetings of Pubwatch.
4. CCTV system to be installed and maintained in good working order and to meet the recommended standard of the Metropolitan Police Service.
5. The outside drinking area was to be cleared of patrons by 11.00 pm.

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

(Note: The meeting having commenced at 1.30 pm, closed at 4.20 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

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

LICENSING PANEL

1 SEPTEMBER 2005

Chair: * Councillor Idaikkadar

Councillors: * Janet Cowan * Vina Mithani

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**149. **Appointment of Chair:**

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

150. **Attendance by Reserve Members:**

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

151. **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.

152. **Arrangement of Agenda:**

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

153. **Minutes:**

See note at conclusion of these Minutes.

154. **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 and 16 (Part 4B of the Constitution) respectively.

155. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

156. **Application for variation of hours at Kingsfield Arms, 111 Bessborough Road, 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 the Justices Licensing hours for Kingsfield Arms, 111 Bessborough Road, Harrow.

The application had been made by Mr Andrew Muir, on behalf of the licensee of the premises, for an extension of hours for the sale of alcohol, together with the provision of Indoor Sporting Events and live and recorded music. It had been referred to the Panel as there were nine unresolved representations from local residents and two from responsible authorities. The premises were situated in a predominantly residential area.

The applicant's representative stated that the applicant wished to amend the application to 11.30 pm finish on Sundays to Thursdays, with a 30 minute closing period, and until 12.30 am on Fridays and Saturdays, with a 30 minute closing period. The finish time for all music was amended to 11.00 pm and the outside area would not be used after this time. The applicant's representative stressed that the applicant was sensitive to the needs of local residents, as these amendments indicated. Mr Muir pointed out that the applicant understood the conditions imposed by the Fire Authority and the Metropolitan Police, and would ensure they were met by 24 November 2005.

In response to some of the questions posed by local residents who had submitted representations, the applicant stated that since he had been licensee of the premises, he had not encountered any problems with the Police, and that he had obtained the requisite qualifications to be Designated Premises Supervisor. In reaction to concerns over anti-social behaviour, the applicant stated that he was not aware that any of the

incidents referred to by objectors had involved patrons of the premises, but asked that residents bring any concerns to his attention in the future. The applicant's representative also highlighted the fact that, despite having expressed their opposition to the extension of the premises' opening hours, two objectors, who had submitted written statements, both recognised that the pub had been quiet thus far. Regarding the issue of noise emanating from music on the premises, the applicant pointed out that he only played live music once a week, following consultation with neighbours, and that he had already moved the sound system so as to minimise disturbance to the residents of neighbouring properties. The applicant's representative stated that the installation of sound insulation would be costly, but that the applicant would be agreeable to installing a sound limiter if necessary.

During his summing up, the applicant's representative pointed out that the applicant wished to continue running the premises in an orderly manner as he had in the past, and urged the Panel to approve the variation in its entirety.

RESOLVED: That the variation to the licence for Kingsfield Arms, 111 Bessborough Road, Harrow be granted, as amended, with the following conditions:

AMENDMENTS TO THE APPLICATION:

1. Sundays to Thursdays: Licensed hours for the sale of alcohol will end at 11.30 pm with a 30 minute closing period.
2. Fridays and Saturdays: Licensed hours for the sale of alcohol will end at 12.30 am with a 30 minute closing period.
3. All music will end at 11.00 pm.

ADDITIONAL CONDITIONS:

1. The maximum occupancy of the building at any time shall not exceed 50 persons until such time as an alternative means of fire escape is provided to the satisfaction of the Fire Authority.
2. The applicant to carry out a fire risk assessment specific to the premises to the satisfaction of the Fire Authority.
3. External drinking areas to be vacated at 11.00 pm.
4. No live music to be played at the premises after 11.00 pm.
5. CCTV to be installed outside the premises. Equipment shall be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
6. AWP machines to be emptied every night or fitted with a "boot".
7. Prominent, clear and legible notices shall be displayed at all exits, requesting the public to respect the needs of local residents and to leave the premises and local area quietly.
8. Doors and windows shall be kept shut after 10pm when regulated entertainment is in operation.
9. Amplified sound equipment shall be governed by a sound limiting device set at a level approved by the Licensing Authority.

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

157. **Application for variation of hours at Club 2000, 427-431 Rayners Lane, 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 the Justices and Licensing hours for Club 2000, 427-431 Rayners Lane, Harrow.

The application had been made by Messrs Patel and Chudasma, who were represented by Mr Whale. The premises were situated between the predominantly commercial part of Rayners Lane and residential dwellings.

The application had been referred to the Panel as there were three unresolved representations from responsible authorities and three from local residents. The representative of the Chief Environmental Health Officer stated that, since the Environmental Protection Team had reached an agreement with the applicants, they had withdrawn their representation, and so were not in attendance at the meeting. The representation from the Planning Officer was tabled at the meeting as it had been omitted from the agenda. The Panel also heard that a local resident, Mrs Nutall had withdrawn her representation, and that a representation would be made by Mr and Mrs Adams.

Mr Whale stated that, following consultation with the Metropolitan Police, the applicants wished to amend the opening hours sought in their application so that all licensable activities on standard days would cease at 12.30 am Mondays to Thursdays, 1.30 am Fridays and Saturdays, and 11.30 pm Sundays, and with a 30 minute closing period on each night. The applicants explained that they were seeking 30 discretionary days as there were a number of celebrations in the calendar requiring extended opening hours. The applicants' representative pointed out that the applicants had shown consideration for local residents by reducing the number of evenings on which live music was played to one or two per week. In response to concerns from neighbours about noise and parking problems, Mr Whale explained that noise emanated from people congregating at bus stops close to the premises and that these people did not necessarily have any connection with Club 2000, and that similarly, there was no evidence that parking problems in the area were attributable to patrons of the club. He also stated that bottles were emptied into bins at the rear of the premises no later than 10.00 pm. Finally, Mr Whale advised that the applicants already followed the procedures for AWP machines, CCTV and notices as stipulated by the Metropolitan Police.

In response to questions posed by local residents who had submitted representations, the applicants pointed out that they wished to open the premises at 7.00 am in order to show sporting events and to hold special celebrations. Whilst alcohol would be on sale at this time, the applicants doubted that people would frequent their premises at this hour in order to procure liquor. Numbers would be restricted to 125 at private events but, on standard nights, there was no limit to the numbers admitted. The applicants' representative advised that this policy was to the satisfaction of the Fire Authority, which had expressed no concerns regarding numbers.

In response to questions posed by Sergeant Carl Davis, the applicants stated that Christmas, and Bank Holidays were included in the 30 discretionary days sought. The applicants also explained that private bookings on these days would be made by members of the club, but that these members may bring up to six guests each.

In response to some of the issues raised by the Panel, the applicants stated that membership of the club was restricted to those over the age of twenty one, but that their current licence allowed adults to bring children onto the premises. The applicants advised that, of the fourteen complaints they had received in the past two years, only one or two referred to music. The applicants' representative stated that the applicants would follow the Chief Environmental Health Officer's recommendations on this matter. Regarding an incident in which Trading Standards Officers entered the premises and bought alcoholic drinks despite not being members of the club, the applicants explained that, within their existing licence, a drink may be supplied to a member of the public to allow them to experience the atmosphere of the club. The applicants stated that the club did not use door staff as a CCTV camera was fitted above the entrance, which allowed staff to regulate entry to the club.

In the concluding statement made by the objectors, concern was voiced that an extension of the opening hours of Club 2000 would exacerbate parking problems and lengthen the hours during which neighbours were disturbed by cooking smells and by noise from the club's air-conditioning system. In response to a question put by the Chair, the objectors pointed out that noise came mainly from individuals congregating outside the club, as well as from the kitchen situated at the rear of the premises which meant that closing doors and windows at the front of the premises would not eliminate all noise.

In the statement by Sergeant Carl Davis, the Panel heard that the Police had no objections to the hours sought by the applicants for standard days, especially since the applicants had agreed to measures concerning AWP machines and CCTV cameras. However the proposed opening on non-standard, discretionary days was unacceptable as this would be unpoliceable even if events were advertised in advance.

Finally Ms Bix of Planning Enforcement advised that if the application for extension of hours was granted, the applicants would have to apply separately for planning permission to change the approved the opening hours.

RESOLVED: That the variation to the licence for Club 2000, 427-431 Rayners Lane, Harrow be granted, as amended, with the following additional conditions:

AMENDMENTS TO THE APPLICATION

On standard days:

1. Mondays to Thursdays: licensed hours for the sale of alcohol will be between 7.00 am and 12.30 am, with a 30 minute closing period.
2. Fridays and Saturdays: licensed hours for the sale of alcohol will be between 7.00 am and 1.00 am, with a 30 minute closing period.
3. Sunday: licensed hours for the sale of alcohol will be between 9.00 am and 11.00 pm, with a 30 minute closing period.
4. That the above be subject to the condition that no alcohol be supplied to members and guests before 10.00 am.

On non-standard days:

5. The Panel grants an extra 7 non-standard days per annum, with licensed hours for the sale of alcohol between 9.00 am and 2.30 am.

ADDITIONAL CONDITIONS:

1. CCTV to be installed outside the premises. Equipment shall be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
2. Bottles will not be placed in the outside bins after 10.00 pm.
3. Doors and windows to be kept shut when regulated entertainment is provided.
4. Air conditioning to be functioning.
5. Prominent, clear and legible notices shall be displayed at all exits, requesting the public to respect the needs of local residents, and to leave the premises and area quietly.
6. AWP machines to be emptied every night or fitted with a "boot".
7. The premises shall be properly vented and noxious smells shall not be permitted to emanate from the premises so as to cause a nuisance to nearby premises.
8. Noise shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.

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

158. **Application for variation of hours at Harrow Cricket Club, Wood End Road, Harrow during Transitional period:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the application for the variation in respect of Harrow Cricket Club had been withdrawn by the applicant, and that, as a result, the application would not now require determination by the Panel.

It was noted that the application for the conversion would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

(Note: The meeting having commenced at 7.30 pm, closed at 11.45 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

5 SEPTEMBER 2005

Chair: * Councillor Janet Cowan

Councillors: * Branch * Vina Mithani

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**159. **Appointment of Chair:**

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

160. **Attendance by Reserve Members:**

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

161. **Declarations of Interest:**

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

162. **Arrangement of Agenda:**

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

163. **Minutes:**

See Note at conclusion of these minutes.

164. **Public Questions, Petitions, 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 and 16 (Part 4B of the Constitution) respectively.

165. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

166. **Application for variation of hours at Queens Head, High Street, Pinner 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 Queens Head, High Street, Pinner. The application had been referred to the Panel as there were four unresolved representations from interested parties and one from the Metropolitan Police Service, a Responsible Authority.

The application had been made by the Spirit Group Limited who were represented at the hearing by Mr Karl Davis. Mr James Tindall and Mrs Jill Tindall, licensees of the Queens Head, were also in attendance. Sergeant Carl Davis from the Metropolitan Police and a number of local residents were also present. The application sought an extension of hours for the sale of alcohol, the provision of entertainment including live music, recorded music and anything of a similar description, dancing and the provision of late night refreshment.

The applicants' representative stated that in light of concerns raised by residents and the Metropolitan Police Service they wished to amend their requested opening hours. Additionally, the applicants withdrew the request for extended opening hours for events of local, national or international significance.

The licensees stated that they had managed the premises for eleven years and maintained it as a traditional public house with a safe atmosphere and without any music. The applicants explained that their application was intended to provide them with flexibility but they did not intend to change the character of the premises. The requested longer opening hours were intended to allow for more gradual dispersal of patrons with a more relaxed atmosphere. The applicants added that the use of trained

staff and the promotion of high standards had allowed them to develop a very good relationship with the police and that they had received no complaints from local residents. In addition, they stated they were aware of residents' concerns about noise from their car park but that it was mostly used by patrons of other public houses, against their wishes. The applicants reiterated that they would continue to clear the external drinking area of patrons by 11.20 am.

Responding to questions from local residents, the applicants' representative confirmed that staff were instructed to monitor noise levels in the external drinking area. Following further questions, he stated that the applicants expected to continue to be able to recruit and train suitable staff and that the removal of a condition on credit sales was to allow the use of credit and debit cards to buy alcoholic drinks, not to create a 'slate' system. Also, he stated that drink promotions were not carried out at the premises and entertainment was only provided for significant community events.

Responding to questions from an officer regarding the applicants' request that the premises be allowed to open for non-licensable activities outside its licensed hours, the applicants' representative stated his belief that this was a common law right. Responding, the Licensing Officer stated that if the premises were to open outside of its licensed hours, it would be considered a breach of the licence.

Mrs Cynthia Wells, on behalf of the Pinner Association, made a representation stating that the premises were very near to residential properties and local residents were concerned about the level of noise that would be created as patrons left the premises. A local resident stated his concern that if longer hours were granted, the character of the premises would change and would attract younger drinkers despite the wishes of the licensees.

The Metropolitan Police representative stated that the requested hours, as amended by the applicant, were now acceptable to the Police. He continued to object to any extended hours on St. David's Day and St Andrew's Day as Police resources would not be increased on those dates. Additionally, he requested that the Panel consider imposing a condition requiring the provision of CCTV on the premises, as while there had not been previous incidents where having CCTV would have assisted the Police, it would be a necessity for effective policing if longer opening hours were granted.

The applicants' representative concluded by stating that longer opening hours at this premises would not undermine the Council's Licensing Objectives and requested the Panel consider the benefits of more flexible hours.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for the Queens Head, High Street, Pinner be granted with the following amendments and additional conditions:

AMENDMENTS TO THE APPLICATION:

1. Standard licensed hours to be as follows:
 - For the sale of alcohol, 10.00 am - 12.00 am on Sundays - Thursdays and 10.00 am - 1.00 am on Fridays and Saturdays.
 - For entertainment, 10.00 am - 11.00 pm on Sundays - Thursdays and 10.00 am - 12.00 am on Fridays and Saturdays.
 - For the provision of late night refreshment, 11.00 pm - 1.00 am on Sundays - Thursdays and 11.00 pm - 2.00 am on Fridays and Saturdays.
 - The premises were to be open to the public from 9.00 am - 1.00 am on Sundays - Thursdays and 9.00 am - 2.00 am on Fridays and Saturdays.
2. Extended opening hours would not be permitted on St David's Day or St Andrew's Day.

ADDITIONAL CONDITIONS:

1. CCTV to be installed and maintained to the recommended standard of the Metropolitan Police Service.
2. Visible signage to be maintained in the car park requesting patrons leave the premises quietly.

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

167. **Application for variation of hours at Dawat, 244 Streatfield Road, Kenton 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 Dawat, 244 Streatfield Road, Kenton. The officer stated that while the premises had been operated as a private members' club it did have a standard 'on' licence to operate as a public house. The application had been referred to the Panel as there were unresolved representations from three responsible authorities: the Metropolitan Police Service, Harrow Planning Control and the Environmental Protection Team.

The application was made by Mr Chudasama, who was present at the meeting. Sergeant Carl Davis of the Metropolitan Police and Ms Louise Roberts of the Environmental Protection Team were also in attendance. The application sought an extension of hours for the sale of alcohol, exhibition of films, performance of live and recorded music and anything of similar description, the provision of entertainment facilities for the making of music and dancing and the provision of late night refreshment.

The Panel proceeded to hear the application before them and as circulated in the agenda papers. The applicant stated that he wished to amend the application to reduce the number of additional hours, special extensions and the sale of alcohol. Additionally, the applicant explained that he had installed a CCTV system, was obtaining a protective device for AWP machines, was displaying notices requesting patrons to leave the premises quietly and was ensuring all doors were shut when entertainment was being performed. The representative of the Environmental Protection Team tabled a document in which the applicant had confirmed these measures were being taken.

The applicant also stated that the premises had a Supper Hours Certificate but, following advice from an officer, the Panel were unable to consider this due to the lack of documentary evidence.

Responding to questions, the applicant stated that he was aware that as the premises had a full 'on'-licence he, or any successor as licensee, could choose to operate it as a public house. He stated that nonetheless he did not expect the nature of the clientele to change and therefore a licence granting him the option to remain open until 7.30 am on seven days at his discretion would not create a public nuisance.

The representative of the Metropolitan Police Service stated that while the Police were satisfied with the amended hours and security provisions, there was a continued concern that if the premises were granted the discretionary extended hours there was potential for public nuisance, which may lead to crime and disorder. The Metropolitan Police also informed Members that they would seek recovery of extra policing costs from the premises if these extended hours were applied as there would be no scheduled police cover after 2.00 am.

The representative of the Environmental Protection Team stated that while the applicant had offered conditions meeting many concerns, the requested discretionary extended hours were likely to create a public nuisance, especially with cars departing throughout the night.

The applicant concluded by asking Members to note the previous lack of complaints about the premises and explained that he understood that the review procedure could be used if extended hours were perceived to undermine the Licensing Objectives.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Dawat, 244 Streatfield Road, Kenton, be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION:

1. Standard licensed hours to be as follows:

- The premises were to be open to the public and licensed for entertainment from 7.00 am - 12.30 am on Mondays to Thursdays, from 7.00 am - 1.30 am on Fridays and Saturdays and from 9.00 am - 11.30 pm on Sundays.
 - The sale of alcohol was to be licensed from 10.00 am until 30 minutes before the premises closed to the public.
 - The provision of late night refreshment was to be licensed from 11.00 pm - 12.30 am on Mondays to Thursdays, from 11.00 pm - 1.30 am on Fridays and Saturdays and from 11.00 pm - 11.30 pm on Sundays.
2. No discretionary extended opening hours, referred to in the application as 'event days' to be granted.

ADDITIONAL CONDITIONS:

1. AWP machines to be emptied nightly or fitted with a protective device such as a 'boot'.
2. Doors to remain closed, other than for the purposes of entry and egress.
3. Visible signage requesting patrons leave the premises quietly to be installed.
4. Air conditioning to be in operation while the premises is open to the public.
5. A CCTV system to be maintained to the standard recommended by the Metropolitan Police.

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

168. **Application for variation of hours at Windsock Club, 28-30 Eastcote Avenue, South Harrow during Transitional period:**

The Chief Environmental Health Officer's representative informed the Panel that, following conciliation with the relevant Responsible Authorities that afternoon the applicant had satisfied their concerns and therefore the representations received in respect of the Windsock Club had been withdrawn. As a result, the application would not now require determination by the Panel.

It was noted that the application for a conversion and simultaneous variation for the Windsock Club would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

(Note: The meeting having commenced at 7.30 pm, closed at 9.58 pm)

(Signed) COUNCILLOR JANET COWAN
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

6 SEPTEMBER 2005

Chair: * Councillor Knowles

Councillors: * Arnold * O'Dell

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**169. **Appointment of Chair:**

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

170. **Attendance by Reserve Members:**

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

171. **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.

172. **Arrangement of Agenda:**

RESOLVED: To note that all items be considered with the press and public present.

173. **Minutes:**

See Note at conclusion of these Minutes.

174. **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 and 16 (Part 4B of the Constitution) respectively.

175. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

176. **Application for Variation of Hours at Castle, 30, West Street, Harrow on the Hill 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 Castle Public House, West Street, Harrow on the Hill.

The application was made by Messrs Poppleston Allen, Solicitors on behalf of Fullers, Smith and Turner Plc for a premises licence. The pub's landlord, and representatives from Poppleston Allen and Fullers, Smith and Turner were present. Representatives from two of the Responsible Authorities, the Council's Environmental Protection Team and the Metropolitan Police, who had made representations in respect of the application were also in attendance.

The application sought an extension of hours for the sale of alcohol, live music, dancing and late night refreshments as listed in the report of the Chief Environmental Health Officer and the application. The application had been referred to the Panel as there were unresolved representations from two Responsible Authorities and 170 representations from local residents.

The premises were situated in a residential area and in close proximity to Harrow School.

Prior to hearing the application, it had been identified that some of the local residents' objections had been omitted from the agenda in error. The Panel agreed that the papers should be circulated to all in attendance at the meeting. In addition, and with

the agreement of all parties present, a five minute adjournment was allowed for those tabled papers to be read.

The Panel proceeded to hear the application before them as circulated in the agenda and tabled at the meeting.

An officer from the Licensing Department presented the case and sought clarification to the proposed hours for the sale of alcohol, as they differed in Part B1 "Variation" and Section M of the application. The officer also queried why Box G "Performance of Dance" had not been applied for, although Box E "Live Music" had, which was unusual.

The applicant's representative confirmed that the hours for the sale of alcohol were those detailed on page 27 of the agenda and that the hours listed on page 19 should be disregarded. The applicant's representative offered an amendment to the application by withdrawing the request for live music. He suggested that the extended hours sought were not going to be a regular occurrence but would enable ad hoc functions such as birthday parties to take place. The applicant's representative informed the Panel that the cases of vandalism, as detailed in the representations, may not have emanated from the public house and that of the two cases reported to the Police, only one was in relation to the premises.

The main concern expressed by local residents' related to noise and disturbance from patrons particularly when leaving the premises. Residents were also unhappy that car parking spaces taken up by patrons meant that residents had to park some distance from their own homes. Residents were generally unhappy about the extended hours in such a highly populated residential area and also raised concerns over the public house being within such a short distance of Harrow Boys School and the many boarding establishments for those boys in the surrounding vicinity to the premises.

The Metropolitan Police raised concerns regarding the lack of preventative measures offered by the applicants in relation to all four of the Authority's licensing objectives and suggested conditions which could be attached to the licence. The representation from the Council's Environmental Protection Team placed emphasis on the prevention of potential noise nuisance, but withdrew some of the some of those concerns following the withdrawal of the request for live music. However, the officer did suggest some conditions that might assist with reducing noise from patrons outside the premises.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the conversion and variation to the licence for the Castle Public House, 30 West Street, Harrow on the Hill referred to in page 27 of the report be granted with those conditions listed at Annex 2 of the report and those transferred from the existing music and dance license and subject to the following additional conditions;

ADDITIONAL CONDITIONS

1. All external drinking areas to be cleared of glasses and patrons by 11.00 pm every night.
REASON: for the prevention of Public Nuisance.
2. Signs and notices be prominently displayed informing patrons that all external drinking areas would be cleared of patrons by 11.00 pm.
REASON: for the prevention of Public Nuisance.
3. Signs and notices be prominently displayed requesting patrons to leave quietly.
REASON: for the prevention of Public Nuisance.
4. All windows and doors to be kept closed after 11.00 pm.
REASON: for the prevention of Public Nuisance.
5. No children to be allowed on the premises after 11.00 pm.
REASON: for the Protection of Children from Harm.
6. All reasonable steps be taken to ensure that people entering or leaving the premises conduct themselves in an orderly manner and do not cause an annoyance to residents and people passing by the premises.
REASON: for the prevention of Public Nuisance.

7. The Designated Premises Supervisor to participate in the Pubwatch scheme if one existed in the area.

REASON: for the prevention of Crime and Disorder, Public Safety and Public Nuisance.

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

177.

Extension and Termination of the Meeting:

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

RESOLVED: at (1) 10.00 pm to continue until 10.15pm;

(2) 10.15 pm to continue until 10.30 pm;

(3) 10.30 pm to continue until 11.00 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 11.01 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

12 SEPTEMBER 2005

Chair: * Councillor Branch

Councillors: * Idaikkadar * Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**178. **Appointment of Chair:**

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

179. **Attendance by Reserve Members:**

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

180. **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.

181. **Arrangement of Agenda:**

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

182. **Minutes:**

See Note at conclusion of these minutes.

183. **Public Questions, Petitions, 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 and 16 (Part 4B of the Constitution) respectively.

184. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

185. **Application for variation of hours at Apollonia Restaurant, 25-29 Church Road, Stanmore 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 Apollonia Restaurant, 25-29 Church Road, Stanmore.

The application had been made by Pantop Limited, which sought the removal of an embedded restriction, and to increase the capacity from 100 to 180 persons, on the days of regulated entertainment and the extension of opening hours (see attached). The premises were in a predominantly office/light commercial part of the Church Road.

The application had been referred to the Panel as there were two unresolved representations from Responsible Authorities. Sub-Officer Bird from the London Fire and Emergency Planning Authority was present. Following conciliation prior to the meeting between the applicant and the Metropolitan Police, the Metropolitan Police had withdrawn their representation.

The Officer from the Licensing Department advised Members that the applicant wished to withdraw the request to remove the embedded restriction requiring alcohol to table meal and/or musical entertainment beyond 2300, and the extension of hours. Thus the amended application sought only the extended capacity from 100 to 180 persons on the premises

The representative of the London Fire Authority stated that following consultation with the Building Control Department, the Authority was satisfied with the fire risk assessment and the emergency plan provided by the applicant for the premises.

Moreover, he confirmed that the alterations to the premises carried out by the applicant met safety requirements, and that the premises could safely accommodate up to 110 patrons. He advised that this figure could be extended to a maximum of 150 persons if the applicant decided to install an automatic fire detection system covering the whole restaurant area.

Responding to questions from the Panel, the applicant confirmed that although the restaurant did not provide a no-smoking policy at the time of the meeting, works were underway to provide an upstairs smoking room for patrons, and that the Fire Authority were satisfied with this arrangement. The applicant stated that if permissible, patrons would be allowed to consume alcohol in this room. The Licensing Department's representative advised that prior to 24 November 2005, no alcohol could be consumed in this room, as the premises' licence included only the downstairs of the building; if the applicant wished to allow patrons to consume alcohol upstairs before 24 November 2005, it would be necessary to apply for another licence, whereas after this date, it would not be necessary.

Although there were 6 residential premises about 200 yards from the premises, the Council had not received any complaints from neighbours regarding noise.

Summing up, the applicant stressed that he had held the licence for 26 years, in which period he had not encountered problems with the Police or the licensing team. He also confirmed that he had complied with all the necessary work requirements requested by the police and fire authorities.

Following the Panel's withdrawal from the meeting for the consideration of the application and representations received, it was

RESOLVED: That the application for the conversion and simultaneous variation to the Justices' Licensing hours for Apollonia Restaurant, 25-29 Church Road, Stanmore be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION:

The applicant no longer sought to remove the embedded restriction requiring alcohol to be ancillary to table meal and/or musical entertainment beyond 11.00pm.

Existing opening hours to remain unchanged (see agenda).

ADDITIONAL CONDITIONS:

1. The total capacity of the premises to increase from 110 to 150 persons if the premises is fitted with an automatic fire detector to the satisfaction of the Fire Authority and Chief Environmental Health Officer.
2. Prominent, clear and legible notices to be displayed at all exits requesting the patrons to respect the needs of local residents and to leave the premises and the area quietly.

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

186. **Application for variation of hours at Rayners Kebab & Steak House, 438 Alexandra Avenue, 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 the existing Justices' Licence hours for Rayners Kebab and Steak House, 438 Alexandra Avenue, Rayners Lane. The officer at the meeting tabled a copy of the Night Café Licence for the premises, along with a copy of an email sent by the applicant to the Planning Enforcement team.

The application had been made by Mr Sarilmaz for the extension of hours for the sale of food to be eaten both on and off the premises, and for the sale of alcohol to be consumed on the premises only. The application had been referred to the Panel as there were two unresolved representations from responsible authorities. Ms Bix was present at the meeting and made a representation on behalf of the Planning Enforcement team. The Panel heard that following consultation with the Metropolitan Police, the applicant was minded to amend his application. He stated that the sale of alcohol and food on the premises would cease half an hour before the sale of food for takeaway. In light of these amendments, the Metropolitan Police had withdrawn their representation as they had no objections to the application.

Responding to questions from the Panel, the applicant stated that the restaurant had been operating for nearly 25 years, and that only during the process of this application had he become aware that planning permission was required for the sale of takeaway food. The applicant stated that he intended to apply for planning permission to resolve this issue as soon as possible, as the email tabled at the meeting between himself and Ms Bix indicated. The applicant also clarified to the Panel that alcohol was only to be consumed on the premises, and that there was a thirty minute 'drinking up' period in operation. The application stated that he was a popular figure in the area and that noise from the premises did not interfere with neighbours.

In the representation made by the Planning Enforcement Officer, it was explained that planning permission had been granted in 1981 and a condition placed stipulating that all food was to be consumed on the premises. Since the Enforcement Team had not received any complaints regarding the sale of takeaway food, Ms Bix advised the Panel that Enforcement had been unaware of the breach. She then advised that the applicant must either apply to vary this condition or apply to remove it in order to avoid breaching planning regulations. Ms Bix stated that this matter had only come to the attention of the Enforcement Team in the last two weeks, and that she was satisfied that the applicant understood the need to make an application for planning permission.

RESOLVED: That the application for Rayners Kebab and Steak House, 438 Alexandra Avenue, Rayners Lane be granted with their existing conditions and the following amendments to the application:-

AMENDMENTS TO THE APPLICATION:

Supply of alcohol and food on premises:

Mondays to Thursdays: 12.00 – 00.30
Fridays, Saturdays and Sundays: 12.00 – 01.00

Sale of takeaway food and close of premises:

Mondays to Thursdays: 12.00 to 01.00
Fridays, Saturdays, and Sundays: 12.00 to 01.30

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

(Note: The meeting having commenced at 1.30 pm, closed at 2.56 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

13 SEPTEMBER 2005

Chair: * Councillor Knowles

Councillors: * Idaikkadar * John Nickolay

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**187. **Appointment of Chair:**

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

188. **Attendance by Reserve Members:**

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

189. **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. Application for variation of hours at Bar Room Bar, the Victory, High Street, Pinner during Transitional period	Councillor John Nickolay	Councillor John Nickolay declared an interest in that he was a member of the Pinner Association.

190. **Arrangement of Agenda:**

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

191. **Minutes:**
(See Note at conclusion of these minutes).192. **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 and 16 (Part 4B of the Constitution) respectively.

193. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

194. **Application for variation of hours at Old Bank Tavern, 91 High Street, Wealdstone 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 Old Bank Tavern, 91 High Street, Wealdstone.

The application had been made by Miss Pauline Connolly and Mr Edward J Dunne. The premises were situated in the commercial part of the High Street with some residential accommodations above and opposite.

The application had been referred to the Panel as there were unresolved representations from two responsible authorities.

PC Stone, representative from the Metropolitan Police and Sophia Bix, representative from the Planning Department who, as responsible authorities, had made representations in respect of the application, were present.

The representation from the Metropolitan Police cited three of the four Licensing Objectives, namely the prevention of crime and disorder, public safety and the protection of children from harm. WPC Stone outlined the hours the police considered to be appropriate and in line with police resources.

The representation from the Planning Department cited one of the four Licensing Objectives, namely the prevention of public nuisance. Concern was raised that if the licence was granted and the applicant failed to apply for or obtain new planning permission, the applicant would be in breach of the existing planning permission.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Old Bank Tavern, 91, High Street, Wealdstone, be granted as per the agenda, subject to the following amendments and with the following conditions:

ADDITIONAL CONDITIONS:

1. CCTV to be upgraded.
REASON: The prevention of crime and disorder.
2. Signs to be placed in prominent positions requesting patrons to leave the premises quietly.
REASON: The prevention of public nuisance.
3. No children, under 16, whether accompanied or not, to be on the premises after 7.00 pm.
REASON: The protection of children from harm.
4. The local PUBWATCH scheme to be joined.
REASON: The prevention of crime and disorder.
5. AWP machines to be emptied every night or fitted with a "boot" device.
REASON: The prevention of crime and disorder.
6. A Challenge Under 21 Policy to be implemented.
REASON: The protection of children from harm.

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

195. **Application for variation of hours at Travellers Rest, Kenton Road, Kenton 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 Licence hours and additional regulated entertainments for Travellers Rest, Kenton Road, Kenton.

The application had been made by Messers John Gaunt and Partners Solicitors on behalf of Whitbread Group Plc, for a Premises Licence.

The application had been referred to the Panel as there were unresolved representations from two responsible authorities.

PC Stone, representative from the Metropolitan Police and Louise Roberts, representative from the Environmental Protection team, who as responsible authorities, had made representations in respect of the application, were present.

The representation from the Metropolitan Police cited two of the four Licensing Objectives, the prevention of crime and disorder and public safety. WPC Stone raised concern about the premises car park having been a regular target of theft and criminal damage.

The representation from the Environmental Protection team cited one of the four Licensing Objectives, namely, the prevention of public nuisance. Louise Roberts reported that the applicant had not adequately stated in the application how it intended to prevent noise from patrons, music and amplified vocals disturbing local residents. Louise Roberts requested that if the licence was granted the conditions outlined in her representation be imposed.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Travellers Rest, be granted as per the agenda with the following conditions:

ADDITIONAL CONDITIONS

1. To comply with the recommendations of the Crime Reduction Officer, following a site visit.
REASON: The prevention of crime and disorder.
2. The local PUBWATCH scheme be joined.
REASON: The prevention of crime and disorder.
3. A Challenge Under 21 Policy be implemented.
REASON: The protection of children from harm.
4. No unaccompanied under 18s to be in the area of licensable activities of the premises after 9.00 pm.
REASON: The protection of children from harm.
5. Doors and windows to be kept closed while licensable entertainments take place.
REASON: The prevention of public nuisance.

196. **Application for variation of hours at Bar Room Bar, The Victory, High Street, Pinner 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 Bar Room Bar, 6 High Street, Pinner.

The application had been made by Spirit Group for a premises licence.

The application had been referred to the Panel as there was one unresolved representation from local residents and one from a responsible authority.

Ms Nurse, the licensee of Bar Room Bar was present and attended with a representative of the Spirit Group. PC Stone, representative from the Metropolitan Police, who, as a responsible authority, had made a representation in respect of the application, was also present.

The representation from the Metropolitan Police cited two of the four Licensing Objectives, namely the prevention of crime and disorder and the prevention of public nuisance. PC Stone raised concern that due to the premises never having been opened past 11pm, the impact of extending the opening hours was unknown. Particular concern was raised about how noise would be controlled from the external drinking area.

Objectors from the Pinner Association were concerned as to how members of the public would travel home if opening hours were to be extended. There was concern that due to there being no public transport, there would be an increase in noise from patrons particularly if walking home or from car doors.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Bar Room Bar, be granted as per the agenda with the following amended hours and conditions:

ADDITIONAL CONDITIONS

1. DJ to request customers to leave quietly.
REASON: The prevention of public nuisance.
2. Free drinking water to be available at all times.
REASON: Public safety.
3. Signage requesting customers to leave quietly to be placed by exit doors and in toilets.

- REASONS:** The prevention of crime and disorder and the prevention of public nuisance.
4. Staff to patrol inside and outside the premises checking for noise.
REASON: The prevention of public nuisance.
 5. Garden to be cleared of patrons and glasses by 11.00 pm.
REASON: The prevention of public nuisance.
 6. No drinks promotions to take place after 9.00 pm.
REASONS: The prevention of crime and disorder and the prevention of public nuisance.
 7. No children to be on the premises after 8.00 pm.
REASON: The protection of children from harm.
 8. Doors and windows to be kept closed during entertainments.
REASON: The prevention of public nuisance.
 9. A minimum of 3 door supervisors, of which 1 must be female, to be present between 7.00 pm and closing on Friday, Saturday and Sunday.
REASONS: The prevention of crime and disorder and the prevention of public nuisance.
 10. No entry or re-entry after 12.00 am on Friday or Saturday.
REASONS: Public safety and the prevention of public nuisance.
 11. CCTV Equipment shall be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
REASONS: Public safety and the prevention of crime and disorder.

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

(Note: The meeting having commenced at 1.30 pm, closed at 6.24 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

14 SEPTEMBER 2005

Chair: * Councillor Idaikkadar

Councillors: * Dharmarajah * Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**197. **Appointment of Chair:**

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

198. **Attendance by Reserve Members:**

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

199. **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.

200. **Arrangement of Agenda:**

RESOLVED: That (1) item 11 be taken in advance of item 10;

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

201. **Minutes:**

See Note at conclusion of these minutes.

202. **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 and 16 (Part 4B of the Constitution) respectively.

203. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

204. **Application for variation of hours at Tithe Farm Social Club, 151 Rayners Lane, 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 Club Registration licence for Tithe Farm Social Club, 151 Rayners Lane, Harrow.

The application had been made by the Club Secretary, Mr Andrew Marshall, for a Club Premises Certificate (CPC), which sought the supply and sale of alcohol together with the provision of live music, recorded music and dancing. The premises were situated in Rayners Lane and a map of the area was tabled at the meeting to assist the Panel.

The application had been referred to the Panel as there were two unresolved representations from local residents and one unresolved representation from a responsible authority. The Panel heard that although the two local residents who had made a representation were unable to attend the meeting, they still wished the Panel to consider their representation. WPC Stone attended the meeting on behalf of the Metropolitan Police.

In the applicant's statement the Panel heard that the Tithe Farm Social Club had a history of being a family-oriented social club which organised various social and sporting activities and events. The applicant's representative advised the Panel that the premises were bordered by a road, a football pitch and a conservation area, which meant that it was situated away from the majority of local residents. The applicant pointed out that the minimal disturbance to local residents caused by the Club was

borne out by the fact that only two had made representations to the Council. The applicant stated that the Club already had internal and external CCTV systems, and that all other crime prevention measures recommended by the Police were also already in place.

The Panel was informed by the applicant's representative that, following consultation with the Police, the applicant wished to amend the terminal hours for the supply of alcohol sought in the application. The hours now sought by the applicant were midnight on Mondays to Thursdays with music to end at the same time, 1.30 am on Fridays and Saturdays with music to end at 1.00 am, and 11.30 pm on Sundays with music to end at the same time.

In light of these amendments, WPC Stone advised that she had no objections to the application as it now stood.

In response to some of the issues raised by the Panel, the applicant stated that in twenty-five years, there had only been ten incidents involving the Police. He advised that the installation of CCTV in the last year had curtailed violence, although he confirmed that a recent incident during which Police were called to the premises did occur after the installation of CCTV. Regarding this matter, WPC Stone advised the Panel that although the Police representation mentioned a fight between one hundred persons on the premises, this figure was given by the member of the public who had reported the incident to the Police, and did not reflect the views of the Metropolitan Police. WPC Stone further stated that she was satisfied with the security measures undertaken by the Club, especially given that the applicant had invited a Crime Prevention Officer to inspect the premises. The Panel also heard that the Club kept a log of all incidents that was made available to the Police upon request.

In response to questions posed by the Panel, the applicant stated that the Club utilised a sound limiter at all times, and that to minimise disturbance to nearby residents, stewards at the Club now kept all doors and windows shut after 10.00 pm. The applicant informed the Panel that he would be prepared to follow the advice of an Environmental Health Officer regarding the settings of the sound limiter if necessary. He also stated that following the installation of two new extractor fans in the hall, and given that the lounge already had air conditioning fitted, it would be possible to continue with the practise of keeping doors and windows shut after 10.00 pm. The Panel heard that although non-members may come to the premises for certain functions (for example Scout meetings), these functions were all approved by the Club Committee. The Panel also heard that each member of the Club was only allowed to bring one guest to the premises, and that children under 16 could only enter under the supervision of their parents.

RESOLVED: That the application for a conversion and simultaneous variation to a Club Registration licence for Tithe Farm Social Club, 151 Rayners Lane, Harrow be granted as amended with the following additional conditions:

AMENDMENTS TO THE APPLICATION:

1. Terminal hours for the supply of alcohol to be midnight on Mondays to Thursdays, 1.30 am on Fridays and Saturdays, and 11.30 pm on Sundays.
2. Terminal hours for the provision of all music and dance to be midnight on Mondays to Thursdays, 1.00 am on Fridays and Saturdays, and 11.30 pm on Sundays.
3. Indoor sporting activities to be held between 9.00 am and 10.00 pm on Mondays, Wednesdays, Fridays, Saturdays and Sundays, and between 9.00 am and 11.00 pm on Tuesdays and Thursdays.

ADDITIONAL CONDITIONS:

1. Windows and doors to be kept closed after 10.00 pm throughout the year.
2. Noise limiters to be used on amplified music.
3. CCTV equipment to be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
4. AWP machines to be emptied or booted every night.

5. Prominent, clear and legible signs to be displayed at all exits requesting members and guests to leave quietly.
6. Incident log book and CCTV tapes to be made available to the Police.

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

205. **Application for Late Night Refreshment, Galata Kebab House, 499 Pinner Road, North Harrow:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a new late night refreshment Premises Licence for Galata Kebab House, 499 Pinner Road, North Harrow.

The application had been made by Mr Ayhan Simsek for the provision of late night refreshment between 23.00 and 00.00 on Sundays to Thursdays, and between 23.00 and 01.00 on Fridays and Saturdays. The premises were situated in a semi-commercial, semi-residential part of Pinner Road.

The application had been referred to the Panel as there were two unresolved representations from responsible authorities. WPC Stone attended the meeting on behalf of the Metropolitan Police, and Ms Sophia Bix attended on behalf of the Planning Enforcement Team. Since the representation of Planning Enforcement had been omitted from the agenda, this was tabled at the meeting.

The applicant advised the Panel that, following consultation with the Police, he wished to amend the application so that the premises would close at 23.30 on Sundays. The Panel received legal advice, that because the application was for a new licence, any amendments were inadmissible and the Panel should either approve or refuse the application as per the agenda.

In response to some of the issues raised by the Panel, the applicant stated that the premises operated a no-smoking policy, that there was one AWP machine which the applicant intended to remove from the premises in the near future, and that the premises was frequented mainly by local people who came on foot. The applicant explained to the Panel that Galata Kebab House offered a delivery service which operated until 11.00 pm. In response to concerns raised by the Panel, the applicant advised that he himself kept the frontage of the premises free of litter, but that he also asked his customers to dispose of their rubbish sensibly. He stated that although there were residential dwellings above the premises, these were occupied by single people, whom he knew personally, and that the noise from his premises did not disturb them.

WPC Stone explained to the Panel that the Metropolitan Police had made a representation since they had not initially received a copy of the application. She stated that the Police welcomed the applicant's willingness to install CCTV at the premises.

Ms Bix of the Planning Enforcement team advised the applicant and the Panel that the planning permission granted in 1999 had contained a condition restricting the premises' hours of operation, and that a subsequent application in 2000 to remove this condition had been removed. Therefore the applicant would need to apply for planning permission to operate if the licence application was granted.

RESOLVED: That the application for a new late night refreshment Premises Licence for Galata Kebab House, 499 Pinner Road, North Harrow be granted as per the agenda with the following conditions:

ADDITIONAL CONDITIONS:

1. If an AWP machine is available, it shall be emptied at night or fitted with an appropriate recommended security device (e.g. a boot or a metal roller shutter).
2. The premises shall be properly vented and noxious odours shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.
3. Litter bins and/or cigarette butt bins shall be provided in the vicinity of the premises.

4. Extractor fans to be maintained regularly so as not to cause noise to nearby properties.
5. The applicant will meet with the Police Crime Prevention or Reduction Officer to survey the security needs.

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

206. **Application for variation of hours at Harrow Weald War memorial Club, 376 High Road, Harrow Weald during Transitional period:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the unresolved representation relating to the application for the variation of hours in respect of the Harrow Weald War Memorial Club, 376 High Road, Harrow Weald had been withdrawn that afternoon, and that as a result, the application would not now require determination by the Panel.

It was noted that the application for the conversion would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

207. **Application for variation of hours at North Harrow Home Guard Club, Broadwalk, The Car Park, North Harrow during Transitional period:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the unresolved representation relating to the application for the variation in respect of the North Harrow Home Guard Club, Broadwalk, The Car Park, North Harrow had been withdrawn that afternoon, and that as a result, the application would not now require determination by the Panel.

It was noted that the application for the conversion would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

(Note: The meeting having commenced at 1.30 pm, closed at 4.00 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

15 SEPTEMBER 2005

Chair: * Councillor Knowles

Councillors: * Billson * Dharmarajah

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**208. **Appointment of Chair:**

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

209. **Attendance by Reserve Members:**

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

210. **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.

211. **Arrangement of Agenda:**

RESOLVED: To note that all items be considered with the press and public present.

212. **Minutes:**

See Note 1 at conclusion of these minutes.

213. **Public Questions, Petitions or 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 and 16 (Part 4B of the Constitution) respectively.

214. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

215. **Application for Variation of Hours at Rat and Parrot, 84 St Ann's Road, 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 the Justices Licensing hours for the Rat and Parrot Public House, St Ann's Road, Harrow.

The application was made by the Spirit Group Ltd for a premises licence. The pub's landlord, a solicitor, Area Manager and the General Manager were all present. Representatives from two of the Responsible Authorities, the Council's Environmental Protection Team and the Metropolitan Police, who had made representations in respect of the application, were also in attendance.

The application sought an extension of hours for the sale of alcohol, live music, dancing and late night refreshments as listed in the report of the Chief Environmental Health Officer and the application. The application had been referred to the Panel as there were unresolved representations from two Responsible Authorities.

The premises were situated in a main shopping precinct of Harrow Town Centre which was mainly commercial, however, residential flats were located at the rear of the premises.

Prior to hearing the application the Chief Environmental Health Officer had identified that the applicant's current existing Public Entertainment licence had been omitted from the agenda in error. The Panel agreed that the licence should be circulated to all in attendance at the meeting.

The Panel proceeded to hear the application before them as circulated in the agenda and tabled at the meeting.

An officer from the Licensing Department presented their case and advised that the main concern was noise emanating from the premises, particularly when the large fronted windows of the public house were left open for ventilation. He also reported concerns of noise being heard by the residents of Byron Court, which was located to the rear of the premises.

The applicant's representative advised Panel Members and officers that further to the application listed in the report and discussions with the Police, they had decided to reduce all licensable activities and the hours the premises would be open to the public. The Panel was also informed that the premises did have a noise limiter and that music was kept at a reasonable level.

The Metropolitan Police withdrew their representation following the reduction of hours offered by the applicant, but asked the Panel to consider the conditions listed in their representation which could be attached to the licence, should the Panel feel minded to do so. The representation from the Council's Environmental Protection Team placed emphasis on the prevention of noise nuisance. The officer emphasised that there had been no reports of noise complaints, but that her concerns were preventative rather than solving the problem when it occurred.

RESOLVED: That the conversion and simultaneous variation to the Justices Licensing hours for the Rat and Parrot, 84 St Ann's Road, Harrow be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION

All Licensable Activities:

Sunday, Monday, Tuesday and Wednesday finish at 11.30 pm

Thursday finish at 12.30 am

Friday and Saturday finish at 2.00 am

Sunday finish at 11.30 pm

Late Night Refreshments and Hours the Premises are open to the Public

Sunday, Monday, Tuesday and Wednesday – 8.00 am – midnight

Thursday – 8.00 am – 1.00 am

Friday and Saturday – 8.00 am – 2.30 am

ADDITIONAL CONDITIONS

1. The above hours to be extended by one hour on the Friday, Saturday, Sunday and Monday before a Bank Holiday, on the Thursday before Easter, on Christmas Eve, St Patrick's Day and St George's Day.
2. The restrictions listed in box P on page 27 of the agenda are removed.
3. Signs to be displayed stating that alcohol will not be sold until 9.00 am.
4. CCTV equipment shall be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
REASON: Because no evidence has been provided that the CCTV system is operated and maintained in good order and for the Prevention of Crime and Disorder.
5. Disc jockeys will ask patrons to respect the occupants of neighbouring properties and leave the premises quietly.
REASON: For the Prevention of Public Nuisance.
6. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
REASON: For the Prevention of Public Nuisance.
7. Members of staff will undertake regular noise patrols, both internally and externally to limit any noise pollution whilst entertainments are being offered within the premises.
REASON: For the Prevention of Public Nuisance.

8. Children will not be permitted on the premises after 6.00 pm.
REASON: For the Protection of Children from Harm.
9. The premises will operate a "Challenge Under 21" Policy.
REASON: For the Protection of Children from Harm.
10. External drinking area to be cleared of customers by 11.30 pm.
REASON: For the Prevention of Public Nuisance.

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

216. **Application for Variation of Hours at Seven Balls, 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 Licensing hours for the Seven Balls Public House, Kenton Lane, Harrow Weald.

The application was made by Mr William Flynn, the licensee for a premises licence. A representative from one of the Responsible Authorities, the Metropolitan Police, and some local residents, who had made a representation in respect of the application, were also in attendance.

The application sought an extension of hours for the sale of alcohol, live music, dancing and late night refreshments as listed in the report of the Chief Environmental Health Officer and the application. The application had been referred to the Panel as there were unresolved representations from a Responsible Authority and local residents.

The premises were situated in a residential part of Kenton Lane.

An officer from the Licensing Department presented their case and advised Members that the main concern was with noise emanating from the premises. It had been reported that eleven complaints had been received by the department in the last two years, in relation to noise.

The applicant informed Members that the hours he had applied for were reasonable and not excessive. He indicated that he did not believe that noise was escaping from his premises and suggested that the noise was coming from other properties within close proximity to the public house, but that residents had assumed it came from his premises. The applicant emphasised that the premises was a listed building which carried limitations as to the extent any modifications could be applied.

The Metropolitan Police concerns were primarily in relation to security of the premises, and the potential for crime and disorder and public nuisance which would be exacerbated following the extension of hours. The Police officer also felt that complaints from residents concerning noise and disturbance had to be addressed and suggested that the conditions listed in their original representation could be attached to the licence, should the Panel feel minded to do so.

The main concern expressed by local residents' related to the unacceptable levels of noise and disturbance. They expressed the view that the music was played beyond the hours listed on the applicants' current entertainments license, and that the volume was so excessive that the noise filtered through into peoples' houses. In addition, the residents were unhappy with the level of noise from patrons leaving the premises. Some residents had complained directly to the landlord and had felt that their complaints had not been addressed.

Following the Panel's withdrawal from the meeting for the consideration of the application and representations received, it was

RESOLVED: That the conversion and simultaneous variation to the Justices Licensing hours for the Seven Balls, Kenton Lane, Harrow Weald be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION

Supply of Alcohol:

Monday to Thursday – 11.00 am - 11.00 pm

Friday and Saturday – 11.00 am – midnight

Sunday – Noon – 11.00 pm

Hours the Premises are Open to the Public

Monday to Thursday – 11.00 am – 11.30 pm

Friday and Saturday – 11.00 am – 12.30 am

Sunday – Noon – 11.30 pm

ADDITIONAL CONDITIONS

1. The above hours to be extended by half an hour on the Sunday before Bank Holidays, on Christmas Eve and Boxing Day.
2. Existing conditions transferred from Annex 2 on page 37 (except for the condition requiring doors and windows to be kept closed during regulated entertainment).
3. Amplified sound equipment shall be governed by a sound limiting device set at a level approved by the Licensing Authority
REASON: Because the Panel were not satisfied that the Licensee has taken enough steps to address the concerns of local residents and for the Prevention of Public Nuisance.
4. DPS to participate in a local Pubwatch Scheme if one existed in the area.
REASON: For the Prevention of Crime and Disorder.
5. The premises would operate a “Challenge Under 21” Policy.
REASON: For the Protection of Children from Harm.
6. Equipment shall be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
REASON: For the Prevention of Crime and Disorder.
7. All AWP machines to be emptied every night or fitted with a “boot”.
REASON: For the Prevention of Crime and Disorder.

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

217. **Application for Variation of Hours at Mediterranean Touch, 248A, Northolt Road, 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 the Justices Licensing hours for the Mediterranean Touch, 248a Northolt Road, South Harrow.

The application was made by Mr and Mrs Christodoulou owners of the restaurant, for a premises licence. Mr Christodoulou was present. Representatives from two of the Responsible Authorities, the Council's Environmental Protection Team and the Metropolitan Police, and a local resident who had made representations in respect of the application, were also in attendance.

The application sought an extension of hours for the sale of alcohol, live music, dancing and late night refreshments as listed in the report of the Chief Environmental Health Officer and the application. The application had been referred to the Panel as there were unresolved representations from two Responsible Authorities and a local resident.

The premises were situated close to residential dwellings in Eastcote Lane.

An officer from the Licensing Department presented their case and advised that the premises had only been opened for 18 months and had previously been a takeaway restaurant. He referred Members to the existing hours and the hours applied for in the application.

The applicant advised the Panel that the restaurant was small and had a capacity of 52 people. He confirmed that the premises had CCTV and that he hoped to buy two more cameras giving a total of 5. He suggested that the extended hours sought were not going to be a regular occurrence but would enable the flexibility to allow ad hoc parties to take place. Further to the application listed in the report and discussions with the Police, the applicant had decided to reduce all licensable activities and the hours the premises would be open to the public.

The Metropolitan Police withdrew their representation following the reduction of hours offered by the applicant, but suggested that the conditions listed in their original representation could be attached to the licence, should the Panel feel minded to do so. The Council's Environmental Protection officer had withdrawn her representation following the applicants' reduction of hours but placed emphasis on conditions which might be applicable, should the Panel be minded to grant the application.

The local resident's objection summarised the potential public nuisance that might occur should the hours be granted, however, this was withdrawn following the reduction in hours by the applicant.

Following the Panel's withdrawal from the meeting for the consideration of the application and representations received, it was

RESOLVED: That the conversion and simultaneous variation to the Justices Licensing hours for the Mediterranean Touch, 248A Northolt Road, South Harrow be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION

Licensable activities:

Monday to Thursday – 7.00 am – 1.00 am
Friday and Saturday – 7.00 am – 1.30 am
Sunday – 7.00 am – 12.30 am

Live Music

Monday to Thursday – 8.00 pm – 1.00 am
Friday and Saturday – 8.00 pm – 1.30 am
Sunday – 8.00 pm – 12.30 am

Recorded Music

Monday to Thursday – 7.00 am – 1.00 am
Friday and Saturday – 7.00 am – 1.30 am
Sunday – 7.00 am – 12.30 am

Performance of Dance

Monday to Thursday – 11.00 am – 1.00 am
Friday and Saturday – 11.00 am – 1.30 am
Sunday – 11.00 am – 12.30 am

Late Night Refreshment

Monday to Thursday – 11.00 am – 1.00 am
Friday and Saturday – 11.00 am – 1.30 am
Sunday – 11.00 am – 12.30 am

Supply of Alcohol

Monday to Thursday – 11.00 am – 12.30 am
Friday and Saturday – 11.00 am – 1.00 am
Sunday – 11.00 am – midnight

Hours Premises are Open to the Public

Monday to Thursday – 7.00 am – 1.00 am
Friday and Saturday – 7.00 am – 1.30 am
Sunday – 7.00 am – 12.30 am

ADDITIONAL CONDITIONS

1. Front external dining area to be cleared of patrons by 11.30 pm and tables and chairs stacked.
REASON: For the Prevention of Public Nuisance.
2. Front door to be kept closed from 11.30 pm.
REASON: For the Prevention of Public Nuisance.
3. CCTV to be operated and maintained in good working order and in accordance with the recommendations of the Police and CRO.
REASON: For the Prevention of Crime and Disorder.
4. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

REASON: For the Prevention of Public Nuisance.

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

(Note: The meeting having commenced at 7.30 pm, closed at 0.12 am)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

[Note: Licensing Panel minutes are:-

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

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

[Note 2: Extension and Termination of the Meeting: In accordance with the provisions of Committee Procedure Rule 14.2 (ii)(a) "Varying the Closure Time" (part 4B of the Constitution) the meeting continued beyond 10.00 pm in the normal manner for the completion of the business remaining on the agenda, the Chair having regard to the qualification in the Rule not to prejudice third party rights or interests affected by the remaining business and the quasi-judicial nature of the Panel's proceedings].

LICENSING PANEL

21 SEPTEMBER 2005

Chair: * Councillor Branch

Councillors: * Blann * John Nickolay

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**218. **Appointment of Chair:**

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

219. **Attendance by Reserve Members:**

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

220. **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.

221. **Arrangement of Agenda:**

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

222. **Minutes:**

(See Note at conclusion of these Minutes).

223. **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 and 16 (Part 4B of the Constitution) respectively.

224. **Licensing Procedures:**

The Chair introduced the Panel and the officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

225. **Application for Variation of Hours at Somerfield, 103 Pinner Road, 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 the existing Justices Licensing (converted) hours for Somerfield, 103 Pinner Road, Harrow.

The Chief Environmental Health Officer's representative introduced the report and informed the Panel that the application had been made by Somerfield Stores Limited, for:

- a change of hours for sale of alcohol on weekdays, Sundays, Good Friday and Christmas Day to 06:00 to 23:00;
- the premises to remain open 24 hours on Mondays to Sundays.

She added that the premises – a small supermarket forming part of a petrol filling station – was situated on Pinner Road, a main thoroughfare and that there was residential accommodation in the area, some of which was within the immediate vicinity of the premises.

The Chief Environmental Health Officer's representative tabled correspondence received from Somerfield Stores Limited, which confirmed that the applicant would not be attending or be represented at the hearing. She informed the Panel that the Council's Planning and Development Service, the responsible Authority who had made representations in respect of the application, would be represented by Ms S Bix who was in attendance at the meeting. Members noted that the application had been

referred to the Panel as the objection from the responsible Authority was concerned with the discrepancy in the hours of opening sought from the Council as the licensing authority and those previously granted by the Council as the planning authority.

The Chief Environmental Health Officer's representative referred to Annex 2 of the report and informed the Panel that officers had transferred over the licensing conditions, which were consistent with those on the operating schedule. However, it had not been possible to transfer any conditions in relation to Public Safety, which was considered to be a key objective. In referring to the Prevention and Public Nuisance objective, the Chief Environmental Health Officer's representative advised the Panel that the legislation required the owner of the premises to carry out a risk assessment and that the assessment may result in alterations to the premises in order to help prevent public nuisance occurring.

Ms Bix, representing the Council's Planning and Development Service, informed the Panel that:

- Condition 3 – the premises hereby approved shall not be used between the hours of 23.00 to 7.00 except for the sale of petrol and diesel - on the planning permission previously granted (in 1999) had been included because of the objection(s) received at that time;
- Somerfield Stores Limited had agreed to the inclusion of the following condition; however, the Council's Legal Service had advised against the imposition of such a condition which would not be binding:

“Notwithstanding the consent of the licensing authority to the hours sought, the licence holder will not operate outside the hours imposed by the current planning permission or any future planning permission relating to the use of the premises”.

- Somerfield Stores Limited had been informed of the legal advice received but the company had not confirmed that it would be submitting a planning application to remove the discrepancy referred to above should the Licensing Panel grant the application.

In response to a number of questions from the Panel, Ms Bix stated that the Planning and Development Service had not received any complaints about the premises recently and that there had been no significant changes in the immediate vicinity to the premises. It was confirmed that the premises had approval to sell petrol and diesel all day (24 hours).

The Chief Environmental Health Officer's representative informed the Panel that a petrol station further along the same road had closed recently.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representation received, it was

RESOLVED: That the conversion and variation to the licence for Somerfield, 103 Pinner Road, Harrow referred to in pages 30 and 31 of the agenda be granted with the following Condition listed at Annexe 2 of the report:

1. The premises be provided with CCTV operated in line with the Harrow Police's guidelines inside and outside during the premises open to public.

REASON: The Condition was imposed in support of the following Licensing Objective: the prevention of crime and disorder.

(Note: The meeting having commenced at 1.33 pm, closed at 2.10 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

26 SEPTEMBER 2005

Chair: * Councillor Knowles

Councillors: * Branch * Janet Cowan

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**226. **Appointment of Chair:**

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

227. **Attendance by Reserve Members:**

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

228. **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.

229. **Arrangement of Agenda:**

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

230. **Minutes:**

(See Note at conclusion of these Minutes).

231. **Public Questions, Petitions, 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 and 16 (Part 4B of the Constitution) respectively.

232. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

233. **Application for variation of hours at Katie Daly's Bar, 248 Streatfield Road, Queensbury during Transitional Period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for the conversion and simultaneous variation to the Justices Licensing Hours for Katie Daly's Bar, 248 Streatfield Road, Queensbury. The application had been referred to the Panel as there were unresolved representations from the Metropolitan Police Service, a Responsible Authority. A representation from Harrow Environmental Protection Team had been withdrawn prior to the meeting following the applicant's agreement to fulfil the conditions requested as set out in the Chief Environmental Health Officer's report.

The application was made by Messrs Poppleston Allen on behalf of Postcode Pub Co Limited who were represented at the hearing by Mr David Lintott. Sergeant Carl Davis of the Metropolitan Police was also in attendance.

The application sought an extension of hours for the sale of alcohol, the exhibition of films, the performance of live music, the performance of dance, provision of facilities for making music, provision of facilities for dancing and late night refreshment.

The Panel proceeded to hear the application before them and as circulated in the agenda papers.

The applicant's representative stated that, in consultation with the Metropolitan Police, the applicant had agreed to accept a number of conditions, as detailed as Additional Conditions 1-7 below. He asked the Panel to consider that, in light of these conditions, the premises should be granted the extended hours requested. He stated that this would also assist with the gradual dispersal of patrons from the premises.

Responding to questions from the Panel, the applicant's representative confirmed that Mr McGowan, the owner and operator of the premises whose previous good record was known to the Panel, would not be the designated premises supervisor. Additionally, he clarified that the applicant had requested permission to play music until 4.00 am each day. He stated that this would be maintained at the present volume as the premises had not received complaints about noise. He also stated that, if extended hours were granted, all licensable activity, other than the sale of alcohol, which would end at 3.00 am, would cease at 4.00 am, allowing an hour for patrons to disperse before the premises closed to the public at 5.00 am. He also confirmed that the applicant's intention was to change the character of the premises to an Irish-themed bar.

The Metropolitan Police representative stated that whilst he was grateful for the applicant's agreement to the suggested conditions, he continued to oppose the request for any hours past 2.00 am as Police resources would be very limited after this time. Additionally, he requested that the Panel consider the previous incidents that had occurred when the premises had been operated as an Irish-themed bar and stated his concern that a return to this theme, together with extended hours, would increase the potential for crime and disorder.

In response to questions from the Panel, the Metropolitan Police representative stated that the designated premises supervisor, Ms Catherine Daly, was an experienced licensee. He also confirmed that he did not oppose the granting of a single extended hour's opening on the day British Summer Time commenced each year.

The applicant's representative concluded by stating that in his view the premises were now well run and that the granting of longer hours would reduce the potential for crime and disorder and public nuisance by allowing patrons to leave the premises gradually. He requested that the Panel note the availability of the review procedure if problems were to occur.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Katie Daly's Bar, 248 Streatfield Road, Queensbury, be granted with the following amendments and additional conditions:

AMENDMENTS TO THE APPLICATION:

Standard licensed hours to be as follows:

1. All licensable activity to cease at 1.00 am on Sunday to Thursdays and at 1.30 am on Fridays and Saturdays.
2. The premises were to close half an hour after the cessation of licensable activity on each day.

ADDITIONAL CONDITIONS:

1. Notices to be displayed at the exit to the premises asking patrons to leave quietly.
2. The existing CCTV system to continue to operate during the additional hours of trading.
3. The premises are to actively participate in the local pub watch or equivalent scheme, if available.
4. Toughened glass to continue to be used during the additional hours of trading.
5. The number of door supervisors on duty during the additional hours to be reviewed in consultation with the Police.
6. Amusement With Prizes machines to be either emptied nightly or fitted with a protective security device.
7. All doors and windows to remain closed when regulated entertainments were provided.

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

234. **Application for variation of hours at Matrix, 219 Alexandra Avenue, South Harrow:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for conversion and simultaneous variation to the Justices Licensing hours for Matrix, 219 Alexandra Avenue, South Harrow. The application had been referred to the Panel as there was an unresolved representation from the Metropolitan Police Service, a Responsible Authority.

The application was made by Mr Rana, who was present at the meeting. Sergeant Carl Davis, the Metropolitan Police representative, was also in attendance.

The application sought an extension of hours for the sale of alcohol, the exhibition of films, indoor sporting events, the performance of live and recorded music, the provision of facilities for making music, the performance of dance and the provision of facilities for dancing.

The Panel proceeded to hear the application before them and as circulated in the agenda papers.

Mr Rana explained that his legal representative was, unexpectedly, unable to attend the meeting and asked if the application could be heard the following day. The Panel's legal advisor advised that if the meeting were to be adjourned and a Panel could not hear the application within two months of receipt it would need to be heard in the Magistrates' Court. Mr Rana stated that he wished the application to be heard that afternoon.

The applicant stated that he had recently obtained the freehold to the premises, and was to seek a Public Entertainments Licence at a later date as the licence had now lapsed. He explained that he was willing to accept the conditions suggested by the Police.

Following questions from the Panel, the applicant explained that the provision of air conditioning had been a condition on the premises' Public Entertainments Licence, which had lapsed. This had been placed in order to enable doors and windows to remain closed when entertainment was taking place.

The Metropolitan Police representative continued to oppose the granting of extended hours beyond 2.00 am and additionally requested that the Panel impose a condition that door supervisors must be equipped with a 'magic wand' and a radio system.

Responding to questions from the Panel, the Metropolitan Police representative agreed that a condition setting a terminal hour for the premises' external drinking area would assist the prevention of public nuisance. He also stated that he had not received any complaints regarding noise from the external drinking area. He concluded by requesting that the Panel consider granting terminal hours no later than 1.00 am on Mondays to Thursdays and 2.00 am on Fridays and Saturdays.

The applicant concluded by asking the Panel to note that he had ensured the premises had not been the subject of complaints in recent years and that he intended to continue to ensure it was well run and provided a useful service to the community.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Matrix, 219 Alexandra Avenue, South Harrow, be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION:

Standard licensed hours to be as follows:

1. All licensable activity to cease at 12.30 am on Mondays to Thursdays, 1.30 am on Fridays and Saturdays and 12 midnight on Sundays.
2. The premises to close half an hour after the cessation of licensable activity on each day.

ADDITIONAL CONDITIONS:

1. All external drinking areas to be cleared of patrons and glasses by 12.30 am each day.

2. All Amusement With Prizes (AWP) machines to either be emptied nightly or fitted with a protective 'boot'.
3. CCTV to continue to operate during extended hours.
4. The number of door supervisors on duty during extended hours to be reviewed in consultation with the Metropolitan Police.
5. Doors and windows to remain closed when regulated entertainments take place.

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

235. **Application for variation of hours at Harrow Borough Football Club Ltd, Earlsmead, Carlyon Avenue, 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 the Justices Licensing hours for Harrow Borough Football Club Limited, Earlsmead, Carlyon Avenue, South Harrow. The application had been referred to the Panel as there was an unresolved representation from the Metropolitan Police Service, a Responsible Authority.

The application was made by Mr Peter Rogers, who was present at the meeting. Sergeant Carl Davis, Metropolitan Police representative, was also in attendance to explain his objections to the application.

The application sought an extension of hours for the sale of alcohol, the performance of plays, the exhibition of films, indoor sporting events, the performance of live music, the playing of recorded music, the performance of dance, the provision of facilities for making music and the provision of facilities for dancing and entertainment of a similar description.

The Panel proceeded to hear the application before them and as circulated in the agenda papers.

The applicant stated that he did not intend to change the nature of the premises, but wished to have the flexibility to provide services to sections of the local community who were not directly involved in football. The Panel's legal adviser stated that it would not be possible for the Panel to grant the applicant's request for members of the local community to become 'members for the day', as the Licensing Act required an interval of at least two days before membership could be granted. The applicant accepted this and withdrew the request. He continued to explain his application, stating that he thought a period of one hour between the end of licensed hours for the sale of alcohol and the closure of the premises would aid the gradual and quiet dispersal of patrons. He also stated that the premises had not received complaints in the past and had had a good relationship with the Metropolitan Police.

Responding to questions, the applicant stated that the premises were regularly used by local community groups, both football-related and otherwise, and did occasionally act as a venue for the performance of plays. He explained that the present cost of membership was currently £6 per annum for an individual and that members had to be over 18 years old.

The Metropolitan Police representative stated that as a registered Members Club, the premises had the right not to have a fixed closing time. Due to this, he requested that the Panel amend the application to end the sale of alcohol at 11.30 pm on Sunday rather than midnight. Additionally, he requested that the Panel consider imposing a condition restricting the hours in which the external drinking area could be used. He also asked that the Panel require Amusement With Prizes (AWP) machines to be emptied nightly or fitted with a protective device.

The applicant concluded by stating that he would accept a condition requiring the closure of the external drinking area by 11.00 pm on each night and that he agreed to the conditions suggested by the Police.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Harrow Borough Football Club Ltd, Earlsmead, Carlyon Avenue, South Harrow be granted with the following additional conditions:

AMENDMENTS TO THE APPLICATION:

The request for an amendment to Club Rule 12 to allow members of the local community to become members for the day was rejected.

ADDITIONAL CONDITIONS:

1. All external drinking areas to be cleared of patrons and glasses by 11.00 pm each night.
2. AWP machines to be either emptied nightly or fitted with a protective 'boot'.

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

(Note: The meeting having commenced at 1.30 pm, closed at 5.00 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

27 SEPTEMBER 2005

Chair: * Councillor Idaikkadar

Councillors: * Dharmarajah * Vina Mithani

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**236. **Appointment of Chair:**

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

237. **Attendance by Reserve Members:**

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

238. **Declarations of Interest:**

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

239. **Arrangement of Agenda:**

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

240. **Minutes:**

(See Note at conclusion of these minutes).

241. **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 and 16 (Part 4B of the Constitution) respectively.

242. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

243. **Application for variation of hours at Black Pepper Restaurant, 461 Uxbridge Road, Hatch End 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 Black Pepper Restaurant, 461 Uxbridge Road, Hatch End.

The application had been made by David Wineman Solicitors on behalf of Iveria Ltd.

The application sought changes to the existing Justices Licence hours and to add additional licensable activities.

The application was referred to the Panel as there were unresolved representations from 1 Responsible Authority, 2 Residents' Association and 9 Local Residents and 2 petitions with 180 signatures.

The representation from the Environmental Protection team cited one of the four Licensing Objectives, namely the prevention of public nuisance. Louise Roberts, a representative from the Environmental Protection team stated that the applicant had not adequately stated how noise from patrons and music disturbing local residents would be prevented. Louise Roberts requested that if the licence was granted the conditions outlined in her representation be imposed.

Statements from the applicant and a public objector were tabled.

Members of the public objecting to the application, raised particular concern about the lack of adequate parking facilities, especially as the restaurant capacity was being increased and as opening hours could be extended to a time at which there would be no public transport available.

In response to an objector's concerns about noise being emitted from the premises, the applicant informed the Panel that the premises' retractable doors would only be opened during the day and the restaurant was insulated to minimise noise. The applicant also informed the panel that there would be no amplified music and no designated area for dancing.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Black Pepper Restaurant, be granted as per the agenda with the following amended hours and conditions:

AMENDED HOURS

From Sunday to Thursday, all Licensable Activities to cease at 12am and the premises to close by 12.30am.

On Friday and Saturday, all Licensable Activities to cease at 1am and the premises to close by 1.30am.

REASON: The prevention of public nuisance.

ADDITIONAL CONDITIONS

1. The existing CCTV system to be maintained and kept in good working order.
REASONS: The prevention of crime and disorder, and public safety.
2. Windows and doors to be kept closed at all times when regulated entertainment is taking place.
REASON: The prevention of public nuisance.
3. Prominent, clear and legible notices be displayed at all exits requesting that the public respect the needs of local residents and leave the premises and area quietly.
REASON: The prevention of public nuisance.

244. **Application for variation of hours at Eclipse, 3 Shaftesbury Parade, 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 the Justices Licensing hours for Eclipse Public House, Shaftesbury Parade, South Harrow.

The application had been made by Messrs John Gaunt & Partners on behalf of Barracuda Pub Company Ltd.

The premises were situated in a parade of shops. The area was of mixed light commercial and residential use.

The application had been referred to the Panel as there were unresolved representations from 2 Responsible Authorities.

Sergeant Davis, representative from the Metropolitan Police and Louise Roberts, representative from the Environmental Protection team, who as responsible authorities had made representations in respect of the application, were present. The representation from Environmental Health cited one of the four Licensing Objectives, namely the prevention of public nuisance.

The representation from the Metropolitan police cited all of the four Licensing Objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

In response to the concerns of Sergeant Davis, the applicant stated that the following hours were now being sought:

Licensable Activities from Sunday to Tuesday to terminate at 11.00 pm and the premises to close by 11.30 pm and Licensable Activities to terminate at 11.30 pm and the premises to be closed by 12.00 am from Wednesday to Saturday.

The applicant would make use of Temporary Events Notices instead of non-standard hours and would be willing to accept conditions.

The Planning Department of Harrow Council had made a representation but it had been withdrawn after the agenda had been printed.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for Eclipse Public House, be granted as per the agenda with the following amended hours and conditions:

AMENDED HOURS

Licensable Activities to terminate at 11.00 pm from Sunday to Tuesday and the premises to close by 11.30 pm.

Licensable Activities to terminate at 11.30 pm from Wednesday to Saturday and the premises to close by 12.00 am.

ADDITIONAL CONDITIONS

1. Notices be displayed in prominent positions asking patrons to leave the premises quietly.
REASON: The prevention of public nuisance.
2. The external drinking area to be cleared of patrons and glasses by 11.30 pm.
REASON: The prevention of public nuisance.
3. The terminal hour for children to be on premises to be 9pm.
REASON: The prevention of children from harm.
4. AWP machines to be emptied each night or fitted with an approved security device.
REASON: The prevention of crime and disorder.

245. **Extension and Termination of the Meeting:**
In accordance with the provisions of Committee Procedure Rules 14.2 (ii) (Part 4B of the Constitution), it was;

RESOLVED: At 10.00 pm to continue until 11.30 pm.

(Note: The meeting having commenced at 7.34 pm, closed at 10.55 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

28 SEPTEMBER 2005

Chair: * Councillor Knowles

Councillors: * Mrs Bath * Choudhury

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**246. **Appointment of Chair:**

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

247. **Attendance by Reserve Members:**

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

248. **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.

249. **Arrangement of Agenda:**

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

250. **Minutes:**

See Note at conclusion of these minutes.

251. **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 and 16 (Part 4B of the Constitution) respectively.

252. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

253. **Application for variation of Hours at Chandi Bar, 59 High Street, Edgware during Transitional Period:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the unresolved representation relating to the application for the variation in respect of Chandi Bar, 59 High Street, Edgware, had been withdrawn, and that as a result, the application would not now require determination by the Panel.

It was noted that the application for the conversion would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

254. **Application for Variation of Hours during Transitional Period, Ajans Food & Wine, 324 Rayners Lane, Harrow:**

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 Ajans Food & Wine, 324 Rayners Lane, Harrow.

The application, which had been made by Mr Niranjana, sought to increase the hours during which Ajans Food & Wine was licensed to sell alcohol off the premises to twenty-four hours per day. The premises were situated in a predominantly commercial part of Rayners Lane; there was, however, residential accommodation provided above most of the nearby premises.

The application had been referred to the Panel as there was one unresolved representation from a Responsible Authority, namely the Metropolitan Police, represented by Sergeant Davis.

The Panel was informed that, following consultation with the Metropolitan Police, the applicant wished to amend the application so that the requested hours for the sale of alcohol, and during which the premises would be open, would now be 8.00 am until 11.30 pm on Sundays to Thursdays, and 8.00 am to 1.00 am on Fridays and Saturdays.

Sergeant Davis stated that the Police were satisfied with the application as amended, provided that the applicant continued to operate CCTV during licensed hours, and that during these hours, should the Designated Premises Supervisor not be present, a suitably qualified licence holder should be present.

RESOLVED: That the application be granted, with the following amendments and additional conditions:

AMENDMENTS

Hours open to the public for the sale of alcohol off the premises:

Sundays to Thursdays: 8.00 am – 11.30 pm
Fridays and Saturdays: 8.00 am – 1.00 am

ADDITIONAL CONDITIONS

1. CCTV equipment to be installed, operated and maintained in good working order during licensed hours and in accordance with the recommendations of the Police or Crime Prevention Officer.
REASON: Prevention of Crime and Disorder
2. During extended hours, if the Designated Premises Supervisor was not on the premises, a suitably qualified licence holder to be present.
REASON: Prevention of Crime and Disorder.

255. **Application for Variation of Hours at Rambling Inn, 410 Kenton Lane, Kenton 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 Rambling Inn, 410 Kenton Lane, Kenton.

The application had been made by Mr Kelly of McGowan's Irish Bars (which traded as Postcode Pubco Ltd), for the extension of hours for the sale of alcohol to 3.00 am on Mondays to Sundays, and for the extension of hours for the provision of both recorded and live music, dancing, films, and late night refreshment to 4.00 am on Mondays to Sundays. The premises were situated in the main commercial part of Belmont Circle, although residential premises were situated in close proximity.

The application had been referred to the Panel as there were three unresolved representations from Responsible Authorities, and one unresolved representation from a member of the public. The Panel was informed that following agreement between the applicant and the Environmental Protection team, this representation had been withdrawn. Sergeant Carl Davis represented the Metropolitan Police, and Ms Sophia Bix represented the Planning Department of Harrow Council. Mrs Valerie Knights, a local resident, was present at the meeting, together with another local resident, Mr Walker. The Panel heard, however, that since Mr Walker had not made a written representation to the Council, and Mrs Knights had not informed the Council that she wished for Mr Walker to be present at the meeting as a witness, Mr Walker could not speak without the applicant's consent. The applicant stated that he did not wish to allow Mr Walker to act as a witness or speak at the meeting.

The representative of the applicant, Mr Henderson, stated that, following consultation with the Police, the applicant wished to amend his application so that the premises would be open from 10.00 am to 12.00 am on Mondays and Tuesdays, from 10.00 am to 12.30 am on Wednesdays and Thursdays, from 10.00 am to 1.00 am on Fridays and Saturdays, and from 10.00 am to 11.30 pm on Sundays, with all licensable activities to terminate thirty minutes before the close of premises. The applicant's representative advised that, given the amendments to the application, the variation would not significantly alter the nature of the premises.

The applicant's representative stated that, in addition, the applicant had agreed four conditions with the Police, namely that the premises continue to operate its existing CCTV system, that AWP machines continue to be emptied each night, that notices be displayed requesting patrons to leave the premises quietly, and that the applicant make endeavours to minimise disturbance caused to local residents by noise and vibrations.

The applicant's representative clarified that, in light of the amendments made to the application, points 11 and 15 in Box Q (b), along with point 8 in box Q (d), included in the agenda papers, were no longer relevant. He requested that these additional steps proposed in the application be removed.

The Panel was informed that if the amended application were granted, the applicant would need to apply to the Planning Department, either to remove Condition 2 of the Planning Permission, which limited the use of the premises to midnight on Mondays to Saturdays, and to 10.30 pm on Sundays and Bank Holidays, or to vary its existing permission. The applicant stated that he would not allow the premises to stay open beyond the hours permitted by the Planning Department until this condition had been removed or varied.

The applicant's representative stated that there was background noise in the area of the premises due to passing traffic, and that the applicant could not be held responsible for the conduct of individuals outside the premises. Responding to concerns voiced by Mrs Knights, however, the applicant stated that he was prepared to fit an additional door at the rear of the building in order to reduce the noise emanating from the premises.

Sergeant Davis stated that, with the amendments to the application, and in light of the applicant's willingness to accept the conditions he had proposed, the Police had no objections to the application.

RESOLVED: That the application be granted with the following amendments to the application and additional conditions:

AMENDMENTS TO THE APPLICATION:

Hours during which the premises may remain open to the public:

Mondays and Tuesdays: 10.00 am until 12.00 am
Wednesdays and Thursdays: 10.00 am until 12.30am
Fridays and Saturdays: 10.00 am until 1.00 am
Sundays: 10.00 am until 11.30 pm

All licensable activities would cease thirty minutes before the close of premises.

ADDITIONAL CONDITIONS:

1. CCTV equipment to be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
REASON: Prevention of Crime and Disorder
2. All AWP machines to be emptied of cash every night or fitted with a "boot" device.
REASON: Prevention of Crime and Disorder
3. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
REASON: Prevention of public nuisance
4. Noise or vibration shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.
REASON: Prevention of public nuisance
5. The Council's Rules of Management shall apply.
REASON: Prevention of Crime and Disorder and the Promotion of Public Safety
6. The maximum number of patrons accommodated at any one time shall not exceed 100.
REASON: Promotion of Public Safety
7. The front elevation French windows must be locked shut when entertainments were taking place. The front and rear exits must be kept shut except for those moments when persons are entering or leaving. The outer pair of doors to the front entrance must be locked open at all times when patrons are on the premises.
REASON: Prevention of Public Nuisance.

(Note: The meeting having commenced at 1.30 pm, closed at 3.48 pm)

(Signed) COUNCILLOR ADRIAN KNOWLES
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

28 SEPTEMBER 2005

Chair: * Councillor Idaikkadar

Councillors: * Billson * Dharmarajah

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**256. **Appointment of Chair:**

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

257. **Attendance by Reserve Members:**

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

258. **Declarations of Interest:**

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

259. **Arrangement of Agenda:**

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

260. **Minutes:**

(See Note at conclusion of these Minutes).

261. **Public Questions, Petitions, 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 and 16 (Part 4B of the Constitution) respectively.

262. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

263. **Application for variation of hours at Starling, 1a Rickmansworth Road, Pinner, HA5 3TE 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 Starling, 1a Rickmansworth Road, Pinner, HA5 3TE. The application had been referred to the Panel as there were unresolved representations from the Metropolitan Police as a Responsible Authority and the Pinner Association as an interested party.

The application had been made by R F May on behalf of Massive Limited who were represented at the meeting by Mr Darren Kennedy and Mr Julian Tanner. Sergeant Carl Davis of the Metropolitan Police and Cynthia Wells and Ruth Boff of the Pinner Association were also in attendance, having made representations objecting to the application.

The application sought an extension of hours for the sale of alcohol, the exhibition of films, indoor sporting events, the performance of live music, the playing of recorded music and anything of a similar description, the provision of facilities for making music and the provision of late night refreshment.

The Panel proceeded to hear the application before them and as circulated in the agenda papers.

The applicant's representative stated that, in light of the representation made by the Metropolitan Police, he had been instructed to amend the application, as follows:

- Standard licensed hours for the sale of alcohol, the exhibition of films, indoor sporting events, the playing of recorded music and anything of a similar description to operate from 7.00 am-12 midnight on Sunday to Thursday and 7.00 am-1.00 am on Fridays and Saturdays with the premises closing 30 minutes later each night.
- The sale of alcohol to cease at 1.00 am on 2 January.
- Extended hours on the Friday, Saturday, Sunday and Monday of Bank Holiday weekends to operate from 7.00 am-1.00 am.

He also stated that he wished to amend the application to remove the request for special event days and agreed to comply with some of the conditions suggested by the Police. He stated that the premises were run by an experienced licensee and aimed to attract a mature clientele with the majority of patrons living locally. He asked that the Panel take this into consideration when deliberating on whether conditions requiring a secure fire door, time delayed safe and a linked alarm system, as requested by the Metropolitan Police, were proportional to the risk of crime.

The applicant's representative further explained that the hours applied for were intended to give the premises flexibility to determine the opening hours but that it was unlikely that the premises would remain open during all of the hours, if granted. He stated that extended hours, if granted, would result in a more gradual dispersal of patrons from the premises and reduce the potential for public nuisance.

Responding to questions, the applicant's representative confirmed that there were residential properties near to the premises. Additionally, he stated that the request for an opening hour of 7.00 am was to allow flexibility for special events and would not be a daily occurrence. He also suggested that a noise limiter was not necessary and that sanctions were available if residents believed the extended hours created a public nuisance. He was of the view that extended hours on Bank Holiday weekends were a reasonable request and that he did not believe patrons would come to the premises after other public houses in the area had closed. He also suggested that the premises were too small to have a non-smoking area or door supervisors as it had only a single bar with a maximum capacity of approximately 75 patrons. In addition, he explained that the premises did have a car park with space for approximately eight to ten cars. In response to questions from the Panel he explained he was requesting a licence to sell alcohol at 7.00 am, giving the example of international sporting events as a type of occasion when this might take place. He also stated that the premises had not received complaints about noise and had only required Police attendance on one occasion.

The representation from the Pinner Association focused on the potential for an increase in public nuisance if the premises were granted extended opening hours. Following questions, the representative stated her concern that later hours and increased music would attract a younger clientele. She also suggested that noise from people walking home from the premises in the early morning would create an additional public nuisance. In conclusion, she requested that the Panel consider attaching conditions requiring CCTV, door supervisors, noise patrols, early closure of the external drinking area, signage asking patrons to leave the premises quietly, a terminal hour for the presence of children on the premises and the closure of doors and windows should the Panel be minded to grant the extended hours applied for.

The applicant's representative concluded by stating that the premises had experienced managers and had not received complaints in the past. He requested that the Panel consider what conditions would be appropriate bearing in mind the size and nature of the premises.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation to the licence for the Starling, 1a Rickmansworth Road, Pinner, HA5 3TE be granted, as amended, with the following amendments to the application and additional conditions.

ADDITIONAL AMENDMENTS TO THE APPLICATION:

1. Non-standard hours will not apply on Bank Holiday Mondays.
REASON: The prevention of public nuisance.
2. Licensed hours for the sale of alcohol to begin at 9.00 am rather than 7.00 am.
REASON: The prevention of public nuisance.

ADDITIONAL CONDITIONS:

1. CCTV to be installed, and thereafter maintained, to the reasonable requirements of the Metropolitan Police Service within three months of the second appointed day.
REASON: The prevention of crime and disorder.
2. Any drinks promotions to be in accordance with the British Beer and Pubs Association code of practice.
REASON: The prevention of public nuisance..
3. Signs requesting that patrons leave the premises quietly to be placed at each exit.
REASON: The prevention of public nuisance.
4. External drinking areas to be cleared of patrons and glasses by 11.00 pm each night.
REASON: The prevention of public nuisance.
5. Amusement With Prizes machines to be emptied nightly or fitted with a protective security device.
REASON: The prevention of crime and disorder.
6. Security Industry Authority registered door supervisors to be in attendance when live music, or entertainment similar to live music, is to take place at the premises.
REASON: The prevention of crime and disorder and public nuisance.
7. All children under 16 years of age to leave the premises by 8.00 pm each night.
REASON: The protection of children from harm.

264. **Application for the variation of hours at Hand in Hand, 38 High Street, Pinner, HA5 5PW 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 Hand in Hand, 38 High Street, Pinner, HA5 5PW. The application had been referred to the Panel as there were unresolved representations from an interested party, the Pinner Association, and from the Metropolitan Police Service and Harrow Environmental Protection team as Responsible Authorities. A representation from the London Fire and Emergency Planning Authority, published with the agenda, had been withdrawn prior to the meeting following a conciliation agreement with the applicant in which he had agreed to provide an effective means of escape from the premises, limit the capacity of the function room to 50 persons and carry out a risk assessment.

The application had been made by John Gaunt and Partners on behalf of the Laurel Pub Company, who were represented at the meeting by Phil Martin, bar manager, and Troy Bett, area manager. Also present was Sergeant Carl Davis, Metropolitan Police representative and Louise Roberts of the Harrow Environmental Protection Team. Ruth Boff and Cynthia Wells of the Pinner Association were also present.

The application sought an extension of hours for the sale of alcohol, the exhibition of films, indoor sporting events, the performance of live music, the playing of recorded music, the performance of dance, the provision of facilities for making music and dancing and the provision of late night refreshment.

The Panel proceeded to hear the application before them and as circulated in the agenda papers. The applicant stated that he agreed to all the conditions suggested by the Metropolitan Police and Harrow Environmental Protection Team and in light of these representations was willing to amend his application to request standard licensed hours to be 10.00 am-12 midnight Monday-Thursday, 11.00 am-1.00 am Friday and Saturday and 12 noon-12 midnight on Sundays with the premises closing to the public half an hour after the end of licensable activity each night.

In response to questions, the applicant confirmed that children would not be permitted on the premises after 7.30 pm. Additionally, the applicant stated that he did not intend to change the character of the premises. He explained that while he had applied for permission to have activities such as dancing from 10.00 am, he did not anticipate this happening on a daily basis. He also stated that the premises would employ Security Industry Association (SIA) accredited door supervisors at weekends and that he did not intend to attract the late night custom of persons leaving other licensed premises. He additionally indicated that managers were responsible for checking the level of noise

outside the premises and confirmed that the external drinking area would continue to be cleared at 10.30 pm. He agreed that the premises had received complaints in the past but added that these had all been prior to 2003 when steps had been taken to ensure that they did not recur.

The representative of Harrow Environmental Protection Team requested that the Panel consider imposing a condition requiring no noise or vibration to be felt outside of the premises.

The representative of the Pinner Association expressed her concern that extended hours together with the potential for a greater emphasis on music and dancing would change the character of the premises. She suggested that the premises should not be open when public transport was unavailable as the arrival of taxis together with the possible loud conversations of patrons walking home from the premises had the potential to create a public nuisance. In conclusion, she requested that the Panel place all the conditions suggested by the Police on the licence and, additionally, impose conditions requiring a non-smoking area and the closure of doors and windows after 11.00 pm.

The applicant concluded by stating that he accepted the conditions requested by the Police and intended to make no changes to the character of the premises.

Following the Panel's withdrawal from the meeting for their consideration of the application and the representations received, it was

RESOLVED: That the variation in hours for Hand in Hand, 38 High Street, Pinner, HA5 5PW be granted, as amended, with the following additional amendments and conditions:

ADDITIONAL AMENDMENTS TO THE APPLICATION:

1. Additional extended hours would be granted for the Sundays of Bank Holiday weekends, Christmas Eve and Boxing Day but not on Bank Holiday Mondays.
REASON: The prevention of public nuisance.

ADDITIONAL CONDITIONS:

1. A 'Challenge Under 21' policy to be adopted.
REASON: The protection of children from harm.
2. No children to be allowed on the premises after 7.30 pm each night.
REASON: The protection of children from harm.
3. CCTV to be operated and maintained to the reasonable requirements of the Metropolitan Police.
REASON: The prevention of crime and disorder.
4. External drinking areas to be cleared of patrons and glasses by 10.30 pm each night.
REASON: The prevention of public nuisance.
5. A monitored central station alarm system to be installed and maintained to the reasonable requirements of the Metropolitan Police.
REASON: The prevention of crime and disorder.
6. A time-delay controlled safe to be installed and maintained to the reasonable requirements of the Metropolitan Police.
REASON: The prevention of crime and disorder.
7. Tills to be regularly 'skimmed off'.
REASON: The prevention of crime and disorder.
8. Any drinks promotions to follow British Beer and Pubs Association guidelines.
REASONS: The prevention of public nuisance.
9. Signage requesting that patrons leave the premises quietly to be placed at all exits.
REASON: The prevention of public nuisance.
10. Door supervisors, when employed, to encourage patrons to leave the premises quietly.
REASON: The prevention of public nuisance.

11. Toughened glass to be used where available.
REASON: For public safety.
12. Doors and windows to remain closed after 11.00 pm.
REASON: The prevention of public nuisance.
13. AWP machines to be emptied nightly or fitted with a protective security device.
REASON: The prevention of crime and disorder.

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

In accordance with the provisions of Committee Procedure Rules 14.2 (ii) (Part 4B of the Constitution), it was;

RESOLVED: At 10.00 pm to continue until 11.00 pm

(Note: The meeting having commenced at 7.30 pm, closed at 10.50 pm)

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

29 SEPTEMBER 2005

Chair: * Councillor Branch

Councillors: * Arnold * Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**266. **Appointment of Chair:**

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

267. **Attendance by Reserve Members:**

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

268. **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.

269. **Arrangement of Agenda:**

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

270. **Minutes:**

See Note at conclusion of these minutes.

271. **Public Questions, Petitions, 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 and 16 (Part 4B of the Constitution) respectively.

272. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

273. **Application for variation of hours at Charcoal Grill, 203 Northolt Road, South Harrow during Transitional period:**

The Chief Environmental Health Officer's representative at the meeting informed the Panel that the unresolved representation relating to the application for the variation in respect of Charcoal Grill, 203 Northolt Road, South Harrow had been withdrawn that afternoon, and that as a result, the application would not now require determination by the Panel.

It was noted that the application for the conversion would therefore be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

274. **Application for variation of hours at Letchford Arms, Headstone Lane, 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 the Justices' Licensing hours for Letchford Arms, Headstone Lane, Harrow.

The application had been made by Massive Ltd, which sought the extension of opening hours of the premises to 7.00 am until 12.30 am on Mondays to Sundays, with the supply of alcohol to end thirty minutes before the close of the premises (standard timings), and the extension of the terminal hours for the supply of alcohol to 2.00 am on Fridays, Saturdays, Sundays, and Mondays on Bank Holiday Mondays, Christmas Eve, Boxing Day, and on up to thirty days per annum at the discretion of the applicant (non-standard timings). The applicant's representative stated, however, that he now wished standard timings to apply on Bank Holiday Mondays.

The application had been referred to the Panel as there was one unresolved representation from a Responsible Authority, and two from local residents. Sergeant Davis represented the Metropolitan Police at the meeting. A member of the public who had submitted a petition signed by local residents, as well as a representative of the Hatch End Association, were also present at the meeting. One of the signatories of the petition attended the meeting, but the Panel received legal advice that members of the public who had signed a petition, but who had not personally written a letter of representation to the Licensing Department, would not be permitted to speak at the meeting.

The applicant's representative stated that it should not be inferred that the applicant wished to alter the operation of the premises from the fact that the he had applied for the provision of entertainment, such as films, indoor sporting events and live music. Rather, this was explained in terms of the changes in the Licensing regime, which now required permission for such entertainments. The applicant's representative stated that, in addition, the provision of late night refreshments represented a responsible retail strategy as it would result in a calmer dispersal period.

The Panel were informed that the applicant was prepared to accept the following conditions, proposed by Sergeant Davis:

- That CCTV be fitted, maintained and run during licensed hours
- That a door supervisor be present on nights when live music was offered
- That notices be displayed asking patrons to leave the premises quietly
- That a terminal hour for children be fixed at 20.00
- That AWP machines be emptied every night or fitted with a "boot"
- That the garden be cleared every night

The local resident who had written the petition confirmed that around 50 residents shared his concerns in relation to the noise and public nuisance alleged to be a result of the operation of the premises. He stated that parking in the area was already limited and would become more problematic with the granting of the application. Summing up, he expressed the view that extended opening hours of the premises would not benefit the community.

The representative of the Hatch End Association stated that he was opposed to allowing the premises to open at 7am as Hatch End High School was in close proximity. He also informed the Panel that members of the Hatch End Association considered that existing noise and parking problems would be worsened if the application were granted, as this would allow the premises to remain open later than public transport was available. The Panel was also informed that, although the doors and windows to the premises could be kept shut as there was an extractor system, noise was still allowed to emanate from the premises as it was not noise baffled. The representative of the Hatch End Association stated that residents were also disturbed by noise from patrons in the garden of the premises.

In Sergeant Davis' summing up, the Panel was advised that, given the applicant's willingness to accept the conditions he had proposed, the Police now had no objections to the application for standard timings. He urged the Panel, however, to reject the application for non-standard timings.

In the applicant's summing up, he stated that it was not his intention to alter the operation of the premises, rather that he wished to benefit from the greater flexibility that the extended hours would offer. The Panel was informed that conditions were imposed on private bookings, so that all birthday parties had to be celebrating twenty-first birthdays or older, and that door supervisors had to be present at such events. The applicant also informed the Panel that staff operated under clear guidelines for dealing with customers' disabilities.

RESOLVED: That the application for a conversion and simultaneous variation to the Justices' Licensing hours for Letchford Arms, Headstone Lane, Harrow be granted with the following amendments and additional conditions:

AMENDMENTS TO THE APPLICATION:

Sale of alcohol on standard days:

Mondays to Sundays: 7.00 am – 12.00 pm, with thirty minutes dispersal period

Sale of alcohol on Fridays, Saturdays and Sundays of Bank Holiday Weekends, and on Christmas Eve and Christmas Day:

7.00 am – 1.30 am, with thirty minutes dispersal period

The Panel was not minded to grant the application for 30 discretionary days, as requested in Box M.

Provision of films, indoor sporting events, recorded music, facilities for making music, and late night refreshments

To finish at 12.30 am Mondays to Sundays

Provision of live music and karaoke

To finish at 11.00 pm Mondays to Sundays

ADDITIONAL CONDITIONS:

1. No admission or re-admission after 12.00 am.
REASON: Promotion of public safety and the prevention of crime and disorder
2. CCTV equipment to be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
REASON: Prevention of crime and disorder
3. On evenings when live music is provided, door supervisors will be present, with the ratio between patrons and supervisors to be agreed with the police.
REASON: Prevention of crime and disorder
4. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
REASON: Prevention of public nuisance
5. Garden to be cleared by 11.00 pm.
REASON: Prevention of public nuisance
6. Children to vacate the premises by 10.00 pm.
REASON: Prevention of harm to children
7. All AWP machines to be emptied each night or fitted with a “boot” device.

(Note: The meeting having commenced at 1.30 pm, closed at 2.54 pm)

(Signed) COUNCILLOR JOHN BRANCH
Chair

[Note: Licensing Panel minutes are:-

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

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

PERSONNEL APPEALS PANEL

22 SEPTEMBER 2005 &
27 SEPTEMBER 2005

Chair: * Councillor Bill Stephenson

Councillors: * Knowles * Lavingia

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**18. **Appointment of Chair:****RESOLVED:** That Councillor Bill Stephenson be appointed Chair of the Panel for the purposes of this meeting.19. **Attendance by Reserve Members:****RESOLVED:** To note that no Reserve Members were currently appointed to the Panel.20. **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.21. **Arrangement of Agenda:****RESOLVED:** That the appeal be considered with the press and public excluded on the grounds that the report contains exempt information as defined 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.22. **Minutes:**

(See Note at conclusion of these minutes).

23. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.24. **Petitions:****RESOLVED:** To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.25. **Deputations:****RESOLVED:** To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 16.26. **Appeal Against Final Written Warning:**

Following careful consideration of both the verbal and written evidence presented by the appellant and management, the Panel

RESOLVED: that (1) the appeal not be upheld, with the exception of one allegation which was found to be unsubstantiated; and

(2) management be instructed to take appropriate action to enable a review of the appellant's work arrangements within six months.

(Note: The meeting having commenced at 9.40 am, adjourned at 4.30 pm, reconvened at 10.45 am on 27 September and closed at 6.15 pm)

(Signed) COUNCILLOR BILL STEPHENSON
Chair

[Note: Personnel Appeal Panel minutes are:-

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

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

STANDARDS
COMMITTEE

REPORT OF STANDARDS COMMITTEE

MEETING HELD ON 21 SEPTEMBER 2005

Chair: * Councillor Janet Cowan

Councillors: Ann Groves * Mrs Joyce Nickolay
 * Harrison * Thammaiah
 * Paddy Lyne (2)

Independent Persons: * The Rt Revd Peter Broadbent † Mrs Bijal Shah

* Denotes Member present
 (2) Denotes category of Reserve Member
 † Denotes apologies received

[Note: Councillor Mrs Eileen Kinnear attended this meeting in a participatory role].

PART I - RECOMMENDATIONS
RECOMMENDATION I - Complaints against Councillors - Procedure for Local Investigations of Complaints referred from the Standards Board for England

The Standards Committee considered a report of the Director of Corporate Governance explaining the requirement to establish a procedure for conducting local investigations of complaints against Councillors alleged to have breached the Code of Conduct following the Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004. To assist with this process, the Standards Board for England (SBE) had issued guidance, which had been taken into account when drafting Harrow's procedures.

An officer explained that the procedure only applied to investigations conducted by the Monitoring Officer who then referred the matter to the Standards Committee. The Hearing Panel was then required to hear the case. Although not included in the SBE's guidance, Harrow's draft protocol had incorporated timescales, which could be extended if necessary by the Monitoring Officer.

Resolved to RECOMMEND: (to Council)

That the Local Investigations Procedure, as set out at Appendix 1 be adopted.

RECOMMENDATION II - Complaints against Councillors - Procedure for Local Determination of Complaints Referred from the Standards Board for England

The Standards Committee received a report of the Director of Corporate Governance which explained the need to introduce an amended procedure to determine referrals of alleged breach of the Code of Conduct from an Ethical Standards Officer of the Standards Board for England or from the Monitoring Officer, in accordance with section 66 of the Local Government Act 2000.

Resolved to RECOMMEND: (to Council)

That the Local Determinations Procedure, as set out at Appendix 2 be adopted.

RECOMMENDATION III - Appointment of Independent Members of the Standards Committee

The Standards Committee considered a report of the Director of Corporate Governance which requested that Members consider the options for appointing two new independent members, in accordance with the Local Government Act 2000 and the Relevant Authorities (Standards Committee) Regulations 2001. The current independent members terms were due to end at the Borough Elections in 2006 after serving a four year term.

Resolved to RECOMMEND: (to Council)

That (1) a Member selection panel made up of Members of the Standards Committee be appointed;

(2) the proposed Terms of Reference, as set out in Appendix 3 be approved; and

(3) the Independent Members be appointed to serve on the Standards Committee for 4 years, retiring at the Borough Elections in 2010.

PART II - MINUTES101. **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 Branch	Councillor Paddy Lyne

102. **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.

103. **Arrangement of Agenda:**

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

104. **Minutes:**

RESOLVED: That the minutes of the meeting held on 6 June 2005, having been circulated, be taken as read and signed as a correct record.

105. **Public Questions, Petitions or 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 and 16 (Part 4B of the Constitution) respectively.

106. **Outcome of Standards Hearing Panels:**

The Director of Corporate Governance presented Members with a report, outlining the conclusion of the two Hearing Panels which had been held.

As part of the decision of the Hearing Panels, both Members were advised of their right to appeal to the Adjudication Panel for England, against the decision made.

In accordance with Committee Procedure Rule 4.1, Councillor Mrs Eileen Kinnear was allowed to speak on this item. Councillor Kinnear sought clarification of the letter by the Adjudicating Panel, which referred to "attendance in the public gallery of a Member who had a prejudicial interest". She was concerned and wanted it emphasised that she did not have a prejudicial interest, and requested that any records be corrected. Officers emphasised that this was a direct quote from the refusal decision, and there had never been an insinuation that Councillor Mrs Kinnear had a prejudicial interest in relation to her attendance in the public gallery. This was also acknowledged by Members who agreed that this should be placed on record in the minutes.

RESOLVED: That (1) the outcome of both the Hearing Panels be noted;

(2) the areas to be covered at the training session, as set out in paragraph 2.2 of the officer report be agreed; and

(3) it be noted that there was no suggestion at the Hearing Panel of 22 June 2005, or thereafter, that Councillor Kinnear had a prejudicial interest in relation to her attendance in the public gallery.

107. **Complaints against Councillors - Procedure for Local Investigations of Complaints referred from the Standards Board for England:**

See Recommendation I.

108. **Complaints against Councillors - Procedure for Local Determination of complaints referred from the Standards Board for England:**

See Recommendation II.

109. **Appointment of Independent Members of the Standards Committee:**

See Recommendation III.

110. **Declaration of Interests:**
The Director of Corporate Governance presented an item, which asked Members to consider the proposals as set out in paragraph 2.2 of his report in relation to declarations of interests.
- In accordance with Committee Procedure Rule 8 (ii), a letter from the Councillor Mrs Eileen Kinnear's representative at the Hearing Panel of 22 June 2005 was tabled. Members felt that there was insufficient time to read and consider the tabled item, and agreed that this together with an officer report ought to be properly addressed at separate meeting.
- RESOLVED:** That this item be deferred to a Special meeting to be held on Thursday 17 November 2005 at 7.30 pm.
111. **Review of Planning Protocol:**
Members were provided with a report of the Director of Corporate Governance requesting guidance on amending the Planning Protocol.
- The Protocol had been approved by Council in May 2003, to assist Members when considering planning and enforcement matters. Arising from the Hearing Panel held on 22 June 2005, a recommendation had been made to the Standards Committee to clarify the relationship between the Protocol and the Code of Conduct, and to revisit the Protocol, where advice appeared to be more draconian than the Code required.
- Members were asked to consider whether the establishment of a local system of rules was necessary, or if the current Code of Conduct backed up by guidance would suffice.
- RESOLVED:** That the Director of Corporate Governance consult with all Members and report back to a future meeting.
112. **Officer Code of Conduct: Registers of Interests:**
The Director of Corporate Governance introduced a report, which explained the need for a register of interests for employees of the Council.
- The Code of Conduct required a notification of certain interests by employees and the recording of these in a Register but provisions had not yet been put in place, which was mainly due to the organisation's restructuring of reporting lines. Following discussions with the Corporate Management Team, it had been agreed that in order to improve consistency and standards across the Directorates, each Directorate would own their own Register to facilitate the recording of their employees' interests.
- RESOLVED:** That the corporate arrangements made for Registers of Officer Interests, be noted.
113. **Schedule of Meetings 2005/06 and 2006/07:**
- RESOLVED:** That the scheduled Standards Committee meeting dates for March 2006 and the Municipal Year 2006/07 be noted.
- (Note: The meeting, having commenced at 7.15 pm, closed at 8.27 pm).

(Signed) COUNCILLOR JANET COWAN
Chair

LONDON BOROUGH OF HARROW**Dealing with the Local Investigations of allegations made about Council members and co-optees under the Code of Conduct.****PROCEDURE FOR LOCAL INVESTIGATIONS
BY THE MONITORING OFFICER****1. Introduction**

This procedure will only apply to referrals by an Ethical Standards Officer (ESO) of the Standards Board for England for **local investigation** by the Monitoring Officer.

The procedure applies to complaints about the conduct of anyone who is required to sign up to and comply with the Code of Conduct as set out in Part 4 of the Council's Constitution. This includes all councillors, co-optees with voting rights and the independent members of the Standards Committee.

Where an investigation is referred to the Monitoring Officer by an ESO the Monitoring Officer must ensure that the Member who is the subject of the allegation, and the person who made the allegation are informed. Brief details of the referral for investigation should be given to the members of the Standards Committee.

For the purposes of this procedure, the person who makes the complaint about a Councillor or co-optee will be described as the 'Complainant', and the person about whom the complaint is made will be referred to as 'the Member'.

There are a number of officer roles as follows:

1.2 The Monitoring Officer

The Monitoring Officer should ensure that the overall conduct of the matter is dealt with effectively in the interests of all parties concerned. The Monitoring Officer may adopt the role of Investigating Officer or a legal adviser to the Standards Committee. If the Monitoring Officer assigns himself or herself as Investigating Officer, he or she will ensure that his or her deputy or another officer is appointed to advise the Standards Committee. The Monitoring Officer should therefore consider whether he or she should investigate the matter or whether to delegate the investigative role.

1.3 The Investigating Officer

The Investigating Officer may be a Harrow Council officer but in appropriate circumstances the Monitoring Officer may appoint an officer of another authority or an independent consultant to undertake the investigation. The Investigating Officer shall conduct an investigation into the matter and is to have regard during the conduct of the investigation to any guidance "How to conduct an Investigation" issued by the Standards Board for England.

2. **Appointment and Notification on receipt of Referral from the ESO**

- 2.1 Upon receipt of the ESO's referral the Monitoring Officer will appoint an Investigating Officer. The Monitoring Officer will:
- 2.2 Notify the member the subject of the allegation, and the Complainant that:
- the allegation has been referred for local investigation and determination;
 - provide details of the allegation
 - provide a copy of any report received from the ESO;
 - provide a copy of the procedure to be followed;
 - identify the Investigating Officer
- 2.3 The Member shall send his or her response to the allegation to the Investigating Officer in writing within 14 days of the notification advising:
- whether he or she admits or denies the allegation;
 - list and provide any documents to be taken into account in the investigation;
 - provide the name address and contact details of any person who should be interviewed by the Investigation Officer;
 - provide any other information.
- 2.4 The Complainant shall send any comment to the Investigating Officer in writing within 14 days of the notification:
- listing and providing any documents to be taken into account in the investigation;
 - providing the name address and contact details of any person who should be interviewed by the Investigation officer;
 - provide any other information.
- 2.5 Notify all members the Standards Committee that an investigation is being carried out by a brief confidential memorandum. (NB: the memo must not name the member or the complainant nor must it include details of the allegation or be discussed at committee).

3. **Conduct of the Investigation**

3.1 The Investigating Officer must conduct the investigation in accordance with the terms of his or her appointment. The Investigating Officer should aim to complete and present the final report within 8 weeks of appointment or such other time as agreed with the Monitoring Officer.

3.2 Further Breaches

If during the course of the investigation further breaches are discovered the Investigating Officer must not investigate these. The Investigating Officer shall report the matter to the Monitoring Officer.

3.3 Referring the case back to the ESO

The Monitoring Officer may (a) if evidence of further breaches is uncovered or (b) if the Member refuses to co-operate with the investigation refer a matter under investigation back to the ESO. In such circumstances the Monitoring Officer should:

- (a) write to the ESO requesting that the allegation be referred back for investigation
- (b) state the reasons for the referral

Within 21 days of the referral the ESO will respond directing either

- (a) that the Investigating Officer continue the investigation or
- (b) accept the referral

A referral to the ESO **must take place before completion** of the investigation.

3.4 Confidentiality

Information provided to the Investigating Officer during the course of the investigation should be treated as confidential.

Members must not disclose any information they receive in confidence and are reminded of their obligation under paragraph 3 of the Code of Conduct.

Information must not be disclosed UNLESS:

- the disclosure will assist ethical standards officer to perform their statutory functions under the law
- the disclosure will assist the monitoring officer to perform his or her statutory functions under the law
- permission has been given by the person to whom the information relates to disclose it;
- the information has already lawfully been made public;
- the disclosure is made for the purposes of criminal proceedings in the UK

4. **Investigating Officer's Reports**

4.1 Draft Report

As soon as practicable after the conclusion of the investigation the Investigating Officer should prepare a draft report. The draft report should be sent for comments to the Member who is the subject of the allegation and the Complainant. Statements should also be sent to any witnesses or other parties interviewed for comments. The draft report should clearly state that (a) it does not necessarily represent the final findings, (b) comments on the draft will be considered and (c) the final report will be presented to the Standards Committee. The draft report should include:

- a "confidential" marking*
- the date

- the legislation under which the investigation is carried out
- a summary of the allegations
- the relevant sections of the Code of Conduct
- evidence
- the draft findings of fact
- the findings as to whether there has been a failure to comply with the Code of Conduct or a local protocol
- the reasoning for the findings
- clearly state that it is a draft report

The Investigating Officer should request that comments should be sent to him or her within 10 working days.

***NB:** The Investigating Officer must consider whether the information collected as part of the investigation contains confidential or exempt information under section 12A of the Local Government Act 1972.

4.2 Final Report

Within 10 working days of receipt of comments the Investigating Officer should prepare and send to the Monitoring Officer his or her Final Report. The Monitoring Officer shall send copies of the Final Report to (a) the Member who is the subject of the allegation (b) the Complainant (c) the Standards Committee (d) the Ethical Standards Officer who referred the matter for investigation. The final report should include background documents, notes of interviews, letters and telephone conversations, a chronology of events.

The Final Report should state that the Report represents the final findings of the Investigating Officer and will be presented to the Standards Committee.

5. **Findings of the Investigation Officer**

Where the Investigating Officer finds:

- (a) that there has been no failure to comply with the Code of Conduct for Members the Monitoring Officer shall refer the report to the Standards Committee for consideration;
- (b) that there has been a failure to comply with the Code of Conduct the Monitoring Officer shall refer the report to the Standards Committee for a formal hearing.

6. **Standards Committee Findings:**

6.1 The Standards Committee shall make one of the following findings:

- (a) that there has been no failure to comply with the Code of Conduct.
- (b) that the matter should be considered at a hearing of the Standards Committee Hearing Panel.

- 6.2 Where the Standards Committee finds no failure to comply with the Code the Monitoring Officer shall notify the Member, the Complainant and the Ethical Standards Officer of the Standards Committee's findings.
- 6.3 The Monitoring Officer shall arrange for a notice to be published in at least one newspaper circulating in the Council's area and on the Council's web site. The Notice shall not be published in the local newspaper if the Member requests it.
- 6.4 Where the Standards Committee finds that the matter should be considered at a hearing of the Standards Committee Hearing Panel the Monitoring Officer shall arrange for the matter to be considered in accordance with the Authority's Procedure for Local Determinations.

APPENDIX 2**LONDON BOROUGH OF HARROW****Dealing with the Local Determination of allegations made
about Council members and
co-optees under the Code of Conduct.****Procedure for the Standards Committee Hearing Panel****1. Introduction**

This procedure will apply to complaints:

- (a) investigated by an Ethical Standards Officer (ESO) of the Standards Board for England (SBE) which are referred for determination by the Standards Committee Hearing Panel; and
- (b) referred by an ESO for investigation to be carried out locally by the Monitoring Officer and then determined by the Standards Committee Hearing Panel.

The procedure applies to complaints about the conduct of anyone who is required to sign up to and comply with the Code of Conduct as set out in Part 4 of the Council's Constitution. This includes all councillors, co-optees with voting rights and the independent members of the Standards Committee.

Where an investigation is referred to the Standards Committee by an ESO, the Monitoring Officer must ensure that the Standards Committee considers the report. The Standards Committee will meet to decide what action to take as a result of the report by way of a formal Hearing Panel, which follows this procedure. Any departure from the procedure will only be possible if the legal adviser to the Hearing Panel has notified the Member who is the subject of the report of the proposed changes and the reasons for them.

Where a complaint is referred to the Monitoring Officer for Local Investigation, he or she will inform the Member of the complaint in accordance with the procedure or Local Investigations by the Monitoring Officer.

For the purposes of this procedure, the person who makes the complaint about a Councillor or co-optee will be described as the 'Complainant', and the person about whom the complaint is made will be referred to as 'the Member'.

There are a number of legal officer roles, which are required to assist the Hearing Panel to determine the matter referred by the ESO. These roles are:

1.2 The Monitoring Officer

The Monitoring Officer will ensure that the overall conduct of the matter is dealt with effectively in the interests of all parties concerned. The Monitoring Officer may also adopt

either the role of Investigating Officer or Legal Adviser to the Hearing Panel (for a local investigation) or Reporting Officer or Legal Adviser to the Hearing Panel (for local determinations). If the Monitoring Officer assigns himself or herself as Investigating Officer or Reporting Officer, he or she will ensure that the deputy Monitoring Officer takes responsibility for ensuring the effective overall conduct of the matter and that an appropriate officer is appointed as Legal Adviser to the Hearing Panel.

Where appropriate, the Monitoring Officer may arrange for procedural advice to be given to a Member who wishes to make an oral representation to the Panel.

1.3 The Reporting Officer

The Reporting Officer is, in effect, the 'prosecutor' at the Hearing Panel. The Monitoring Officer may choose to be the Reporting Officer in any particular case, and if so, he or she will ensure that all other legal roles are delegated to an appropriate officer and that the Deputy Monitoring Officer takes responsibility for ensuring the effective overall conduct of the matter.

The Reporting Officer may, where appropriate, make representations to the Panel on behalf of the Complainant.

1.4 The Local Investigating Officer

If the Monitoring Officer decides not to take on this role he or she will appoint an appropriate person to carry out the investigation. The investigation will be conducted by the Local Investigating Officer (LIO) in accordance with the Procedure for Local Investigations by the Monitoring Officer.

1.5 The legal adviser to the Hearing Panel

The role of this person is to:

- make sure the Hearing Panel understand their powers and procedures;
- make sure that the determination procedure is fair and will allow the allegation to be dealt with as efficiently and effectively as possible;
- make sure that the Member understands the procedures that the Hearing Panel will follow;
- provide advice to the Hearing Panel during the hearing and their deliberations; and
- help the Hearing Panel produce a written decision and a summary of that decision.

The Monitoring Officer may be the legal adviser to the Hearing Panel, but if so he or she cannot be the Reporting Officer or the Local Investigating Officer.

2. Appointment of a Reporting Officer on receipt of the ESO's report

Upon receipt of the ESO's report, the Monitoring Officer will appoint a Reporting Officer. The Reporting Officer will be responsible for taking charge of providing the evidence against the Member to the Hearing Panel.

The Reporting Officer may be the Monitoring Officer, or another appropriate officer. The Reporting Officer will, if at all possible, be a Harrow Council Officer, but in appropriate

circumstances the Monitoring Officer may appoint an officer of another authority, or an independent consultant with appropriate qualifications.

3. Notifying the Member and the Complainant.

Within 5 working days of receiving the ESO's report or the report from the LIO, the Monitoring Officer will send a copy of the report to all Members of the Standards Committee, the Member and where possible and appropriate, to the Complainant. The report will, at this stage, be provided on a confidential basis, and an undertaking of confidentiality will be obtained from the Complainant, the Member, and where needed, the Standards Committee.

4. Situations where a LIO reports a finding of no failure to comply with the Code of Conduct

Where a LIO conducts an investigation and reports that he or she considers that there has been no failure to comply with the Code of Conduct, the report will be referred to the Standards Committee for the Committee to consider the facts within the report and decide either:

- a) that it accepts the LIO's finding; or
- b) that, on the balance of probabilities, there is a case to answer and the matter should be considered at a Hearing Panel convened for that purpose.

The Hearing Panel must convene for this purpose within three months of the completion of the LIO's report.

5. Preparing for the hearing

5.1 Obtaining a response from the Member

When notifying the Member of the complaint against him or her and providing them with the report under Rule 3, the legal adviser to the Hearing Panel will ask the Member for a written response, within fifteen working days, stating whether he or she:

- disagrees with any of the findings of fact in the ESO's/LIO's report, including the reasons for any disagreements;
- wants to be represented, at their own expense, at the hearing by a barrister, solicitor or any other person;
- wants to give evidence to the Hearing Panel, either verbally or in writing;
- wants to call any relevant witnesses to give evidence to the Hearing Panel, and if so, who they are;
- wants any part of the hearing to be held in private, explaining the reasons;
- wants any part of the ESO's or LIO's report or other relevant documents to be withheld from the public, explaining the reasons.

The legal adviser to the Hearing Panel will also ask the Member to advise him or her, in their response, of all those matters within the ESO's or LIO's report which he or she disputes. The legal adviser to the Hearing Panel will notify the Member that the Panel has the power to refuse to hear any new areas of dispute raised at the hearing but not notified prior to it, or may adjourn the hearing to enable the Reporting Officer or the Local Investigating Officer to respond to them.

5.2 Upon receipt of a response from the Member

The response of the Member shall be sent to the Reporting Officer or Local Investigating Officer (as appropriate) as soon as the legal adviser to the Hearing Panel receives it. The Reporting Officer will forward the response of the Member to the relevant ESO, who will be invited to comment upon it within 15 working days. The Local Investigating Officer (in the case of a local investigation) will be asked to comment. In either case the ESO/LIO will be asked to specifically say whether or not he or she:

- wants to attend the hearing;
- wants to call relevant witnesses to give evidence at the hearing;
- wants any part of the hearing to be held in private (by virtue of Part VA of the Local Government Act 1972), and the reasons for this;
- wants any part of their report or other relevant document to be withheld from the public (by virtue of Part VA of the Local Government Act 1972) and the reasons for this.

6. Calling a meeting of the Standards Committee Hearing Panel

Upon receipt of the ESO's or LIO's response, the Legal Adviser to the Hearing Panel will forward the responses of the Member and the ESO or LIO to the Chair of the Hearing Panel.

Although the Member, the ESO, the LIO and the Reporting Officer are entitled to request that any witness be called to give evidence, the Chair of the Hearing Panel may limit the number of witnesses if he or she believes the requests of any party are unreasonable and/or that some witnesses will be repeating evidence which will be given by earlier witnesses and/or will not provide any evidence at all to help the Panel reach a decision. The Chair may also call any additional witnesses who he or she believes would assist the Hearing Panel in reaching a decision.

The Chair of the Hearing Panel will, in consultation with the legal adviser to the Panel:

- confirm the main facts of the case that are agreed between the ESO/LIO and the Member;
- confirm the main facts of the case that are not agreed between the ESO/LIO and the Member;
- confirm which witnesses will give evidence;
- outline the proposed procedure for the hearing, specifying which parts of the hearing, if any, will take place in private with reasons; and

- request the Committee Administrator to provide this information and, subject to paragraph 6.2 below, the Agenda to everyone involved in the hearing at least 8 clear working days before the date of the hearing. (Confidentiality undertakings for receipt of the papers will be obtained from any recipients for whom the Chair considers this appropriate.)

The Agenda papers will include the following information:

- the date, time and place of the hearing;
- the summary of the allegation;
- a list of the main facts of the case which are agreed;
- a list of the main facts of the case which are not agreed;
- a note about whether the Member and/or the ESO/LIO will attend the hearing and give evidence;
- a list of witnesses, if any, who will attend the hearing and give evidence; and
- an outline of the proposed procedure for the hearing (i.e. a set of these rules)

6.2 Excluding the press and public from the Hearing Panel

The meeting of the Hearing Panel will be open to the press and public unless confidential information under Part VA of the Local Government Act 1972 and Regulations is likely to be disclosed.

The Hearing Panel has discretion to decide whether or not to exclude the press and public from the meeting if exempt information as defined in Part VA of the LGA 1972 and regulations will be discussed. Where the legal adviser to the Hearing Panel, in consultation with the Chair of the Panel, considers that the ESO's/LIO's report and/or any of the written statements in response are likely to disclose exempt information and as a result it is likely that the hearing Panel will, when considering these papers, not be open to the press and public, he or she shall instruct the Committee Administrator not to provide copies of these papers to the press and public, and not to allow their inspection prior to the meeting.

7. Convening the Hearing Panel

When the initial report is received from the ESO/LIO, or where the Standards Committee decides to refer a no failure to comply finding to the Hearing Panel under paragraph 4 the legal adviser to the Hearing Panel will request that the Committee Administrator for the Standards Committee arrange for a meeting of the Panel, and, following consultation with the Chair of the Panel, indicate the preferred time, place and date of the meeting. The meeting must take place within three months from the date that the authority receives the ESO's/LIO report. Where possible, the Hearing Panel will meet during the day and will aim to complete the hearing in one sitting (i.e. avoiding the need to reconvene on another date part way through hearing the evidence). The hearing will not be held within 14 days of the Report being sent to the Member unless the Member agrees.

8. The composition and method of the Hearing Panel

The Hearing Panel shall be chaired by an independent member of the Standards Committee selected by the Standards Committee, or if none is appointed, by the Chair of the Standards Committee.

The Hearing Panel shall comprise 5 members of the Standards Committee, and shall include both independent members. The remaining 3 places shall be filled by a member of the Standards Committee from each of the three main political groups selected by the Chair.

The quorum for the Panel shall be 3, and must include at least one independent member.

Where a member selected to sit on the Hearing Panel cannot attend, a reserve shall be approved by the Chair of the Panel. The reserve member shall be fully briefed about the complaint under consideration by the legal adviser to the Panel.

The Hearing Panel shall decide whether the grounds for complaint are upheld on the balance of probabilities i.e. on the evidence presented to the Panel in writing and orally (if any), it is more likely than not that the Member is in breach of the Code of Conduct.

Each member of the panel shall have one vote, but the chair shall have a casting vote in the event of equality of votes. Abstentions will not be permitted.

The purpose of the Hearing Panel is to examine and test the evidence produced by the ESO/LIO in their report. This requires an inquisitorial approach by the Hearing Panel i.e. the need to seek information in order to establish whether or not the Member is in breach of the Code of Conduct by examining all the written evidence and questioning any relevant witnesses.

The Hearing Panel may at any time seek legal advice from the legal adviser to the Panel. Such advice will be given in the presence of the Reporting Officer/LIO and the Member, though the press, public and others present at the hearing may be excluded while this advice is given.

9. Agenda for and procedure at the Hearing Panel

The Agenda for the Meeting shall be as follows:

- Quorum
- Introductions
- Declarations of interest
- Consideration of whether to adjourn or proceed in the absence of the Member if they are not present
- Representations with reasons from the Reporting Officer/LIO and/or the Member if either consider that the hearing or any part of it should exclude the press and public under Part VA of the Local Government Act 1972, and determination of this by the Panel.
- Explanation of how the hearing will be run.

Where the Panel decides that it will not exclude the press and public, the Committee administrator shall at that point provide copies of the agenda and reports to any press and public that are present.

In the case of an LIO's Report, the Chair will explain that the Panel may, at any time prior to the conclusion of the hearing:

- (a) agree to adjourn and require the Monitoring Officer to seek further information or undertake further investigation on any point (such adjournment may only take place once);
- (b) agree to adjourn the hearing and make a written request to the ESO concerned that the matter be referred back to him or her for further investigation (stating reasons for the request).

The procedure for dealing with the report about the Member shall be as follows, subject to the Chair of the Panel being able to make any change to it that he or she thinks appropriate to enable a fair and effective hearing:

- Examination of the reports and written representations

The Panel will examine the ESO's/LIO's written report, the Member's response to it and any further response from the ESO/LIO. The Panel may ask the Reporting Officer/LIO and/or the Member questions about the contents of their reports.

If there is no disagreement about the facts, the Committee can move on to consider its findings (paragraph 10 refers).

- Examination of oral evidence

Where the facts of the case are not agreed, the Reporting Officer/LIO will be asked to make any representations to support the findings of fact in the report relevant to the areas of disagreement, by calling witnesses as agreed by the Chair of the Panel (Rule 5 refers).

Questions may be asked of the Reporting Officer/LIO at any point. The Member, the Complainant or their representatives may challenge the oral evidence being presented by directing their questions through the Chair (i.e. they may not ask questions of the Reporting Officer directly).

The Member will then be asked to make any representations to support his or her version of the disputed facts in the ESO's/LIO's report, calling supporting witnesses as agreed by the Chair of the Hearing Panel (Rule 5 refers).

Questions may be asked of the Member at any point. The Complainant, the Reporting Officer/LIO or their representatives may challenge the oral evidence being presented by directing their questions through the Chair (i.e. they may not ask questions of the Member direct).

Where the Member disputes any matter in the ESO's/LIO's report but which he or she has not given prior notice of his or her intention to dispute, the Reporting Officer/LIO must draw this to the attention of the Panel. The Panel may then decide:

- not to hear the fact(s) in dispute;
- to hear the fact(s) in dispute but invite the Reporting Officer/LIO to respond; or
- to adjourn the meeting to enable the Reporting Officer/LIO to investigate and report on the disputed fact(s).

- Representations on sanctions

The Member will have an opportunity to make a statement in mitigation of any sanction, which the Hearing Panel may impose in the event that they find the complaint to be made out.

10. The decision of the Hearing Panel

The Hearing Panel will retire into private session to consider their findings. At any time they may return to ask for questions of the Reporting Officer/LIO or the Member, or to seek legal advice. They may find one of the following:

- That there is no evidence of any failure by the Member to comply with the Code of Conduct;
- That the Member has failed to comply with the Code of Conduct but that no action needs to be taken;
- That the Member has failed to comply with the Code of Conduct and should be:
 - censured¹; or
 - have his or her access to council premises and resources restricted for a period up to a maximum of three months²;
 - required to submit a written apology in a form specified by the Panel;
 - required to undertake training as specified by the Panel;
 - required to participate in conciliation as specified by the Panel;
 - suspended or partially suspended for a maximum of three months;
 - suspended or partially suspended for a maximum period of three months or until such time as the Member submits a written apology
 - suspended or partially suspended for a maximum period of three months or until such time as the member undertakes training or conciliation specified by the Panel.

In deciding what penalty to set the Panel will consider all relevant circumstances including the mitigation statement of the Member and any guidance produced by the Standards Board for England.

The Hearing Panel will return from private session to enable the Chair to announce the decision of the Panel and the reasons for it.

¹ If the member is no longer a member of the Authority the only penalty available is censure

² When setting this penalty the Panel must ensure that such restrictions are reasonable and proportionate to the nature of the breach and will not unnecessarily restrict the Member's ability to carry out his or her responsibilities as an elected or co-opted member.

A suspension or partial suspension will take effect immediately unless the Panel decides that it should take effect on some future date, for example to avoid the penalty spanning the summer recess. The starting date for the penalty must commence within six months of the hearing.

The Hearing Panel will then consider in open session whether any action needs to be taken by the authority as a result of the finding, for example reviewing any decision, policy or practice of the authority which was the subject of the breach of the Code of Conduct; any action needed to prevent or deter further breaches of the Code of Conduct or providing recompense to any person who has suffered detriment as a result of the breach.

10.1 Costs

The Hearing Panel will not award costs of any kind to a member who successfully defends a complaint. The law does not currently give the Council the power to award costs.

11. **Confidentiality and the disclosure of information**

No member of the authority shall disclose any information he or she has obtained in the course of an investigation or as a result of this procedure unless:

- the disclosure is made to enable to Reporting Officer/LIO to carry out his or her functions, or to enable the Standards Committee to carry out its functions in relation to the matter;
- the disclosure is made to enable the appeal tribunal of the Adjudication Panel to discharge its functions;
- the person to whom the information relates has consented to the disclosure;
- the disclosure is made following receipt of a statutory requirement for disclosure;
- the information has previously and lawfully been disclosed to the public;
- the disclosure is made to the district auditor or the Audit Commission in relation to any function specified in the Audit Commission Act 1998; or
- the disclosure is made in consequence of criminal proceedings

12. **Appealing the decision of the Hearing Panel**

Where the Hearing Panel has determined that the Member has failed to comply with the Code of Conduct, the Legal Adviser to the Panel shall inform the Member of his or her right to apply for permission to appeal against the finding to an appeal tribunal of the Adjudication Panel (of the Standards Board for England). The Legal Adviser to the Panel will also advise the Member of the deadline for submitting an appeal, along with any other relevant information.

13. Notice of findings

The legal adviser to the Hearing Panel will make a short written statement of the decision available on the day of the hearing, or if the hearing commences after 7.30pm on the morning following the hearing.

A full written draft of the decision will be prepared on the day following the hearing, finalised in consultation with the Chair of the Hearing Panel and circulated to the Member, the Complainant (where appropriate), the relevant ESO/LIO, the Council's Standards Committee and any other authority concerned within two weeks of the hearing. The decision will follow the format recommended by the Standards Board for England.

At the same time, the Legal Adviser to the Panel Hearing shall arrange for a summary of the findings to be published in one newspaper circulating in the Council's area and on the Council's web site.

13.1 Where the Hearing Panel decide that there has been no breach of the Code of Conduct, the notice specified above shall:

- state that the Hearing Panel found the Member had not failed to comply with the Code of Conduct and shall give reasons for that finding; and
- not be published in local newspapers if the Member requests it.

13.2 Where the Hearing Panel decide that the Member has not complied with the Code of Conduct, but also decides that no action should be taken, the notice shall:

- state that the Hearing Panel found that the Member had failed to comply with the Code of Conduct, but that no action need be taken in respect of that failure;
- specify the details of the failure;
- give reasons for the decision reached; and
- state that the Member concerned may apply for permission to appeal against the determination to the President of the Adjudication Panel.

13.3 Where the Hearing Panel determines that there has been a failure to comply with the Code of Conduct and that a sanction should be imposed, the notice specified above shall:

- state that the Hearing Panel found that the Member had failed to comply with the Code of Conduct;
- specify the details of the failure;
- give reasons for the decision reached;
- specify the sanction imposed; and

- state that the Member concerned may apply for permission to appeal against the determination to the President of the Adjudication Panel.

Copies of the agenda, reports and minutes of the hearing as well as any background papers, apart from any documents or parts of documents which relate to parts of the hearing which were held in private, will be available for public inspection for six years after the hearing.

APPENDIX 2(a)

STANDARDS COMMITTEE DETERMINATIONS

FORM A

Please enter the number of any paragraph where you disagree with the findings of fact in the ESO's/LIO's report, and give your reasons and your suggested alternative.

Member's response to the evidence set out in the ESO's/LIO's report

Paragraph number from the ESO's/LIO's report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read

Please attach separate sheets if necessary

STANDARDS COMMITTEE DETERMINATIONS

FORM B

Please set out below, using the numbered paragraphs, any other evidence you feel is relevant to the allegation made about you.

Other evidence relevant to the allegation

Paragraph number	Details of evidence
1	
2	
3	
4	
5	

Please attach separate sheets if necessary

STANDARDS COMMITTEE DETERMINATIONS

FORM C

Please set out below, using the numbered paragraphs, any factors that the Standards Committee should take into account if it finds that a member has failed to follow the Conduct.

Representations to be taken into account if a member is found to have failed to follow the Code of Conduct

Please note that no such finding has been made yet.

Paragraph number	Factors for the Standards Committee to take into account when deciding whether or not to order any sanctions available to the Standards Committee as set out in Paragraph 10 of the Procedure Document.
1	
2	
3	
4	
5	

Please attach separate sheets if necessary

Standards Committee Determinations

FORM D

Arrangements for the Standards Committee hearing

Please tick the relevant boxes

<p>1</p>	<p>The proposed date for the Standards Committee hearing will be notified shortly. Are you planning to go to the hearing?</p> <p>If 'No', please explain why.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Reason:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>2</p>	<p>Are you going to present your own case?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	
<p>3</p>	<p>If you are not presenting your own case, will a representative present it for you?</p> <p>If 'Yes' please state the name of your representative.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Name:</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>4</p>	<p>Is your representative a practising solicitor or barrister?</p> <p>If 'No', please go to question 5.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>5</p>	<p>Does your representative have any connection with the case?</p> <p>If 'Yes', please give details.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Details:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

<p>6</p>	<p>Are you going to call any witnesses? If 'Yes', please fill in Form E.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>7</p>	<p>Do you, your representative or your witnesses have any access difficulties (for example, is wheelchair access needed)? If 'Yes', please give details.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Details:</p>
<p>8</p>	<p>Do you, your representative or witnesses have any special needs (for example, is an interpreter needed)? If 'Yes' please give details.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Details:</p>
<p>9</p>	<p>Do you want any part of the hearing to be held in private? If 'Yes', please give reasons referring to Part VA of the Local Government Act 1972.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Reasons:</p>
<p>10</p>	<p>Do you want any part of the relevant documents to be withheld from public inspection? If 'Yes', please give reasons referring to Part VA of the Local Government Act 1972.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Reasons:</p>

Please attach separate sheets if necessary.

WITNESS 2			
a	<p>Will the witness give evidence about the allegation?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Outline of evidence:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
b	<p>Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Outline of evidence:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
WITNESS 3			
a	<p>Will the witness give evidence about the allegation?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Outline of evidence:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
b	<p>Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Outline of evidence:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

Please attach separate sheets if necessary.

APPENDIX 3**Proposed Terms of Reference:**

"To consider how to conduct the recruitment of independent members of the Standards Committee, including the placing of appropriate advertisements. The appointment of 2 independent persons (to include two reserves) and complying with the requirement with regard to the size and composition of the committee's membership."

MEMBER
DEVELOPMENT
PANEL

MEMBER DEVELOPMENT PANEL

14 SEPTEMBER 2005

Chair: * Councillor Ann Groves

Councillors: * Jean Lammiman * Marie-Louise Nolan
* Paddy Lyne

* Denotes Member present

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

RESOLVED: To note the appointment of Councillor Ann Groves at the Standards Committee meeting on 6 June 2005, as Chair of the Panel for the 2005/2006 Municipal Year.

144. **Attendance by Reserve Members:**

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

145. **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.

146. **Arrangement of Agenda:**

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

147. **Appointment of Vice Chair:**

RESOLVED: To appoint Councillor Jean Lammiman as Vice-Chair of the Member Development Panel for the 2005/2006 Municipal Year.

148. **Minutes:**

RESOLVED: That (1) the notes of the informal meeting on 12 April 2005 be noted;

(2) Councillor Marie-Louise Nolan wished it to be noted that she had been unable to attend the previous meeting of the Panel and had sent her apologies for absence.

149. **Public Questions:**

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

150. **Petitions:**

RESOLVED: To note that no petitions had been received under the provisions of Committee Procedure Rule 15.

151. **Deputations:**

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

152. **Half Year Report:**

The Panel considered a report of the Director of People, Performance and Policy which provided a review of the 2005/06 Member Development Programme and summarised the proposed topics to the end of the Municipal Year. An officer reported that courses during the first half of the Municipal Year had been well attended. It was noted that the sessions currently being run had been requested by Members and that during the next six months, only essential training would be taking place.

It was reported that as only two Members had confirmed that they would attend the Disciplinary and Grievance Appeals Procedures seminar on 13 September 2005, it had

been cancelled. However, it was acknowledged that Members could often attend such seminars even if they had not confirmed in advance. Members indicated that cancelling a session on the day should be avoided due to potential difficulties in notifying Members. It was further acknowledged that having the relevant officers available at the time of the session in case a Member attended would be a waste of resources. It was suggested that, where low attendance had been confirmed, an email be sent to Members 48 hours before the session was due to be held, asking if they would like to attend and notifying them that if no responses were received by the deadline specified, the session would be cancelled. It was suggested that Members be informed that the session on 13 September had been cancelled and advice given to them on the procedure for notifying Group Offices and making the seminar papers available, should this situation arise again.

An officer reported that as no Members had confirmed their attendance at the Special Educational Needs training on 19 September 2005, Members would therefore be contacted and given a deadline, after which if no responses had been received, the session would be cancelled.

The Panel was informed that Licensing training and refresher Chairmanship training was needed and suggested that this be considered for November. As only Members of the Licensing Panel could attend, additional training for all other Members would be beneficial as they might attend and speak at these meetings. The training of those Members not on the Licensing Panel was highlighted as an urgent need. It was suggested that a booklet be produced and distributed to all Members.

In response to Members queries in relation to the training on proposed dates in 2006, the Panel was informed that a Health and Safety session would take place in March 2006 and that no plans had been made for the January and February dates.

The Panel suggested that there should be a session for prospective Councillors prior to the May 2006 election. The format and content of this session was discussed by the Panel and it was suggested that the Harrow website could be used to provide information and should state that if prospective Councillors wanted to find out more, they would be able to attend an open afternoon. It was agreed that a feature be placed in 'Harrow People' to attract publicity to the information available to prospective Councillors. This advertisement should be badged as a Member Development Panel initiative. Prospective Councillors could also use the message board on the website to obtain answers to their questions from Councillors.

RESOLVED: That (1) the report be noted;

(2) where no Members had confirmed their attendance at a training session, Members would be contacted 48 hours before the session and given a deadline, after which, if no responses had been received, the session would be cancelled.

(3) the Group Manager (Organisational Development) be requested to consult the Service Manager (Community Safety) to establish the most appropriate time for Member training on Licensing.

(4) officers be requested to arrange Licensing training for Members who were not on Licensing Panels but would wish to attend meetings to speak;

(5) information about being a Councillor be provided on the website to prospective Councillors and a feature be placed in 'Harrow People'.

153.

Members Induction 2006:

The Panel considered the report of the Director of People, Performance and Policy which briefed Members on the preparation of the Member Induction Programme and invited comments on the content and format of the induction programme.

An officer referred the Panel to Appendix B – "Who's who" guide, for comments and suggestions. Members commented that the organisational charts were useful and that Members should receive a hard copy as well as there being a regularly updated version on the website. It was suggested that officers' email addresses be included on the charts.

It was suggested that providing answers to Frequently Raised Issues would be useful although it was acknowledged that officers would not necessarily know what issues Members were asked. Officers could provide a list which all Members could add to, with Members of the Panel encouraging other Members to respond by a given deadline.

Members discussed the content of the Draft Members' Handbook. It was suggested that information on back benching be included with a reference given as to where more information could be found.

The Panel indicated that the code for the keypad to the female members' cloakroom facilities should not be published and that contact details for the Communications Unit should be provided.

A Member commented that refreshments were available at Overview and Scrutiny meetings and that the paragraph entitled 'Refreshments' should be amended to include this in the Handbook.

The Panel requested that all existing Members receive a set of the Directorates' Organisational Structures as soon as possible and that these should be regularly updated. Members should also be provided with a feedback form and comments made.

RESOLVED: That (1) the report be noted;

(2) Members be provided with a set of the Directorates' Organisational Structures.

154. **References from Council and Other Committees**

(i) Reference from the Cabinet meeting held on 23 June 2005 - Member Training:

Members expressed concern that officer reports were not always succinct. An officer suggested that Members could comment on this at meetings or after receiving draft reports. Members indicated that they would wish to avoid criticising officers during a meeting so it might be more appropriate to thank officers that provided succinct reports. It was suggested that there could be regular evaluation through the use of a feedback form.

RESOLVED: That the reference be noted.

155. **Date of Next Meeting:**

RESOLVED: That the next meeting of the Panel would be held on 8 November 2005.

(Note: The meeting having commenced at 6.03 pm, closed at 7.25 pm)

(Signed) COUNCILLOR ANN GROVES
Chair

STANDING ADVISORY
COUNCIL FOR
RELIGIOUS
EDUCATION

**STANDING ADVISORY COUNCIL FOR
RELIGIOUS EDUCATION****21 SEPTEMBER 2005**Representatives of the LEA

Councillors: * Nana Asante Ismail * Anjana Patel (2)

Representatives of Christian and Other Religious Denominations and Faiths

* Mrs M Besser	* Brother L Lindsay
* Mr M Bishop	Mrs S Lynn
Mrs N Desai	Councillor Asad Omar
† Mrs P Gan-Kotwal	† Mrs P Perinparaja
Mrs M Hale	Rabbi D Roselaar
† Envoy B Haylock	Prof H Singh
† Mrs Z Jaffer	Mr P Singh-Kohli
Dr V Kapashi	* P Wearing
Councillor Dhirajlal Lavingia	

Representatives of the Church of England

* Mrs M Abbott Rev'd S Pothen
* Dr K Pinching

Representatives of Teachers

Mr R Crocker	Mrs A Stowe
* Mrs S Mistry	† Rev'd Dr S Thompson
* Mrs R Shakar	

Co-opted Members

Mr A Aggarwal	Mr M Shah
* Mr D Liversage	* Ms P Stevens (Chair)

Adviser to the Council, Nominated by the Director of Education

† Mr P O'Dwyer

* Denotes Member present
(2) Denotes category of Reserve Member
† Denotes apologies received

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**

168. **Apologies for Absence:**
Apologies for absence had been received from Councillors Cowan and Ismail, Mrs P Gan-Kotwal, Envoy Haylock, Mrs Jaffer, Mr O'Dwyer, Mrs Perinparaja and Reverend Dr S Thompson.
169. **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 Janet Cowan | Councillor Anjana Patel |
170. **Declarations of Interest:**
RESOLVED: To note (1) the following interests declared by Council Members:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Anjana Patel	Declared a personal interest in that she was a Governor of Vaughan First and Middle School.
Councillor Nana Asante	Declared a personal interest in that she was a Governor at Stanburn First School.
(2) the following interests declared by non-Council members:	
Mike Bishop	Declared a personal interest in that he was a Governor at Whitmore High School.
Mary Abbot	Declared a personal interest in that she was a Governor at Pinner Park First School.

171. **Minutes:**

RESOLVED: That the minutes of the meeting held on 16 June 2005, having been circulated, be taken as read, and signed as a correct record subject to the following amendments:

- (i) Minute 160 – Apologies for Absence
That the names of Dr Pinching and Reverend Pothen be added to the list of apologies in minute 160.
- (ii) Minute 165 - Determination
That the following be added to the end of section (3): "It was noted that determinations were needed by schools before they could organise worship in faith groups."
- (iii) Minute 167 – Any Other Business – News
That the words 'Local Education Authority' be added after the word Sefton in Minute 167.

172. **Matters Arising:**Muslim Resource Pack and associated in-service training for teachers

The launch of the Muslim Resource Pack for primary school children had been arranged at the last moment, however, a number of SACRE members had been among the people who had attended the Mosque for this occasion. It was noted that not many teachers had attended. The Chair explained that she had been unable to borrow a pack for members to see but would do so for the next SACRE meeting. The secondary school pack was due to be published in Spring 2006; SACRE had already ordered one for each high school.

The pack, which was based on the non-statutory national guidelines for religious education, had proved helpful across the country. Harrow had been the first London Borough to use it. It put emphasis on similarities rather than differences among faiths. Two in-service teacher training days about the pack had been scheduled for Wednesday 12 October 2005 and Tuesday 18 October 2005, both between 4.30pm and 6pm at the Teachers' Centre. SACRE members were welcome to come to either or both events.

Draft report to the Education Consultative Forum

It was noted that the Muslim community had devised, and Harrow Council had financed the Muslim Resource pack. If other faith communities produced suitable educational packs, SACRE would consider purchasing them. The Chair tabled a draft of her report to the Education Consultative Forum, a version of which might be supplied later for publication in "Harrow People".

Effectiveness of the local Agreed Syllabus

An extract from "SACREs and Self-Evaluation: a Guide" was tabled. This outlined measures which could be used to determine the effectiveness of a SACRE with regard to administration. There was some discussion about the effectiveness of SACRE meetings.

Attendance

It was considered that attendance was not very good and measures to improve the situation were discussed.

SACRE Venues

Following discussion from "SACREs and Self-Evaluation: a Guide", members considered whether it would be possible to hold meetings in various places of worship. The Chair explained that there were no funds to pay for venues, other than Harrow Council premises for meetings. It was suggested that the 8 December 2005 meeting be held at the Civic Centre. Councillor Patel offered to investigate whether the SACRE meeting on 9 March 2005 could take place at the Hindu temple in Neasden. The meeting would probably start at 6pm and would incorporate a tour of the temple. Members also suggested Stanmore Baptist Church and All Saints Church for future meetings.

Reaction to London bombings on 7 July 2005

The Chair explained that Harrow had set up an emergency centre on 7 July 2005. Thousands of people had offered accommodation and food and all faith communities had been supportive. Schools had remained open until all the children had been collected, and the last child had left at 9.30pm. Following the incident, headteachers had observed children for reactions such as name calling and stereotyping. Some schools had asked for advice and suggestions had been offered. Harrow Inter-Faith Council had issued a statement. The Harrow Times reporter, who had been given details of contacts for different faiths, had included their quotes in a headline piece about reactions to the bombing. The Borough had organised a conference which had been very well attended. A further conference would be arranged for women only, after Ramadan.

Black History Month

Councillor Asante explained that two competitions were being run as part of Black History Month. One was an essay about critical revolution in Africa and the other was a Powerpoint presentation to look at lives and see how they could change worlds and minds. SACRE members were invited to the award ceremony on 29 October 2005, between 6pm and 8pm at Bernays Memorial Hall, Stanmore. It was noted that it would be useful if people would confirm attendance by emailing admin@sfg.org or theconnexion@yahoo.co.uk

RESOLVED: That (1) the above be noted;

(2) a Muslim Resource Pack be available for members to see at the next meeting of SACRE;

(3) the following amendments be made to the Draft report to Education Consultative Forum:

- a) the Rastafarian faith be added to the lists of faiths
- b) the wording of the report be changed to include: "it is noticeable that children are very well educated in their faith communities";

(4) letters be written to faith communities in Harrow, asking if they or their national bodies had considered producing education packs about their faiths;

(5) if a member was unable to attend a meeting, they should nominate a reserve;

(6) the Chair to contact members who had not attended for three consecutive meetings and ask if they could consider giving someone else the opportunity to represent their faith group/profession;

(7) Democratic Services be contacted to request that clashes between SACRE and other council meetings be avoided;

(8) Councillor Patel to contact Susan Bole to confirm venue arrangements for 9 March 2005.

173.

Determination:

It was expected that Whitmore High School's application would be resubmitted shortly following school working party discussions.

(Note: The meeting having commenced at 9.00 pm, closed at 10.00 pm)

(Signed) MS P STEVENS
Chair

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

CABINET

REPORT OF CABINET

SPECIAL MEETING HELD ON 20 SEPTEMBER 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 - NIL**PART II - MINUTES**814. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
3. Business Transformation Partnership	Councillor D Ashton	The Member indicated a personal interest in that he had previously competed with Capita on a professional basis. He would remain in the room whilst the matter was considered and voted upon.
	Councillor Burchell	The Member indicated personal interests in that his spouse was a member of the Harrow Branch of Unison, he was a member of Unison and had worked on a short-term basis for Capita and had managed a contract delivered by Capita. He indicated that he would not be working for Capita in the future. He would remain in the room whilst the matter was considered and voted upon.
	Councillor Margaret Davine	The Member indicated a personal interest in that she had been a member and officer of Unison. She would remain in the room whilst the matter was considered and voted upon.

815. **Arrangement of Agenda:**

The Chair indicated that the press and public would initially be excluded from the meeting whilst Members considered confidential matters in relation to the Business Transformation Partnership. The press and public would then be invited to attend the meeting to hear the debate and the decision-making.

Given the significance of the Business Transformation Partnership, the Chair advised that Unison had been invited by Portfolio Holders to make comments at Cabinet. Accordingly, Shirley Duffel addressed Cabinet. He emphasised that allowing Unison to address Cabinet would in no way set a precedent, as there was currently no provision in the Council's Constitution to allow individuals to speak at Cabinet.

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

<u>Item</u>	<u>Reason</u>
Business Transformation Partnership appendices E - J	The appendices contained exempt information under Paragraphs 8 and 9 of Part I of Schedule 12A of the Local Government Act 1972 in that they contained information relating to the amount of expenditure proposed to be incurred by the Authority for the supply of goods or services and to terms proposed in a contract for the supply of goods or services.

816. **Key Decision - Business Transformation Partnership:**

The Director of Business Services introduced Sian Hibbs, Price Waterhouse Coopers (PWC) and Nigel Sternberg, Eversheds who had acted as the Council's financial and legal advisers respectively in relation to the Partnership contract.

Members received a confidential presentation from the Director of Business Services, PWC and Eversheds in relation to the Business Transformation Partnership. Members considered the confidential appendices to the report of the Executive Director (Business Development).

The Director of Business Services, PWC and Eversheds, introduced the report by making a public presentation to Cabinet. The Director of Business Services explained that an incremental partnership would enable the Council to develop a long-term Partnership, allow joint development of future strategy and priorities and enable the Council to move quickly to implement future projects - reducing procurement costs. An incremental Partnership was seen as relatively low risk in that future projects would only be agreed if the Partnership were successful.

The Director of Business Services outlined the procurement process, which although accelerated, was relatively standard. She highlighted the negotiation with two of the bidders at the Best and Final Offer stage of the procurement process, which had resulted in the Council receiving improved terms.

During her presentation, the Director of Business Services outlined the scope of the Capita proposal and the timetable. She detailed the proposed governance arrangements and advised that a more detailed report on this aspect of the Partnership would be submitted to Cabinet on 6 October 2005.

The representative of Eversheds made a presentation, which detailed his company's experience of Strategic Partnerships and gave a commercial overview of the proposed Partnership. He advised that the Council had negotiated a well-balanced agreement on favourable terms. He reiterated that it was an incremental Partnership, was flexible, incentivised, had strong enforcement and was, overall, a good robust deal for Harrow.

The representative of PWC made a presentation, which outlined her company's experience of Strategic Partnerships and gave a financial overview of the proposed Partnership. She advised that the financial models had been submitted on an open book basis, that is, there had been full disclosure to the Council. The representative indicated that the commercial and financial aspects of the deal were well within or exceeded the parameters of similar Strategic Partnerships.

In response to a Member's question in relation to disaster recovery, the Director of Business Services advised that a good price for disaster recovery had been negotiated with Capita and that officers were looking at the potential to extend the Council's existing disaster recovery. Although the Council now had improved disaster recovery, a report would be submitted for Members' consideration as part of next year's budget.

The Director of Business Services advised, in response to a Member's question, that in order to protect the Council she would be monitoring future business cases and seeking external advice where necessary.

At the invitation of Members, a representative of Unison read a statement to Cabinet, which expressed the Union's concerns in relation to the Partnership agreement. The representative stated that information had been withheld from Unison on the grounds of commercial sensitivity and that detail of the proposed costings and efficiency savings had not been received. She added that Unison were not aware that all options had been considered. The statement from Unison questioned the cost of employing two consultants for eleven months to work on the Partnership and indicated that it was not

an appropriate time to enter into partnership with a private company. The representative stated that the Partnership contract should not be signed until the existing issues, particularly in the Urban Living Directorate, had been resolved and that Unison would vigorously oppose any proposal that was not in the interests of the Council's staff and services.

In response to the statement made by Unison, the Portfolio Holder for Business Connections and Performance advised that Unison had been invited to participate in the evaluation process but had declined this offer. He added that there would, however, be full consultation with the Council's workforce. He emphasised that the Council's advisers had indicated that the Incremental Partnership was a good deal for the Council.

Members thanked the Council's advisers and the relevant officers for their work on the Partnership Agreement and for the achievement of a favourable outcome for the Council.

RESOLVED (unanimously): (1) That Capita Business Services Limited be appointed as the Council's Strategic Business Partner;

(2) that Fujitsu be informed of the Council's decision to appoint Capita;

(3) to note that in order to comply with the Office of Government Commerce Advice and following the decisions outlined in (1) and (2) above there would be a ten day cooling off period before the Incremental Partnership Agreement could be completed between Capita and the Council;

(4) that the Director of Legal Services arrange for the agreement (as outlined in the report of the Executive Director (Business Development)) to be signed and sealed by the Mayor;

(5) that the Director of Business Services be authorised to make any minor amendments to the agreement as she is advised provided there were no material differences to the terms described in the report of the Executive Director (Business Development);

(6) that regular progress reports be submitted to Cabinet when it meets as the Council's Performance Board;

(7) that a report be presented to the next meeting of Cabinet on arrangements for, and membership of, the Partnership Board;

(8) that it be agreed, in principle, to draw down £437,000 from general reserves in 2006/07 and £640,000 in 2007/08 to support the Business Transformation Partnership on the understanding that these funds would be repaid in future years and that it be noted that the use of reserves would be incorporated in the medium term financial strategy for 2006/07 to 2008/09 and subject to approval by both Cabinet and Council as part of that strategy in February 2006.

(9) to note the confidential appendices E-J to the report of the Executive Director (Business Development)

Reason for Decision: To complete the procurement of a Strategic Business Partner. The Partnership between Harrow and Capita would deliver significant financial and non-financial benefits and represented a good overall deal.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.23 pm).

(Signed) COUNCILLOR NAVIN SHAH
Chair

CABINET
ADVISORY
PANELS

**HOUSING IMPROVEMENT OPTIONS ADVISORY
PANEL****26 JULY 2005**

Chair:	* Councillor Burchell	
Councillors:	* Currie	Vina Mithani
	* Margaret Davine (2)	* Thornton (2)
	* Knowles	
Advisers:	* Mrs Joy Anandappa	– Harrow Federation of Tenants' and Residents' Association
	† Mr Lee Choules	– Shadow ALMO Board
	† Mr John Pollard	– Shadow ALMO Board
	Ms D Prasad	– Harrow UNISON
	* Mr Hamish Rait	– Harrow Federation of Tenants' and Residents' Association

* Denotes Member present
 (2) Denotes category of Reserve Member
 † Denotes apologies received

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**44. **Attendance by Reserve Members:**

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

Ordinary MemberReserve Member

Councillor Miss Lyne
 Councillor Bluston

Councillor Thornton
 Councillor Margaret Davine

45. **Housing Stock Options Appraisal - Final Submission to ODPM:**

The Chair explained that owing to delays from the Government Office of London in responding to the Council's pre-application financial submission, the meeting of the Panel should be adjourned to a later date.

RESOLVED: That the meeting be adjourned until 9 August 2005 at 7.30pm.

(Note: The meeting having commenced at 7.35 pm, adjourned at 7.40 pm)

(Signed) COUNCILLOR KEITH BURCHELL
 Chair

HOUSING IMPROVEMENT OPTIONS ADVISORY
PANEL9 AUGUST 2005
(RECONVENED FROM
AN ADJOURNED
MEETING ON 26 JULY
2005)

Chair:	* Councillor Burchell	
Councillors:	* Arnold (2) * Bluston * Currie	* Knowles * Paddy Lyne
Advisers:	* Mrs Joy Anandappa * Mr Lee Choules * Mr John Pollard Ms D Prasad * Mr Hamish Rait	– Harrow Federation of Tenants' and Residents' Association – Shadow ALMO Board – Shadow ALMO Board – Harrow UNISON – Harrow Federation of Tenants' and Residents' Association

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

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**46. **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 Vina Mithani	Councillor Arnold

[Note: In accordance with the provisions of Committee Procedure Rule 3.4, Appointment of Reserves to Committees and Sub-Committees and Panels, this reconvened meeting was treated as a new meeting for the purposes of attendance by Reserve Members.]

47. **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.

48. **Arrangement of Agenda:**

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

49. **Minutes:**

The Panel agreed to replace "Tenants Management Organisation" with "Tenants Management Board" in Recommendation 3 of the minutes for the meeting on 26 May 2005.

RESOLVED: That (1) subject to the above amendment, the minutes of the meeting held on 26 May 2005, having been circulated, be taken as read and signed as a correct record; and

(2) the signing of the minutes of the meeting held on 21 June 2005 be deferred until printed in the next Council Bound Minute Volume.

50. **Public Questions:**

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

51. **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).

52. **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).

53. **Housing Stock Options Appraisal - Final Submission to ODPM:**

The Panel received a report of the Director of Strategy (Urban Living), which set out the Council's final draft submission to the Office for the Deputy Prime Minister (ODPM). It was reported that the Government Office of London (GOL) had recently appointed a consultant to examine the financial aspects of the Council's submission. An officer confirmed that the Council had been advised that the consultant's report would be received the following day. As a result the deadline for the final submission had been extended, which was a source of frustration given the speed with which the submission was originally compiled.

Members discussed the new deadline for the submission and the specific financial aspects of the Council's submission that would be under examination from the consultant. A Member suggested that the wording under 2.1 of Appendix A be amended to reflect that not all community notice boards were displayed with the relevant information. In response to a query on page 21 of Appendix A the Director of Strategy (Urban Living) agreed to provide written clarification to confirm whether the maintenance module of the Anite system had been implemented.

RESOLVED: That (1) a letter be written to Members of the Working Group to provide an update on developments since the last meeting;

(2) the draft submission be approved subject to any amendments;

(3) details of the amendments be circulated to Members of the Panel;

(4) if the amendments referred to in (3) above are considered substantial, the Panel and Working Group convene a further meeting to discuss the changes; and

(5) the Leader of the Council approve the final submission to GOL in consultation with Councillor Mote and Councillor Thornton.

(Note: The meeting having commenced at 7.35 pm on 26 July 2005, adjourned at 7.40 pm, reconvened at 7.30 pm on 9 August 2005, and closed at 8.10 pm)

(Signed) COUNCILLOR KEITH BURCHELL
Chair

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****23 AUGUST 2005**

Chair: * Councillor Toms

Councillors: * Vina Mithani (2) * Ray (1)

Advisers: Mr D A Jones
(Vacancy)

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

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Admissions to County Schools**

On 23 August 2005 there were 18 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>
H15	11	Canons
H16	10	Nower Hill
H17	9	Nower Hill
H18	10	Harrow High
H19	10	Whitmore
H20	8	Whitmore
H21	10	Nower Hill
H22	10	Nower Hill
H23	10	Bentley Wood
H24	10	Canons
H25	10	Canons
H26	11	Whitmore
H27	11	Canons
H28	10	Whitmore
H29	10	Rocks Heath
H30	10	Hatch End
H31	11	Hatch End
P1	5	Whitefriars

[Notes: (i) An additional case was added onto the agenda after H16; this became H17;

(ii) the case shown on the agenda as H17 became H18;

(iii) there were two H18 cases on the agenda; the first of these became H19 and the second became H21;

(iv) an additional case was added onto the agenda after the first H18; this became H20;

(v) the case shown on the agenda as H19 became H22; all subsequent cases were renumbered consecutively which meant the last case shown on the agenda (H28) became H31 on the list shown above];

(vi) Case P2 was withdrawn from the agenda, as an offer of a place had already been made].

PART II - MINUTES437. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Choudhury
Councillor Janet Cowan

Reserve Member

Councillor Ray
Councillor Vina Mithani

438. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

Member

Councillor Toms

Nature of Interest

Councillor Toms declared a personal interest in that his wife worked at Norbury School. He chose not to take part in the consideration of and the decision in relation to the particular cases.

439. **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:-

Agenda item

9.(a) Admissions to County Schools

Special Circumstances / Grounds for Urgency

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:

Agenda item

9. Admissions to County Schools

Special Circumstances / Grounds for Urgency

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 contained information relating to any particular applicant for, or recipient of, any service provided by the Authority.

9.(a) 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 contained information relating to any particular applicant for, or recipient of, any service provided by the Authority.

440. **Minutes:**

RESOLVED: That (1) the minutes of the meetings held on 14 June and 28 June 2005, having been circulated, be taken as read and signed as a correct record; and

(2) the signing of the minutes of the meeting held on 12 July be deferred until printed in the next Council Bound Minute Volume.

441. **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).

442. **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).

443. **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).

444. **Dates of Future Meetings:**

RESOLVED: That it be agreed that meetings of the Panel be scheduled for 5.00 pm on the following days:

Tuesday 6 September
Tuesday 20 September
Tuesday 4 October
Tuesday 18 October
Tuesday 1 November
Tuesday 15 November
Tuesday 29 November
Tuesday 13 December

445. **Admissions to County Schools:**

See Recommendation 1.

(Note: The meeting having commenced at 5.02 pm, closed at 5.25 pm)

(Signed) COUNCILLOR KEITH TOMS
Chair

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****6 SEPTEMBER 2005**

Chair: * Councillor Toms

Councillors: * Janet Cowan * Ray (1)

Advisers: Mr D A Jones
(Vacancy)

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

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Admissions to County Schools**

On 6 September 2005 there were 25 children for whom the admissions staff could make no reasonable offer of a school place. The Education Admissions and Awards Advisor 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>
H32	9	Park
H33	9	Canons
H34	10	Canons
H35	10	Whitmore
H36	10	Harrow
H37	11	Bentley Wood
H38	11	Park
H39	10	Harrow
H40	10	Hatch End
H41	10	Hatch End
H42	10	Harrow
H43	10	Canons
H44	10	Park
H45	10	Nower Hill
H46	10	Rooks Heath
H47	11	Rooks Heath
H48	11	Hatch End
H49	11	Park
H50	11	Whitmore
H51	9	Park
H52	10	Canons
H53	10	Nower Hill
H54	11	Canons
H55	10	Rooks Heath
H56	10	Hatch End

[Note: Due to an error in the numbering of cases on the agenda, the case shown on the agenda as H31 became H32, and all subsequent cases were renumbered consecutively which meant the last case shown on the agenda (H55) became H56 on the list shown above].

PART II - MINUTES446. **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 Choudhury	Councillor Ray

447. **Declarations of Interest:**

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

448. **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	These reports were not available at the time the agenda was printed and circulated. Members were requested to consider these items as a matter of urgency.
8.(b) Admissions to County Schools	

(2) the item appearing in Part II of the agenda be considered with the Press and Public excluded on the grounds indicated below:

<u>Agenda Item</u>	<u>Reason</u>
8. Admissions to County Schools	These items were 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 they contain information relating to any particular applicant for, or recipient of, any service provided by the Authority.
8.(a) Admissions to County Schools	
8.(b) Admissions to County Schools	

449. **Minutes:**

RESOLVED: That the minutes of the meeting held on 12 July and 23 August be deferred until printed in the next Council Bound Minute Volume.

450. **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).

451. **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).

452. **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).

453. **Admissions to County Schools:**

See Recommendation 1.

(Note: The meeting having commenced at 5.07 pm, closed at 5.30 pm)

(Signed) COUNCILLOR KEITH TOMS
Chair

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL**
20 SEPTEMBER 2005

Chair: * Councillor Toms

Councillors: * Choudhury * Janet Cowan

Advisers: Mr D A Jones
(Vacancy)

* Denotes Member present

PART I - RECOMMENDATIONS
RECOMMENDATION 1 - Admissions to County Schools

On 20 September there were 10 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>
H57	10	Canons
H58	10	Whitmore
H59	11	Whitmore
H60	11	Whitmore
H61	11	Whitmore
H62	11	Canons
H63	11	Park
H64	10	Hatch End
H65	10	Hatch End
H66	11	Park

[Note: Due to an error in the numbering of cases on the agenda, the case shown on the agenda as H56 became H57, and all subsequent cases were renumbered consecutively which meant the last case shown on the agenda (H65) became H66 on the list shown above].

PART II - MINUTES
454. Attendance by Reserve Members:

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

455. Declarations of Interest:

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

456. 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	These reports were not available at the time the agenda was printed and circulated. Members were requested to consider these items as a matter of urgency.
8.(b) Admissions to County Schools	
8.(c) Admissions to County Schools	

(2) the item appearing in Part II of the agenda be considered with the Press and Public excluded on the grounds indicated below:

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
8. Admissions to County Schools	These items were 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 they contained information relating to any particular applicant for, or recipient of, any service provided by the Authority.
8.(a) Admissions to County Schools	
8.(b) Admissions to County Schools	
8.(c) Admissions to County Schools	

457. **Minutes:**

RESOLVED: That the minutes of the meeting held on 6 September 2005 be deferred until printed in the next Council Bound Minute Volume.

458. **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).

459. **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).

460. **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).

461. **Admissions to County Schools:**

See Recommendation 1.

(Note: The meeting having commenced at 5.05 pm, closed at 5.16 pm)

(Signed) COUNCILLOR KEITH TOMS
Chair

GRANTS ADVISORY PANEL

5 SEPTEMBER 2005

Chair:	* Councillor Thammaiah	
Councillors:	* Arnold	* Lavingia (2)
	* Nana Asante	* Paddy Lyne
	* Marilyn Ashton	* Mrs Joyce Nickolay
	* Bluston	* Anjana Patel
	* Harrison	

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

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Edward Harvist Trust Charity - Grant Applications**

Your Panel received a report of the Director of Financial and Business Strategy which presented applications for funding that had been made to the Edward Harvist Trust. Additional information submitted by five organisations following the publication of the officers' report was also tabled, as detailed below.

The Panel was advised that the Council administered the funds on behalf of the Edward Harvist Trust. Members discussed the application of the Council's common grants criteria to the funding requests, with particular reference to the application of the criterion which states that: "the applicant must be a voluntary group working in Harrow, with 80% of its members either living or working in Harrow". Whilst Members of the Panel felt that a flexible approach should be taken in relation to this criterion, it was advised that the decision to apply the common grants criteria to the Edward Harvist Trust grant applications had been agreed by the Panel at its meeting on 28 June 2005. It was further advised that the decisions of the Panel in relation to these grant applications must be consistent with this previous decision. The Panel requested that officers report back to their next meeting with details of the Panel's ability to withdraw a decision made at a previous meeting.

In line with the discussion detailed above, Members discussed the applications as follows.

Norwood: The organisation had requested funding to develop a new school for children with learning difficulties. It was noted that the school was going to be located in Bushey, not in Harrow as stated in the officers' report. The Panel acknowledged that it would be unrealistic for a project of this nature to satisfy the common grants criterion outlined above. In accordance with the grants process, the Panel agreed to recommend a grant of £5,000, on the condition that at least 80% of the funds were administered to Harrow residents. The Panel commended the work of the organisation.

National Youth Jazz Orchestra: The Panel received a brief letter and financial accounts submitted by the organisation following the publication of the officer report. The organisation had requested a contribution towards the running costs for their coach. The Panel agreed to recommend a grant of £1,500, reasoning that as 10% of the beneficiaries were Harrow residents, 10% of the £15,000 transport costs should be granted.

Love Lane Foyer Project: The organisation had requested funding to develop the Pinner Methodist Church. A Member of the Panel noted that the funding would be used to support a community facility and not to promote religious teaching. The Panel agreed to recommend a grant of £5,000.

BTWSC: The Panel was informed that the organisation had submitted all the required information and that the Council knew the work of the group. The Panel agreed to recommend a grant of £2,500.

Somali Family Support Group: The Panel received a letter naming the organisation's management committee and detailing their financial accounts for 2003/04, submitted by the organisation following the publication of the officer report. The Panel noted that the addresses of the management committee had not been supplied. In response to a Member's query, the Panel was informed that the organisation was currently based in Finchley and working with a local internet café to begin to provide services to people in Harrow. Members of the Panel cited work the co-ordinator had been involved in within Harrow. The Panel agreed to recommend a grant of £2,500.

Harrow Gateway: The Panel agreed to recommend a grant of £2,500.

Refugee Link and Training Agency: The Panel received information submitted by the organisation following the publication of the officer report, including management committee details and a financial statement. The application was requesting funding to develop a project centring on Somalian youths, envisaged to run for a period of six

months. Several Members felt that the budget presented in the application required further clarification, and a Member expressed concern that six months was not sufficient time to achieve the aims of the work and asked what would happen after the six-month period. It was proposed that the grant be deferred until the applicant supplied further information to satisfy Members' concerns. Other Members cited the importance of the work the project sought funding for, and expressed concern that the decision should not be deferred. It was further proposed to grant funding, but provide a specification for what the money could be used for.

Upon been put to the vote it was agreed to defer the application pending further information from the applicant including a more detailed budget proposal.

Harrow Association of Somali Voluntary Organisations: Noting that the organisation had provided the full information requested, the Panel agreed to recommend a grant of £2,500.

Humanitarian Action Group: The Panel received correspondence submitted by the organisation following the publication of the officer report. The application sought funding for a project for the Congolese community living in Harrow. Members felt that there was insufficient evidence of a connection with Harrow to grant the funding. It was agreed to defer the application pending further information from the applicant, including: accounts for 2004/2005; the number of beneficiaries who were Harrow residents; and an established connection with Harrow.

IJAPA: The Panel received additional information submitted by the organisation following the publication of the officer report. Several Members expressed their concern that the project was too vague for the parameters of the Edward Harvist Trust. A Member with specific knowledge of the organisation provided the Panel with further information on the organisation. It was agreed to defer the application pending further information.

Resolved to RECOMMEND: (To the Portfolio Holder)

That the Grants Advisory Panel's in principle decisions on the grant applications to the Edward Harvist Trust be agreed, as outlined in appendix 1.

[REASON: To enable the applications for the Edward Harvist Trust monies held by Harrow to be considered by Members of the Grants Advisory Panel.]

RECOMMENDATION 2 - Reserved Grants 2005/06

The Panel received a report of the Director of Financial and Business Strategy which provided an update on the grants reserved to voluntary organisations in 2005/06.

Resolved to RECOMMEND: (to the Portfolio Holder)

(1) That the reserved grant of £5,000 be released to Home Start Harrow;

(2) that the grant of £1,000 reserved for the Harrow Show Committee be taken back into the grants budget.

[REASON: To enable the Home Start Harrow to utilise the reserved grant of £5,000 and to take back into the grants budget a reserved grant that is no longer required.]

RECOMMENDATION 3 - Harrow Heritage Trust - Heritage Grant

Your Panel received a report of the Director of Financial and Business Strategy which presented an application from the Harrow Heritage Trust for a heritage grant of £15,000.

Officers advised the Panel that Cabinet normally considered the request for a heritage grant as part of the capital grants allocation. It was noted that the report to Cabinet on 17 March 2005 had not addressed the request for the heritage grant; it was therefore

Resolved to RECOMMEND: (To Cabinet)

That the Grants Advisory Panel in principle decision to award a £15,000 heritage grant to the Harrow Heritage Trust be approved.

[REASON: To enable Harrow Heritage Trust to continue their renovation work of historical buildings in Harrow.]

PART II - MINUTES200. **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 Mrs R Shah	Councillor Lavingia

201. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

(1) The following Member declared a personal interest in the business transacted at the meeting arising from their involvement with the organisation listed. Accordingly, they remained and took part in the discussion and voting on the relevant item.

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
8: Edward Harvist Trust Charity – Grant Applications	Councillor Bluston	Council appointed representative to the Edward Harvist Trust

(2) The following Member declared an interest in the business transacted at the meeting arising from their involvement with organisations listed.

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
8: Edward Harvist Trust Charity – Grant Applications	Councillor Nana Asante	African SANG The A Connexion

202. **Arrangement of Agenda:**

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

203. **Minutes:**

RESOLVED: That the minutes of the meeting held on 9 June 2005 and 28 June 2005, having been circulated, be taken as read and signed as a correct record, subject to the following amendment:

Minute 189 (GAP 87, VOL2, 28 June 2005)

A further sentence to be included at the end of the Note:

“The general spirit of the meeting was that an informal consultation should be separated from the formal part of a meeting if held on the same day; otherwise be held on a different day.”

204. **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).

205. **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).

206. **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).

207. **Edward Harvist Trust Charity - Grant Applications:**

See Recommendation 1.

208. **Reserved Grants 2005/2006:**

See Recommendation 2.

209. **Information on the Council's Support to the Voluntary Sector in 2004/05:**
The Panel received a report of the Director of Financial and Business Strategy which summarised the Council's support to the voluntary sector in 2004/05. The Panel was advised that a future report would breakdown the figures under specific categories, which would be based on the annual Home Office survey on Local Authority funding to the voluntary sector.

RESOLVED: That the report be noted.

210. **Harrow Heritage Trust - Heritage Grant:**
See Recommendation 3.

211. **Community Premises Review:**
The Panel received an update on the Member-led review of community premises. The Panel was informed that an officer had been appointed to support the review and that meetings had been arranged.

A Member expressed concern that organisations were, allegedly, illegitimately using the community premises address. It was agreed that officers write to the manager of the community premises to inform him that the allegations would be investigated.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 7.30 pm, closed at 9.35 pm)

(Signed) COUNCILLOR KEEKIRA THAMMAIAH
Chair

APPENDIX 1Edward Harvist Trust Charity – Grant Applications

Norwood	-	£5,000 (see Note 1 below)
National Youth Jazz Orchestra	-	£1,500
Love Lane Foyer Project	-	£5,000
BTWSC	-	£2,500
Somali Family Support Group	-	£2,500
Harrow Gateway	-	£2,500
Refugee Link and Training Agency	-	Deferred
Harrow Association of Somali Voluntary Organisations	-	£2,500
Humanitarian Action Group	-	Deferred
IJAPA	-	Deferred

[Note 1: The grant was allocated on the condition that at least 80% of the funds were administered to Harrow residents.]

STRATEGIC PLANNING ADVISORY PANEL

13 SEPTEMBER 2005

Chair: * Councillor Burchell

Councillors: * Mrs Bath * Mrs Kinnear
* Harriss (3) * Ray (3)
* Idaikkadar * Anne Whitehead

Non-voting * Councillor Branch
Co-opted Member:

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

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Mobility and Wheelchair Housing 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 Mobility and Wheelchair Housing SPD and its accompanying Sustainability Report.

Officers advised that the title of the document was subject to change and confirmed that the content and appearance of the document had been improved since the agenda had been printed.

In response to a question from a Member, officers advised that, ideally, accommodation for wheelchair users would be situated on the ground floor to minimise any risks associated with identifying a means of escape in the event of an emergency. Officers were requested to consider further this aspect of the SPD.

Some Members queried the accuracy of the data contained in the table showing 'Population of Harrow with Limiting Long Term Illness or Disability' (page 47 of the agenda), as the figures did not add up. A Member queried how it was possible to ascertain from the information provided in this table how many people would require wheelchair housing. Officers advised that this was not possible, but that the table helped provide an indication of the general scale of a variety of disabilities.

Officers agreed to investigate the building control specification for door widths, in relation to design of buildings for wheelchair users.

Officers advised that the Mobility and Wheelchair Housing SPD complemented the Access for All SPD which had been considered at the meeting of the Panel on 13 July 2005. It was the officers' intention to bring the results of the consultations on both SPDs to the Special Meeting of the Panel being held on 8 November 2005.

Resolved to RECOMMEND: (to the Portfolio Holder for Planning, Development and Housing)

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) following (1), subsequent consultation be undertaken with relevant authorities, the public and key stakeholders on the scope of the Mobility and Wheelchair Housing SPD and its accompanying Sustainability Appraisal.

[REASON: To ensure that access considerations form an integral part of the development process and to ensure that local services and facilities are accessible to everyone].

RECOMMENDATION 2 - Statement of Community Involvement (SCI): Initial Consultation Responses

The Panel considered a report of the Director of Strategy (Urban Living) which provided information on the responses received in respect of the initial consultation undertaken as part of the process for developing the Statement of Community Involvement (SCI).

A Member noted that the 'Purpose of the Consultation' (page 63 of the agenda) did not state that respondents' views would be taken into consideration. Officers confirmed that one of the aims of community involvement (as set down in the SCI) was to provide better feedback than had previously been given, and assured Members that respondents' comments would be used to inform the content of the SCI.

Officers stated that, to date, the responses received had not highlighted any new issues of particular significance, but that the consultation had been necessary to identify whether this was the case. In response to a question from a Member, officers confirmed that the cost of the consultation had been absorbed within the normal salary costs, and that the only additional expenditure had been printing and postage; this expenditure would have been incurred in any exercise to update contact details of individuals and organisations on the database.

Some Members expressed concern that a number of organisations had asked to be deleted from the database of consultees.

Resolved to RECOMMEND: (to the Portfolio Holder for Planning, Development and Housing)

That it be agreed that officers proceed to formal public consultation on the SCI.

[REASON: The Council has a statutory duty to prepare an SCI. Submission of the SCI to the Government Office for London according to the agreed timetable and the Inspectorate (PINS) for examination by March 2006 will ensure the Council's ability to attract the appropriate level of Planning Delivery Grant].

RECOMMENDATION 3 - Draft London Plan Alterations - Housing Provision Targets; Planning for Waste

The Panel considered a report of the Director of Strategy (Urban Living) which provided an update on the Council's position in respect of its response to the draft alterations to the London Plan policies on Housing Provision Targets and Planning for Waste.

Officers advised that it was proposed that the Council undertake discussions both internally and with colleagues in other West London boroughs, with a view to making representations as part of the three month public consultation programmed to commence in October 2005.

Resolved to RECOMMEND: (to the Portfolio Holder for Planning, Development and Housing)

That (1) it be agreed that the Council respond at the formal public consultation stage in October 2005;

(2) the Mayor of London be advised accordingly.

[REASON: The Council has a fundamental interest in the draft alterations because of the implications for the production of the Local Development Framework, and would therefore wish to submit fully considered comments on them].

PART II - MINUTES

47. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Marilyn Ashton
Councillor N Shah

Reserve Member

Councillor Harriss
Councillor Ray

48. **Declarations of Interest:**

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

Agenda Item 9 – Statement of Community Involvement (SCI): Initial Consultation Responses

Following a number of declarations of personal interest made by Members, the Panel agreed to record that, due to the Borough-wide nature of the consultation, all Members of the Panel had a personal interest in a number of the organisations listed in the officer's report. Accordingly, all Members remained in the room and took part in the discussion and decision-making on this item.

49. **Arrangement of Agenda:**

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

50. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 13 July 2005, those minutes having been circulated at the meeting, as a correct record of that meeting, once printed in the Council Bound Volume.

51. **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 and 16 (Part 4B of the Constitution) respectively.

52. **Mobility and Wheelchair Housing Supplementary Planning Document (SPD):**

See Recommendation 1.

53. **Statement of Community Involvement (SCI): Initial Consultation Responses:**

See Recommendation 2.

54. **Draft London Plan Alterations - Housing Provision Targets; Planning for Waste:**

See Recommendation 3.

55. **Any Other Business:**

Some Members expressed concern that some of the actions requested of officers at previous meetings had not always been followed through to completion. An example was given of the request, made at the meetings of the Panel held on 1 March 2005 and 16 March 2005, that Members be provided with individual copies of PPGs, PPSs and any consultation documents.

RESOLVED: That an Action Plan be produced after each meeting and circulated to Members and officers to provide a reminder of actions agreed at meetings.

(Note: The meeting having commenced at 7.30 pm, closed at 8.18 pm)

(Signed) COUNCILLOR KEITH BURCHELL
Chair

**STRATEGIC PLANNING ADVISORY PANEL
SPECIAL****29 SEPTEMBER 2005**

Chair: * Councillor Burchell

Councillors: Marilyn Ashton * Ray (3)
* Mrs Bath * N Shah
* Mrs Kinnear * Anne WhiteheadNon-voting Councillor Branch
Co-opted Member:* Denotes Member present
(3) Denotes category of Reserve Member**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - West London Sub-Regional Development Framework (SRDF) - Harrow Council's Response**

The Panel considered a report of the Director of Strategic Planning on Harrow Council's Response to the West London Sub-Regional Development Framework (SRDF).

Officers advised that only the introductory pages of the West London Partnership response to the SDRF had been circulated with the agenda. An expanded version of the document would be considered by Cabinet at its meeting on 6 October 2005. Officers confirmed that the Panel was being asked to consider just the Harrow Response.

The Panel considered the Harrow Response and suggested a number of changes which were noted by officers, including the following:

- It would be helpful if, when submitting the Response, officers produced a covering letter highlighting the main issues contained within the Response.
- Under 'Harrow's Metropolitan Town Centre', Members felt that it should be emphasised that investment in the "radical changes" referred to had already begun, and were not simply "proposed".
- Members requested that they be provided with copies of the survey mentioned on page 6 which had shown that 79% of those using the town centre had travelled there using public transport. It was also suggested that the source of the statistic be quoted.
- Members agreed that they could not see the benefit in having a regional park in the north east of the Borough, since the area did not have good public transport links.
- Members agreed that there was scarce employment land in the Borough and looked forward to seeing the local employment land study referred to on page 9 of the agenda.

The Panel agreed that officers be given authority to make the amendments suggested by the Panel prior to submission of the Harrow Response to the GLA.

Resolved to RECOMMEND: (to Cabinet)

That (1) the amended report be approved for submission to the GLA.

[REASON: Submission of the Harrow Response would provide an opportunity for the Council to influence the final Greater London Authority document and spatial planning and related matter until 2016, and also would inform the development of the Harrow Local Development Framework in Harrow].

PART II - MINUTES56. **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 Idaikkadar	Councillor Ray

57. **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.

58. **Arrangement of Agenda:**

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

59. **Minutes:**

RESOLVED: That the minutes of the meeting held on 13 September 2005 be deferred until the next ordinary meeting of the Panel.

60. **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 and 16 (Part 4B of the Constitution) respectively.

61. **Consultation on the West London Sub-regional Development Framework (SRDF) - Harrow Council's Response:**

See Recommendation 1.

(Note: The meeting having commenced at 8.15 pm, closed at 9.06 pm)

(Signed) COUNCILLOR KEITH BURCHELL
Chair

WEALDSTONE REGENERATION ADVISORY
PANEL

20 SEPTEMBER 2005

Chair:	* Councillor Marie-Louise Nolan	
Councillors:	* Marilyn Ashton * Harrison * Harriss	* Lavingia * Vina Mithani
Co-opted Member:	Councillor Paddy Lyne	
Advisers:	Mr S Addy	– Harrow Association of Disabled People
	* Mr T Arens	– Heriot Catering
	* Mr E Diamond	– North West London Chamber of Commerce
	* Mrs S Hall	– Wealdstone Traders' Association
	* Mrs B Harvey	– Wealdstone Active Community
	* Sergeant A Jackson	– Metropolitan Police
	* Mr M Rughani	– Wealdstone Traders' Association
	* Mrs J Skidmore	– Wealdstone Active Community
	* Sergeant C Walker	– Metropolitan Police
	† Mr A Wood	– Harrow Public Transport Users' Association

* Denotes Member present
† Denotes apologies received

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**246. **Attendance by Reserve Members:**

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

247. **Declarations of Interest:**

RESOLVED: To note that the following interest was declared:

- (i) Councillor Marilyn Ashton declared an interest arising from the fact that she was Vice-Chair of the Development Control Committee.

248. **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>
14. Wealdstone Vitality Study and Traffic Study and Update on Byron Park Liaison Meeting	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) all items be considered with the press and public present.

249. **Minutes:**

RESOLVED: That the minutes of the meeting held on 8 June 2005, having been circulated, be taken as read and signed as a correct record, subject to the following amendment:

Attendance list – That it be recorded that Mr E Diamond, an adviser representing North West London Chamber of Commerce, was present at the meeting.

250. **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 Advisory Panel and Consultative Forum Procedure Rules 15, 13 and 14 (Part 4E of the Constitution) respectively.

251. **Appointment of Advisers to the Panel for the 2005/2005 Municipal Year:**

RESOLVED: (1) To note that Mr M Garratt had retired, and therefore would no longer be representing Kodak as an Advisor to the Panel;

(2) that the Chair would invite Kodak to nominate an alternative representative to act as an Advisor to the Panel.

252. **Study to Improve the Ellen Webb Drive/Headstone Drive/Cecil Road Junction:**

Officers introduced a report of the Director of Strategy (Urban Living), which provided a progress update on an investigation which was looking into the removal of turning restrictions and the provision of pedestrian crossing facilities at the Headstone Drive/Cecil Road/Ellen Webb Drive junction, and which put forward a proposal that partially met these objectives.

In response to a question from a Member, officers confirmed that Transport for London (TfL) had already been involved in discussions regarding the proposals, and had expressed concern about the possible impact that the redistribution of Cecil Road traffic would have on the Strategic Road Network. Officers advised that the Council would need to seek TfL approval for any proposal and, in doing so, demonstrate the effect that this traffic would have on the surrounding road network.

A Member asked how non-local traffic could be prevented from using local roads as 'cut throughs'. Officers responded that the intention would be to deter such traffic by creating long delays on the Cecil Road route but that, if necessary, other deterrents, such as road closures, could be implemented to ensure that cut throughs were no longer viable and to discourage drivers from using local roads. However, any such measures would also disadvantage local people who used the roads to access their homes and businesses, and so had not been included in the proposal that was before the Panel.

An Advisor stated that drivers regularly turned right illegally at the 'no right turn' junction on Headstone Drive (East), and asked whether this restriction could be removed immediately, while other schemes for controlling the traffic were being considered. Officers advised that their primary aim was to find a solution that met all of the objectives, rather than treating the right turn issue in isolation from other traffic issues. Another Advisor expressed frustration that the proposed scheme seemed complicated and that, in her view, it would be common sense to remove the right turn restriction immediately.

In response to a question from a Member, officers confirmed that there had been one accident in the 'slight' category involving cars illegally turning right at the junction. Officers advised that, before the right turn restriction could be removed, a safety audit would need to be carried out to ascertain whether it would be safe to do so.

RESOLVED: That (1) a reference be made to the Traffic and Road Safety Advisory Panel proposing that a safety audit be carried out to ascertain the feasibility of removing the right turn restriction before other schemes for controlling the traffic were considered;

(2) it be noted that the Panel did not support the option proposed in the officer's report.

253. **Neighbourhood Renewal:**

The Chair introduced a report of the Director of Strategy (Urban Living) which had been considered by Cabinet on 28 July 2005, when Members had approved, in principle, the establishment of a Neighbourhood Renewal Area (NRA) in Wealdstone. The decision to approve the NRA had received cross-party support.

The Chair reported that Wealdstone would be the first ward in Harrow to benefit from the Neighbourhood Renewal scheme and serve as a pilot for projects in other parts of the Borough. It represented an opportunity for Wealdstone to be looked at as a whole. Consultation with residents and others with an interest in Wealdstone would be

undertaken to identify the views of local people and ensure that any plans were relevant to local needs.

An Advisor to the Panel expressed concern that the designation of Wealdstone as an area of deprivation might deter people or businesses who might otherwise have been interested in coming to the area. The Chair responded that it was important to be realistic so that the needs of the area could be properly identified and benefit from any available assistance such as special funding.

An Advisor to the Panel commented that the officer's report did not mention how new businesses, whether profit-making or charity, would be encouraged to start up in Wealdstone. The Chair reported that it was her understanding that Bone Wells Associates, the consultants who had been appointed to undertake a vitality analysis of Wealdstone Town Centre, intended to consult with trades people and the Chamber of Commerce with a view to addressing the needs of businesses in their final report, which would be available at the end of October 2005. The Advisor suggested that the Council consider introducing incentives, such as reduced rates and better accommodation and training, to attract businesses to the Borough. A Member commented that the Council's Grants Advisory Panel did support Wealdstone by making some grants available to communities moving into the area.

A Member stated that it would be important for the needs of young people to be taken into consideration, and suggested that a survey be undertaken to identify school playing fields that could be made available to young people for sporting activities outside of school hours. The Chair reported that the Extended Schools Programme was investigating how to utilise school facilities outside of teaching time. An Advisor added that, in his opinion, it would also be important to identify leisure facilities for adults in the age range twenty-five to forty.

A Member expressed the view that improving Wealdstone would generate income for the area, and, as private home ownership increased, raise the value of housing stock.

The Chair advised the Panel that the report that had been considered by Cabinet had not intended to be exhaustive with regards to the issues that the NRA would cover, and offered assurance that the detailed studies would follow later.

RESOLVED: To note that the Panel were keen to be involved in progressing the NRA for Wealdstone.

254. **Update on Key Worker Housing in Wealdstone:**

Officers presented an update report on Key Worker Housing in Wealdstone and advised the Panel that, in future, the report would also cover developments that were not key worker housing. Officers also provided the following statistics on residential conversions that had been requested by the Panel at its last meeting:

- During the year 1 September 2004 to 1 September 2005, the Council's Planning Department had received 159 applications. During the same period, 166 applications had been approved.
- 13 of these applications had been within Wealdstone ward, and 15 applications had been approved.

In response to a question from an Advisor regarding affordability of key worker housing, officers stated that the income level required to buy a property varied within the range of £17,000 to £40,000 per annum, and that most properties required an income of approximately £25,000. The Advisor expressed the view that, in his experience, key workers had complained that they were unable to afford key worker housing, and queried whether the policy in this regard was appropriate. Officers stated that the Government definition of key worker housing was very specific and that Harrow had broadened these rules to suit local needs.

A Member commented that it was important to provide a mixture of shared ownership, social, key worker and low cost market housing.

An Advisor asked how long a property would have to remain unsold before it became rental accommodation. Officers responded that such a situation had not arisen yet.

RESOLVED: That (1) the report be noted;

(2) officers be requested to provide an analysis of the incomes of key workers who had applied for housing at the next meeting.

255. **Byron Park Regeneration Project:**
Officers reported that an event was being held at Byron Park Leisure Centre to show a number of different options and 'mock-ups' of ideas for the regeneration of Byron Park. The event would be held on Wednesday 28 September (4.00 pm to 8.00 pm) and Thursday 29 September (1.00 pm to 8.00 pm). Officers and Ward Councillors would be present to answer questions. After the event, the plans would be moved to Wealdstone Library with a suggestion box available for members of the public to put forward their views. All local residents and businesses in the area surrounding the park would be sent an information leaflet about the event.
- Officers tabled a report of the Director of Strategy (Urban Living), which discussed the proposed development of a new 50m Olympic sized swimming pool on the site of the redundant outdoor 50 yard pool adjoining Harrow Leisure Centre. Consultants had been asked to investigate the ability of the site to accommodate a 50m Olympic size pool hall and associated ancillary reception, changing and spectator accommodation, the estimated capital cost of the proposed build and the revenue implication of the development of a 50m pool.
- The report concluded that the site was not of an appropriate size to accommodate the pool, and that the proximity to existing residential properties to the west of the site meant that it was unlikely that planning consent would be given for such a large scale development. The report also stated that the revenue and management implications of the proposal would be significantly detrimental to the existing operation of Harrow Leisure Centre.
- Members of the Panel expressed concern that the report indicated that planning permission for the development was unlikely to be granted, yet this had not been sought. As the Development Control Committee judged each application on its individual circumstances, the view was expressed that the decision of that Committee should not be pre-empted.
- A Member reported that it was his understanding that the Harrow and Wealdstone Swimming Club had been raising capital from trust funds to finance the development and had expressed an interest in managing the new swimming pool, if the development went ahead.
- An Advisor stated that it was his understanding from stories reported in the press that the Council intended to build houses on the site. The Chair advised that some press reports might have been misleading since discussions were still underway and that the future of the site had yet to be fully determined.
- RESOLVED:** That (1) a reference be made to Cabinet expressing the Panel's concern that the report (i) did not appear to have fully taken into consideration the views of interested parties, and (ii) had pre-empted a decision of the Development Control Committee.
- [Note: The dates for the event at Byron Park Leisure Centre given at the meeting were incorrect. The correct dates are recorded in these minutes].
256. **Wealdstone Vitality Study and Traffic Study and Update on Byron Park Liaison Meeting:**
The Chair introduced a report of the Director of Strategy (Urban Living) which provided an update on the Wealdstone vitality study and traffic study, and the Byron Park Liaison Meeting.
- RESOLVED:** That (1) the report be noted;
- (2) it be noted that the consultants' report would be finalised at the end of October 2005.
257. **Wealdstone Active Community:**
A representative of Wealdstone Active Community (WAC) updated the Panel on recent activities as follows:
- 'Blooming Wealdstone' had successfully taken place on 9 July 2005.
 - On 8 October 2005, a 'Living History' event would be taking place, and any donations of tape recorders or microphones to assist with this event would be greatly appreciated.
- On behalf of WAC, the representative asked the officer from the Traffic Department, present at the meeting, a number of questions, to which an oral response was given.

RESOLVED: That the above be noted.

258.

Any Other Business:

At the request of the Chair, the Advisors representing the Metropolitan Police provided an update on recent activities as follows:

- There had been a twenty-eight per cent reduction in the number of disturbance calls made to Police.
- There had been a fifteen per cent reduction in the number of crime allegations.

The Panel agreed that these reductions were a positive indication that the community support initiatives taking place in Wealdstone were having a beneficial effect.

RESOLVED: That the above be noted.

259.

Date of Next Meeting:

RESOLVED: That the next meeting of the Panel be held at 6.30 pm on Tuesday 15 November 2005.

(Note: The meeting having commenced at 6.30 pm, closed at 8.20 pm)

(Signed) COUNCILLOR MARIE-LOUISE NOLAN
Chair

TRAFFIC AND ROAD SAFETY ADVISORY PANEL

21 SEPTEMBER 2005

Chair: * Councillor Miles

Councillors: * Arnold * Ismail
 * Branch * Kara
 * Burchell * John Nickolay
 * Choudhury * Anne Whitehead
 * Harriss

Advisers: Mrs R Carratt * Mr J Gloor
 * Mr E Diamond * Mr A Wood

* Denotes Member present

[Note: Councillor Vina Mithani also attended this meeting to speak on the item indicated at Minute 132 below].

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Kenton Park Road Experimental Road Closure Update**

Your Panel received a report of the Director of Area Services, Urban Living, which provided an update on the experimental road closure at Kenton Park Road and detailed an investigation to locally widen Kenton Road in order to create a dedicated right-turn lane into Kenton Lane.

Members were asked to consider extending the experimental road closure for six months, to allow Member-level discussions between Brent and Harrow Councils concerning the proposed road widening. A letter received from Brent Council, supporting the road widening but providing no firm offer of funding, was circulated to Members. Members were informed that the road closure could only be extended for a further six months, as the road could not be closed legally for more than eighteen months in total. Members discussed the role of Councillor Bob Blackman, London Assembly Member for Brent and Harrow, in the negotiations with Transport for London (TfL).

An advisor to the Panel referred to the repeated collapse of the road at the junction, and it was suggested that a brook might run beneath the road. Officers assured the Panel that any widening of the road would be accompanied by appropriate strengthening measures.

Two Ward Councillors for Kenton West spoke on behalf of the residents of Kenton, requesting a solution that would accommodate all residents.

Resolved to RECOMMEND: (To the Portfolio Holder for Environment and Transport)

That (1) the experimental closure in Kenton Park Road including the associated experimental double yellow line waiting restrictions be extended for a further six months to eighteen months;

(2) further discussions be undertaken with Brent Council, including at Member level, regarding sharing the cost of the proposed scheme to widen Kenton Road and reinstate the right turn into Kenton Lane;

(3) local residents in the wider area shown at Appendix C to the report be informed of the extension of the experimental period and ongoing work to investigate reinstating the right turn into Kenton Lane, and that any further community representations be considered along with other representations at the scheme review in November 2005.

[REASON: To seek approval to extend the experimental period to allow more time for further community representations to be considered.]

RECOMMENDATION 2 - Proposed Extension of Stanmore Controlled Parking Zone - Objections and Re-Consultation Results including Howberry Road and Howberry Close

Your Panel received a report of the Director of Area Services, Urban Living, which detailed the responses received from the re-consultation on the extension of the Stanmore CPZ and objections received to the advertised traffic orders.

The meeting was advised of some corrections to the report: specifically that 9, not 7, letters of objection to the advertised traffic orders had been received, all of which had been addressed in the officers' report; and that extracts from the three petitions covered in the report had not been included in Appendix B, but were accordingly circulated to Members.

Officers informed the Panel that, with the exception of the consultation in the Howberry Road area, the consultations had produced clear-cut conclusions reflected in the officers' recommendations. It was reported that in the Howberry Road area, 51% of respondents had been in favour of yellow line waiting restrictions to operate between 2pm and 3pm Monday to Friday. On balance, officers' felt that a residents' parking scheme would better serve the needs of the residents.

Members discussed the officers' statement that over a third of the respondents that supported the proposal to implement a residents' parking scheme may need on-street parking. Whilst some Members felt that the yellow line scheme, which had the support of the local residents' association, would best serve the majority of residents, others cited the needs of a minority of residents who would be seriously disadvantaged by a yellow-line scheme.

An advisor to the Panel emphasised the need for business permits to be incorporated into the scheme to support workers in Stanmore, and officers advised the Panel that they already were.

Particular reference was made to the petitions received from residents and businesses in Canons Corner, and the petition received from residents in the Green Lane area. Officers were requested to investigate the issue of congestion in Green Lane. Whilst Members felt that a 'Pay and Display' and residents' parking area could be applied to the six parking bays outside the parade of shops at Canon's Corner, officers advised that the competing demands of residents and businesses on a limited number of spaces made the option untenable. Officers were requested to investigate further options to alleviate parking problems in this area.

Resolved to RECOMMEND: (To the Portfolio Holder for Environment and Transport)

That (1) the objections to the traffic orders for alterations and extension of the Stanmore Controlled Parking Zones (Zone B and Zone H) be set aside unless otherwise indicated for reasons given at Appendix C to the report;

(2) Charlbury Avenue (part), Craigweil Close (part), Eaton Close, Elizabeth Gardens, Malcolm Court, Laurimel Close and London Road (part) be excluded from the scheme;

(3) officers be authorised to implement the extension to Stanmore CPZ Zone B and Zone H as shown at Appendix D to the report and detailed at Appendix E under the Road Traffic Regulation Act 1984;

(4) officers be authorised to take all necessary steps under the Road Traffic Regulation Act 1984 to advertise the traffic orders, the details of which be delegated to officers, and implement a Controlled Parking Zone incorporating a residents' parking scheme in Howberry Road between Cloyster Wood and Wychwood Avenue including Howberry Close, as shown at Appendix J to the report, to operate Monday to Friday 2pm – 3pm subject to consideration of objections (if any), the statement of reasons to be 'to control parking and to improve residential amenity';

(5) officers be authorised to investigate congestion and road safety problems at the northern end of Green Lane;

(6) officers be authorised to investigate further the parking problems outside the shops on Canon's Corner, and report back to the Panel;

(7) the objectors and head petitioners be informed accordingly.

[**REASON:** To gain agreement for implementation of parking controls to address the Council's stated priority of enhancing the environment and encourage more sustainable transport activity].

PART II - MINUTES

122. **Attendance by Reserve Members:**

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

123. **Declarations of Interest:**

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

124. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted under Agenda Item 9 (Any Other Business) by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
Reference from the Wealdstone Regeneration Advisory Panel Meeting on 7 September 2005	This report was not available at the time the agenda was printed and circulated. Members agreed to receive this reference in conjunction with Agenda Item 8a).
Petts Hill: Regular Update	To enable Members to make timely and informed decisions on the replacement of the Petts Hill bridge.
Accident Statistics	To provide Members with a more detailed analysis of accident sites in the borough, to inform future decisions of the Panel.
Traffic Calming Measures in Kings Road and Surrounding Area	To provide Members with details of the current consultation, to enable the Panel to draw conclusions and make recommendations on a potentially contentious issue for residents.

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

125. **Minutes:**

RESOLVED: That the minutes of the meeting held on 21 June 2005, having been circulated, be taken as read and signed as a correct record.

126. **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).

127. **Petitions:**

RESOLVED: To note the receipt of the following petition which was referred to the relevant officer for consideration:

Petition requesting that the right-turn from Kenton Road into Kenton Lane be restored and that additional pedestrian crossing facilities be installed at the same junction

Presented by Councillor Vina Mithani and signed by 818 Kenton residents.

128. **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).

129. **Pedestrian crossing improvements and removal of turning restrictions at the Headstone Drive/Cecil Road/Ellen Webb Drive junction:**

The Panel received a report of the Director of Area Services, Urban Living, which provided a progress update on an investigation into the removal of turning restrictions and the provision of pedestrian crossing facilities at the Headstone Drive/Cecil Road/Ellen Webb Drive junction. The Panel also considered a reference from the Wealdstone Regeneration Advisory Panel meeting on 7 September 2005, proposing that a safety audit be carried out to ascertain the feasibility of removing the right turn restriction before other schemes for controlling the traffic were considered, and noting the Panel's lack of support for the option proposed in the officer report.

Officers informed the Panel that traffic signal and roundabout solutions had been investigated, although neither solution fully addressed all the issues associated with the junction. A proposal was described which manipulated the traffic conditions on the junction approaches to favour the most difficult/important approaches over the least difficult/important. Crucially, non-local traffic would be re-directed from Cecil Road back to the main road network using a manipulation of traffic signals that would significantly reduce the green time on Cecil Road, thus causing a deliberate disadvantage to vehicles using Cecil Road to avoid congestion on the main roads. The green time from Cecil Road could then be redistributed to other junction approaches to reduce queuing. Sufficient green time would need to be retained to accommodate local users. A detailed origin and destination survey would therefore be required to establish the relative volumes of local and non-local traffic using Cecil Road to determine if the green time can be reduced far enough to give a workable scheme.

In the discussion that followed, Members of the Panel expressed their concern over manipulating the signals on Cecil Road and the subsequent effects on local residents. It was suggested that increasing the congestion would increase 'rat-running' through the smaller roads, and that the poor condition of the main roads forced traffic onto smaller roads like Cecil Road.

An advisor to the Panel suggested using sensors to control the phasing of the lights at Cecil Road and Headstone Drive. An officer agreed to investigate this suggestion. It was further suggested that any proposals ought to consider both the short term and long term developments at the junction.

A Member of the Panel suggested that the safety audit proposed by Wealdstone Regeneration Advisory Panel be conducted in parallel with the proposed origin and destination survey.

RESOLVED: That officers be authorised (1) to conduct an origin and destination survey to establish the volume of non-local traffic using Cecil Road and to develop a scheme to introduce traffic signals, with pedestrian crossing facilities, at the Ellen Webb Drive/Headstone Drive/Cecil Road junction that will actively discourage such traffic from using Cecil Road;

(2) to simultaneously carry out a safety audit to ascertain the feasibility of removing the right turn restriction before other schemes for controlling the traffic be considered;

(3) subject to the survey showing that a workable solution is achievable, to:

- conduct a public consultation exercise to demonstrate that there is local support for the scheme;
- seek approval from Transport for London (TfL);
- prepare notification on the relocation of the Toucan crossing on Ellen Webb Drive (East) exit and make any modifications to waiting and loading restrictions that are necessary;

(4) subject to the foregoing issues being considered further by the Portfolio Holder for Environment and Transport, implement the scheme.

130. **Harrow View/Headstone Drive/Headstone Gardens Pedestrian Facilities at Signals:**

The Panel received a report of the Director of Area Services, Urban Living, which detailed the findings of an investigation into the provision of controlled pedestrian

crossing facilities at the Harrow View/Headstone Drive/Headstone Gardens junction. Officers advised Members that TfL, who had agreed funding to improve the junction by March 2006, had conducted the investigation.

In the discussion that followed, Members sought clarification on the proposed solution. Officers confirmed that two-stage crossing facilities would be provided on the Headstone Drive and Headstone Gardens approaches with single-stage crossings on the other approaches. The pedestrian facilities had been arranged to minimise the loss of green time to vehicles thereby minimising loss of capacity on the approaches, although overall there would be a small increase in delay for traffic using this junction. To achieve this layout required the introduction of a right turn ban from Headstone Gardens to Harrow View (south) which would displace a small amount of traffic from the junction. Officers confirmed that the signals would be pedestrian activated. In addition to pedestrian facilities the scheme would also introduce a small amount of shopper parking.

A Member of the Panel, who was also the Ward Councillor for Headstone South, offered her support for the proposals, which she described as offering a balance between the needs of motorists and pedestrians. However, a Member expressed concern that delaying the traffic and introducing a right turn ban would increase traffic volume on surrounding roads. An officer advised that 'Before and After' monitoring of traffic flow would be carried out to determine if there was any notable traffic displacement as a result of the right turn ban.

Although Members of the Panel emphasised that there was no easy solution to the problems at this junction, it was agreed to support the officer's recommendation subject to clear public support being demonstrated via consultation.

RESOLVED: That officers be authorised (1) to carry out a public consultation exercise to measure the level of support for the introduction of pedestrian crossing facilities and shopper parking at the Headstone Drive/Harrow View/Headstone Gardens junction in a proposal that will ban right turns from Headstone Gardens into Harrow View and that will lead to a limited increase in queuing at the junction;

(2) subject to clear public support being demonstrated, to:

- prepare traffic orders to introduce a right turn ban from Headstone Gardens;
- introduce pay and display parking; and
- modify waiting and loading restrictions to accommodate changes to the bus stop;

and, subject to these issues being considered further by the Portfolio Holder for Environment and Transport, implement the scheme.

131. **Kenton Park Road Experimental Road Closure Update:**
See Recommendation 1.

132. **Proposed Extension of Stanmore Controlled Parking Zone - Objections and Re-Consultation Results including Howberry Road and Howberry Close:**
See Recommendation 2.

133. **Any Other Business:**

(i) Petts Hill Bridge

A Member of the Panel requested regular updates and reports on the Petts Hill Bridge improvement scheme. Although it was argued that the reports should only be provided when required, instead of creating a standing agenda item, it was:

RESOLVED: That officers update the Panel when there are new developments to the Petts Hill Bridge proposals, and report any developments to the next meeting.

(ii) Accident statistics

Officers requested more information on what format the statistics should take.

RESOLVED: That Nominated Members discuss with officers outside the formal Panel meetings to agree format of regular information on accident statistics.

- (iii) Traffic calming measures in Kings Road and the surrounding area
A Member of the Panel requested that the results from the consultation on traffic calming measures in Kings Road be brought to the Panel, to enable them to make recommendations. Members were informed that any issues that were contentious would be presented to the Traffic and Road Safety Advisory Panel for their decision.

RESOLVED: That the above be noted.

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

(Signed) COUNCILLOR JERRY MILES
Chair

HARROW BUSINESS CONSULTATIVE PANEL

26 SEPTEMBER 2005

Chair: * Councillor Choudhury

Councillors: * Idaikkadar
* Kara

Myra Michael

* Denotes Member present

[NB Attendance at this meeting by representatives of community organisations and representatives of the Local Authority is recorded at Appendix 1].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES****1. Appointment of Chair:**

RESOLVED: To note the appointment, at the Cabinet meeting on 19 May 2005, of Councillor Choudhury as Chair of the Panel for the 2005/2006 Municipal Year.

2. Appointment of Vice-Chair:

RESOLVED: To appoint Councillor Idaikkadar as Vice-Chair of the Panel for the 2005/2006 Municipal Year.

3. Attendance by Reserve Members:

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

4. 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.

5. Arrangement of Agenda:

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

6. Public Representations:

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 and 16 (Part 4B of the Constitution) respectively.

7. Minutes:

RESOLVED: That the minutes of the meeting held on 3 February 2005 of this Panel's predecessor body (the National Non-Domestic Ratepayer Consultative Panel), having been circulated, be taken as read and signed as a correct record.

8. Matters Arising from the Minutes:

The Chair noted that the responses to questions raised at previous meetings of the Forum were included in the agenda pack, for information. No other matters arose.

RESOLVED: That the above be noted.

9. Welcome to the Meeting:

The Chair welcomed Members, officers and representatives of the Business Community in Harrow to the meeting. He explained that this was the first meeting of the Harrow Business Consultative Forum, formerly the National Non-Domestic Ratepayers Consultative Forum. The Business Consultative Forum had been established to extend consultation with the business community to wider issues, beyond the statutory annual consultation on the Council's budget proposals. The Chair informed the meeting that the Forum would still undertake this statutory duty.

RESOLVED: That the above be noted.

10. **Introduction to the Meeting:**

Councillor Dighé, the Portfolio Holder for Business Connections and Performance, addressed the meeting and explained that his portfolio covered relationships between the Council and businesses. He added that the Forum was important for the development of a strong partnership between the Council and its business community. He emphasised the need for consultation that would inform the Council which services were important to businesses and how these services could be improved.

In the discussion that followed, a business representative questioned the Portfolio Holder on the Council's consultation with small businesses over procurement. The Portfolio Holder referred to the business portal which enabled businesses, once registered, to receive pre-notification of contracts for tender. He also referred to seminars and open events organised to advertise the business portal, and suggested that a demonstration could be organised for any interested parties. The representative suggested that small businesses should be provided with an opportunity to bid for contracts as a consortium.

A representative expressed concern that businesses were not offered exemptions from the controlled parking zones (CPZs) across the Borough, although a Member of the Panel advised that businesses could receive exemptions. Further concern was raised over the impact of the extension of the Stanmore CPZ on local businesses. It was suggested the concerns should be directed to the Traffic and Road Safety Advisory Panel.

RESOLVED: That the above be noted.

11. **Harrow's Relationship with the Business Community:**

The meeting received three verbal presentations from officers of the Council.

Contacts with the Business Community

The meeting was provided with an overview of the Council's relationship with its business community. Strategies and reviews to develop and improve this relationship were outlined, including:

- A mapping exercise to provide a comprehensive picture of businesses in Harrow;
- Developments in engagement and consultation, including the launch of the Harrow Business Consultative Panel and ongoing consultation in relation to the development of the business portal;
- Initiatives to support growth in the business sector, such as a review of the impact of Harrow's new tourism strategy on business activity and an assessment of the need for a new incubator site;
- Monitoring best practice across other boroughs and joint working with the West London Alliance;
- The development of an detailed action plan for business engagement over the next 2-3 years.

Officers requested that business representatives provide advice to the meeting on how the Council should consult with them most effectively.

Harrow Business Community Portal

The meeting received an update on the Business Community Portal, 'Smart Connections', recently launched to encourage growth in the local business community. Officers navigated the links within the three main sections of the Business Portal (www.harrow.co.uk/business):

1. **Business Services and Support** – this section provided help, advice and guidance on business issues, including: information on business finance; commercial properties available to businesses; health and safety courses provided by the Council; and other relevant information.
2. **Doing Business with Harrow Council** – this section advertised the Council's current procurement contracts, and allowed businesses to view contracts available for tender, receive pre-tender advice and view historical tenders. It was suggested that smaller businesses could use this section to identify larger organisations who had received contracts that could be approached for sub-contracting work.

3. **Directory of Harrow Businesses** – this section enabled businesses to register with the portal. Officers described it as providing an 'extra shop window' for businesses. It was added that business could register an interest in certain types of contracts, and receive update emails when a tender became available.

It was emphasised that the success of the portal would depend heavily on take-up amongst the business community. 4000 leaflets would be circulated to businesses to advertise the portal, and feedback would be encouraged to enable the site to be improved. The meeting was informed of the expected benefits of the portal on different segments of the business community. The success of the site would be ascertained through monitoring web data and survey results.

Visiting Harrow: London's Newest Attraction

The Forum received a presentation on Harrow's new tourism strategy. It was informed that the strategy was particularly important to Harrow with regard to new and upcoming developments in the area, including:

- success in the Olympic bid;
- the completion of Wembley Stadium in 2006; and
- developments in transport links including the expansion of Heathrow Airport and the Channel Tunnel.

To ensure that Harrow's local economy benefited from the developments, 'putting Harrow on the map' had become one of the Council's key corporate priorities. The Council had plans to regenerate both the Town Centre and open spaces across the Borough. The key tourism strengths of the Borough were described, including:

- 'village life' in areas such as Pinner and Harrow on the Hill;
- heritage attractions including Bentley Priory, Grim's Dyke Hotel, Headstone Manor and Harrow Museum;
- traditional events such as May Day festivities and diversity events such as Under One Sky and Harrow Arts Festival.

The Council's tourism vision involved 'putting Harrow on the map' and increasing awareness of the Harrow brand. It was hoped that this would then create more civic pride, strengthen communities and achieve prosperity in the local community. Partnership working was considered crucial for the success of the strategy. Harrow Tourism Forum had been established to provide a Forum for stakeholders to meet quarterly and feedback on the strategy.

Four key areas were developed for long-term growth:

1. **Market development** – including developing the Harrow brand, conducting research using the new Economic Impact Model from the London Development Agency, using this information to target identified tourist markets and increasing press coverage.
2. **Product development** – increasing the range of visitor attractions and implementing a Tourist Information Centre.
3. **Quality enhancement** – to welcome and satisfy the visitor, by providing good quality accommodation, signage, visitor maps and maintaining the grounds of historical attractions.
4. **Training and development** – supporting local businesses, especially in the hospitality industry, by providing the required training and development needed to support tourism growth.

The meeting was informed of the Council's achievements in 2005, including: launch of the tourism strategy; support from both the local and national press; increased activity in the town centre; and restoration work at heritage sites including Headstone Manor and Cannons Park.

With expanding transport links and the successful Olympic bid, it was anticipated that Harrow would greatly benefit from increased tourism, provided that the infrastructure was developed now through the tourism strategy.

Questions and Answers

Further to the presentations, the Forum received questions and comments from the business representatives, which were answered by officers and Members present.

A representative suggested that disabled access to Harrow on the Hill station was a big problem for people trying to access Harrow. The meeting was informed that improved access at Harrow on the Hill station was a current priority for London Underground.

A representative queried what funding could be provided to smaller businesses in Harrow, to allow them to compete against businesses in Brent and Ealing. Officers referred to the Business Portal, which contained a link to business funding opportunities available.

In response to a query, the meeting was informed that registration to the business portal was free of charge. Officers further advised that the Council did not operate an 'approved list' system for procurement contracts with the Council, and that all tenders were approved from scratch.

A major concern of representatives was that a lack of free car parking in Harrow limited access to local businesses. A representative suggested that Harrow could not compete with areas like Brent Cross, which provided free parking to its customers. A Member advised that the high car ownership in Harrow placed competing demands on the parking spaces available in the area. Although public transport was recommended as a viable alternative to cars, a representative believed that public transport prevented customers from browsing smaller shops in more remote areas. It was further suggested that public transport was inconvenient for local journeys. Making Harrow more accessible to vehicles was considered a high priority if Harrow was to improve tourism. It was suggested that a car park which provided free spaces for customers of the local shops would provide a solution. It was further recommended that car parking restrictions should be consistent within an area.

In response to queries about free parking in Harrow, the Chair informed the meeting that car parks in North Harrow and Wealdstone (including the Peel multi-storey car park) offered first hour free car parking, and that Kenton Road was pay and display with free off-street parking on Mayfield Avenue and Willowfield Avenue except between 11am and noon.

Although Members noted that the New Harrow Project was aiming to make Harrow 'cleaner, greener and safer', a representative was still critical of the level of cleanliness in Harrow's streets and said that this would deter tourists.

A representative was interested to know how to exploit business opportunities created by the opening of Wembley Park Stadium. Officers stated that the Council was in talks with Brent to incorporate promotional marketing into brochures created by Brent, especially promoting accommodation in Harrow. The representative was advised to contact the Council for more specific opportunities relating to his business.

In addition, a representative submitted five written questions, and it was agreed that the Director of Financial and Business Strategy would arrange for written responses to be forwarded to the representative.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 7.35 pm, closed at 9.05 pm)

(Signed) COUNCILLOR MRINAL CHOUDHURY
Chair

APPENDIX 1

HARROW BUSINESS CONSULTATIVE PANEL – 26 SEPTEMBER 2005**(1) Representatives of the Business Community who Attended**

D Greenwood	Federation of Small Businesses (FSB)
A Campos	McDonalds Restaurant Ltd
S Sen	SBA Ventures UK Ltd
C Backhouse	Brent and Harrow Chamber of Commerce
P Mistry	United Quest Ltd
A Watkiss	S&D Chemicals Ltd
R Legg	KEBS
C Legg	KEBS

(2) Officers who Attended

Myfanwy Barrett	Director of Financial and Business Strategy
Chander Vasdev	Business Community Manager
Linzi Clark	Tourism Officer
Laura Kell	Democratic Services Officer

PUBLICATIONS ADVISORY PANEL

27 SEPTEMBER 2005

Chair: * Councillor Marie-Louise Nolan

Councillors: * Branch * Jean Lammiman
* Harrison * Bill Stephenson
Knowles

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**213. **Attendance by Reserve Members:**

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

214. **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.

215. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda was 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. Harrow People Publishing Schedule	This report was not available at the time the agenda was printed and circulated. Members were requested to consider this report in order to comment on the new printing schedules for Harrow People.

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

216. **Minutes:**

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

217. **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).

218. **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).

219. **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).

220. **Reference from the Meeting of the Lifelong Learning Scrutiny Sub-Committee held on 27 June 2005: African Exchange Presentation:**

The Panel received a reference from the meeting of the Lifelong Learning Scrutiny Sub-Committee on 27 June 2005. The reference explained that the Sub-Committee had received a presentation on a project initiated by Whitefriars First and Middle School, which had developed links with schools and communities in Uganda over the previous three years. The Chair explained her intention to feed back to the Chair of the

Lifelong Learning Scrutiny Sub-Committee that an article on the project had been included in the October edition of Harrow People. A Member suggested that in future a more informal method of internal communication could be employed in similar circumstances.

RESOLVED: That the reference be noted.

221. **Harrow People Publishing Schedule:**

The Panel received a report of the Group Manager (Communications) setting out the forthcoming publishing schedule for Harrow People. The Group Manager (Communications) provided a brief overview of the deadlines and noted that the distribution to date had proved to be successful. It was added that a job supplement would be introduced into the magazine. The Panel further discussed opportunities for small advertisers, the cost of advertising for internal clients and issues surrounding Harrow People's budget following the decision to move to a monthly magazine. The Panel also suggested that future editions could include an article based on an issue raised by a local resident, which would provide a solution or advice on the query.

RESOLVED: That the Panel receive a report at its next meeting, providing details on costs associated with producing Harrow People.

222. **Website Update:**

Members received a verbal report from the Group Manager (Communications) providing an update on the Council's Website. Following initial discussions with CAPITA, it was reported that the website would be used as one of the main tools to promote a more interactive and customer focused approach to delivering the Council's services. Members also heard that the Council was considering changing the website's existing content management system to make the site more accessible. It was added that a Project Team would be established to help develop and redesign the website over the course of the coming months.

RESOLVED: That the above be noted.

223. **Any Other Business:**

The Panel discussed the Council's approach to recruitment advertising, including the various publications in which adverts were placed.

It was also agreed that Members would receive a copy of a communications booklet, which provided information on the officers in the section.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 7.33 pm, closed at 8.50 pm)

(Signed) COUNCILLOR MARIE-LOUISE NOLAN
Chair

CONSULTATIVE
FORUMS

EDUCATION CONSULTATIVE FORUM

22 SEPTEMBER 2005

Chair:	† Councillor Bill Stephenson	
Councillors:	* Mrs Bath * Miss Bednell (in the Chair) * Gate	* Ismail * Janet Mote * Ray
Teachers' Constituency:	† Mr R Borman * Ms C Gembala * Ms J Lang	* Ms L Money * Ms L Snowdon
Governors' Constituency:	* Ms H Henshaw * Mrs C Millard	Mr N Rands Ms H Solanki
Elected Parent Governor Representatives:	* Mr H Epie	* Mr R Sutcliffe
Denominational Representatives:	* Mrs J Rammelt	† Reverend P Reece
Arts Culture Harrow Representatives:	(none)	(none)

* Denotes Member present
† Denotes apologies received

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Education Consultative Forum's Terms of Reference**

Your Forum considered its current Terms of Reference and made the following comments:

- The copy of the Terms of Reference circulated with the agenda had not included the amendment previously agreed by Cabinet, which allowed a non-Councillor to be appointed Vice Chair.
- The abbreviated version of the Forum's name should be changed to EdCF to avoid confusion with the Employees' Consultative Forum.
- The two elected parent governors should be listed separately from the Governor constituency of six members nominated by the Association of Harrow Governing Bodies.
- The wording of 'Functions and Objectives' item 1(i) contained a grammatical error.
- The view was expressed that the two members appointed by the Arts Culture Harrow had not attended many meetings of the Forum because the majority of issues discussed at the meetings were not relevant to the arts constituency. The Forum agreed that it was not practicable to continue to require two arts representatives in the membership, but felt that art and culture served an important function and should continue to be represented in the Council's committees.

Resolved to RECOMMEND: (To Cabinet)

That (1) the amendment, previously approved by Cabinet, which allowed non-Councillors to be appointed Vice Chair, be incorporated into the Terms of Reference;

(2) the abbreviated version of the Forum's name be changed to EdCF;

(3) the two elected parent governors listed under 'Composition of the Education Consultative Forum', item (c), become a separate item (d); consequently, item (d) be listed as item (e);

(4) the "arts constituency of two members nominated by Arts Culture Harrow" (item e) be removed;

(5) the wording of 'Function and Objectives' item 1(i) be changed to "...between the Executive, its teaching employees...."; and

(6) Cabinet consider where art and culture representation might be more appropriately placed within the Council's meetings structure.

[REASON: To enable the Forum's Terms of Reference to be updated].

PART II - MINUTES

178. **Appointment of a Chair for the Meeting:**
In the absence of the Chair of the Forum, Councillor Bill Stephenson, nominations were requested for a Chair of the meeting.
- RESOLVED:** Unanimously, to appoint Councillor Miss Bednell as Chair of the meeting.
179. **Appointment of Chair:**
- RESOLVED:** To note the appointment at the meeting of Cabinet on 19 May 2005, under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 2 (Part 4E of the Constitution) of Councillor Bill Stephenson as Chair of this Forum for the Municipal Year 2005/2006.
180. **Attendance by Reserve Members:**
- RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.
181. **Apologies for Absence for Non-Councillor Members:**
- RESOLVED:** To note that apologies had been received from the following Members of the Forum:
- | | |
|-----------------------|---------------------------------|
| Councillor Stephenson | - Chair of the Forum |
| Reverend P Reece | - Denominational Representative |
| Mr R Borman | - Teachers' Constituency |
182. **Declarations of Interest:**
In relation to this item, Council Members re-stated the governorships which they each held, as set out in the minutes of the meeting of the Education Consultative Forum on 15 July 2004 (Minute 110).
- RESOLVED:** That the Declarations of Interest made by Council Members be noted.
183. **Arrangement of Agenda:**
- RESOLVED:** That all items be considered with the press and public present.
184. **Appointment of Vice Chair:**
- RESOLVED:** That (1) the appointment of a Vice Chair for the Municipal Year 2005/2006 be deferred until the revised Terms of Reference for the Forum (Agenda Item 12) had been approved by Cabinet; and
- (2) the Vice Chair of the Forum for the Municipal Year 2004/2005 would continue to receive the draft minutes of meetings for comment at the same as the Chair, until such time as a Vice Chair for the Municipal Year 2005/2006 was appointed.
185. **Minutes:**
- RESOLVED:** That the minutes of the meeting held on 25 April 2005, having been circulated, be taken as read and signed as a correct record.
186. **Matters Arising:**
- RESOLVED:** That the following matters arising from the minutes of the last meeting be noted:

- (i) Minute 171 – Matters Arising - Contingency Provision within Schools
The Forum was reminded that an update report had been requested for the Special Meeting on 6 December 2005.
- (ii) Attendance
Councillor Gate offered his apologies for having been absent from the last meeting and not sent apologies or a Reserve Member in his place.

187. **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 Advisory Panel and Consultative Forum Procedure Rules 15, 13 and 14 (Part 4E of the Constitution) respectively.

188. **Education Consultative Forum's Terms of Reference:**

See Recommendation 1.

189. **School Term Dates 2007/08:**

The Forum considered a report of the Director of Strategy (People First) which provided options for agreeing the way forward to determine the term dates for Harrow schools for the academic year 2007/08.

Officers advised the Forum that, in their view, it would be prudent to await further information from the Local Government Association (LGA) and the Association of London Government (ALG) prior to determining the 2007/08 school dates. However, officers reported that the ALG had indicated that it would welcome feedback on the proposed term dates prior to a meeting with the LGA on 30 September 2005.

The Forum discussed the proposed term dates and agreed that their main concern was the difficulties caused by Easter not being a fixed date; this meant that, in 2007/08, the academic year would effectively be split into six terms. This resulted in 'part-weeks' that were generally felt to be unpopular with both parents and teaching staff. Some members of the Forum expressed the view that the proposed term dates might prompt an increase in truancy and absence around Easter time.

RESOLVED: That (1) the Forum's comments be forwarded to the ALG; and

(2) the report be noted.

190. **Teaching of Religious Education in Harrow:**

The Forum received a verbal report of the Associate Adviser (People First) on the teaching of Religious Education (RE) in the Borough.

The officer explained that RE was within the legal framework and was therefore taught to all pupils in full-time education. Unlike other subjects, the RE syllabus was agreed locally rather than nationally. The syllabus was set by the Standing Advisory Council on Religious Education (SACRE) every five years. The current syllabus, which had been established in 2000 and so was due for renewal, focused on Christianity as the religion historically practised in Britain, but also included other principle religions. This was particularly important for Harrow, which had one of the broadest ranges of religious communities in the country. The syllabus sought to serve two main functions: to support the belief systems of the pupil's family, and to educate about other religions.

Schools had recently been provided with a resource pack provided by the Muslim Council of Britain. This had been well received, and at the meeting of SACRE on 21 September 2005, the Council had considered writing to all faith communities to encourage them to provide similar resources. The officer stated that all were welcome to attend meetings of SACRE.

The Chair thanked the officer for her presentation and suggested that officers consider placing an article in the Harrow People to publicise the way in which religion was taught in schools.

RESOLVED: That the above be noted.

191. **16-19 Update:**
Officers provided an oral update on developments on this issue since the last meeting of the Forum.
- The 14-19 skills centre had opened and was operating. It had 98 students in the 14-16 age range, and 60 students in the 16-19 range accessing provision. The manager of the centre had advised that anyone wishing to visit the centre would be most welcome.
- Following a meeting with Lord Adonis, new guidance was expected on the bidding process for sixth form provision. The terms of reference for the bidding would be published in November 2005, and early indications suggested that the preferred model would be a Harrow-wide solution, whereby schools would work co-operatively to offer provision for all academic and vocational pathways. In response to a question from a member of the Forum regarding sharing of funds for a single bid, officers advised that it was likely that funds would be allocated based on a school's current situation, such as whether the school had surplus accommodation.
- A Member of the Forum expressed concern that some schools were progressing plans for sixth form provision, including building works. Officers advised that the plans had been discussed with headteachers.
- A Member requested that the Council's website be updated to provide information on which schools would be offering sixth form provision from September 2006.
- RESOLVED:** That (1) the above be noted; and
- (2) officers be requested to provide information regarding sixth form provision for 2006 on the Council's website.
192. **The Danks Report:**
Officers advised, in an oral report, that a consultation paper regarding the Danks Report had been sent to every school in Harrow outlining the needs of young people at risk of exclusion. A copy had also been sent to every Chair of Governors, and a monthly newsletter would be sent to schools.
- In response to a question regarding financial support, officers advised that the Action Plan would need to be costed before figures could be confirmed, but advised that there would be no cost to the Authority apart from the establishment and maintenance of the Working Group.
- RESOLVED:** That the position be noted.
193. **Children and Young People's Plan:**
The Forum received a report of the Group Manager (People First) which provided a brief overview of the Children and Young People's Plan (CYPP), which the Council was required to produce by 1 April 2006.
- Officers advised that the CYPP was intended to reduce bureaucracy by replacing up to nineteen other plans. The Plan would need to demonstrate what Harrow's needs were, and how they would be met. It was intended that the CYPP would drive change by putting children at the centre of planning, so that service requirements would be dictated by need. Officers advised that the CYPP would initially be driven by an audit of need, but was intended to be an ongoing process, so could change over time. The CYPP would be key evidence in any inspection of the Authority.
- The Council had a duty to produce and co-ordinate the CYPP but would be dependent upon its partner services to implement the Plan. Stakeholders and the community would be encouraged to participate in shaping the plan, and the final version would need to be available to a wide range of audiences and include a children's version.
- A member of the Forum expressed the view that some of the language used in the draft CYPP meant that the meaning was not always clear, and asked whether simpler language could be used. Officers responded that the wording was driven largely by the Department for Education and Skills, but advised that some other local authority plans had provided additional 'links' to provide context for some of the ideas contained within the plans. Members of the Forum felt that this additional information might be helpful.
- A Member of the Forum commented that, in places, the CYPP appeared to be a hybrid of strategic-level planning and expressed some concern that such a Plan might be difficult to implement. Officers responded that it was intended that the CYPP would provide an over-arching strategy for other more detailed plans, and emphasised that the content would have to be based on an audit of need that could be evaluated.

The Forum commended officers on the initial draft of the CYPP and

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

(2) officers be requested to liaise with the respective Chairs of the Lifelong Learning Scrutiny Sub-Committee and the Health and Social Care Scrutiny Sub-Committee with a view to taking the report to future meetings of the sub-committees for consultation.

194. **Date of the Next Meeting:**

RESOLVED: To note that the next meeting of the Forum would be a Special Meeting, to be held on 6 December 2005.

195. **Items for the Next Meeting:**

RESOLVED: To note that (1) the agenda for the next meeting would include Bullying in Schools; and

(2) officers be requested to widen the Bullying item to include Truancy.

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

(Signed) COUNCILLOR CHRISTINE BEDNELL
Chair for the Meeting

COMMUNITY CONSULTATIVE FORUM

28 SEPTEMBER 2005

Chair: * Councillor Nana Asante

Councillors: * Arnold * Currie
* Burchell (3) * Gate (2)
* Janet Cowan * Anjana Patel

* Denotes Member present
(2) and (3) Denote categories of Reserve Members

[NB Attendance at this meeting by representatives of community organisations and representatives of the Local Authority is recorded at Appendix 1].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**162. **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 Lavingia	Councillor Gate
Councillor Dharmarajah	Councillor Burchell

163. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Nana Asante	Member of the African SANG and The A-Connexion's Global Village, which in turn was a member of Harrow Association of Voluntary Services (HAVS)
Councillor Gate	Member of St Peter's Church, West Harrow
Councillor Anjana Patel	Harrow Mencap Board Member

164. **Arrangement of Agenda:**

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

165. **Minutes:**

A representative from a community group had contacted the Chair in advance of the meeting to suggest an amendment to the minutes which was agreed by the meeting.

RESOLVED: That the minutes of the meeting held on 29 June 2005, having been circulated, be taken as read and signed as a correct record, subject to the following amendment:

Minute 159 Bullet Point 5 be replaced with:

“DIVERSITY: emphasis was placed on the need for the Council to address diversity in the Borough. Representatives emphasised that effective communication would require several strategies. One member suggested that information should be translated into multiple languages. However, it was argued that it was in the interest of community cohesion that resources be used to ensure that different communities have access to English classes that suit their needs.”

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. **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).

169. **Welcome to the Meeting:**

The Chair welcomed Members and representatives of community organisations to the meeting. She explained that the theme of the meeting, 'The Community Speaks', had been chosen in line with the work programme developed by community representatives and presented to the Forum's meeting on 12 April 2005.

She also informed representatives of a community message board on Harrow Council's Internet site, which enabled communication between Councillors, officers and members of the public on important issues.

170. **Update on Community Engagement:**

The Forum received a presentation on the community engagement strategy, Harrow Speaks, which had been the focus of a consultation exercise completed at the last meeting of the Forum on 29 June 2005.

The meeting was informed that the community engagement strategy aimed to involve and inform the community, to enable them to shape and improve Harrow Council's services and decision-making processes. The strategy would be used to produce a 'toolkit' of best practice methodologies that could be applied to the Council's community engagement activities. The officer cited current Council initiatives for improving public consultation, such as the Open Budget Process, Local Area Agreements and the scrutiny review of community engagement, Hear/Say.

In the discussion that followed, it was emphasised that the strategy aimed to provide officers and Councillors with the tools needed to engage effectively with the community. It was added that effective consultation then required an understanding of the groups to be engaged and the selection of the appropriate modes of consultation. The community engagement policy officer was working to identify hard to reach community groups and develop an understanding of their requirements.

A community representative underlined the need for partnership in engagement, and suggested that the community also needed to take responsibility for engagement and to lead activities on occasion. Several representatives suggested that poor attendance at some Council meetings was a result of the Council becoming more remote from the community organisations.

The meeting identified young people as a difficult group to effectively engage. A Member of the Forum informed the meeting that the Hear/Say scrutiny review was meeting a local youth group to hear their views on engagement, and invited interested parties to attend. It was emphasised that people could only attend to observe and listen, to inform themselves about how to engage with this hard to reach section of society.

RESOLVED: That the above be noted.

171. **Presentations from Community Groups:**

Colleagues from the community and voluntary sector had been invited to speak to the Forum about their experience of dealing with the Council. The presentations then led into a discussion on the issues raised by the representatives.

Presentation from founder of IJAPA

The founder of IJAPA, a new and emerging organisation in Harrow, gave the first presentation. She explained that the organisation's bad experiences had outweighed the good when engaging with the Council. Examples of their experiences were cited, including:

- When approaching Council departments, she had been referred from department to department, which had caused her to approach other boroughs to promote her work;

- Encouraged by the election of the Council's first African Councillor, IJAPA had worked with other African women in Harrow on Black History Month. The event had been marred by double-booking and cancelled reservations at the Civic Centre;
- The appointment of the Council's first African Caribbean Mayor had encouraged the organisation to continue engaging with the Council;
- Work on Black History Month in the subsequent years had proved more fruitful, with a wide variety of events organised and a lead role on the publicity sub-group. It was emphasised that volunteers from community organisations worked hard, and that the Council should therefore listen to them and remove any barriers to community participation;
- Most recently, letters had not been received from officers requesting further information on a grant application made to the Council, although reports to the Grants Advisory Panel had stated that the organisation had not submitted the information requested. On a more encouraging note, IJAPA highlighted the positive experience of working with Council officers from the Communications Unit.

In conclusion, the founder of IJAPA suggested that Harrow Council examine its practices and realise that:

- endless consultation without respecting constituent communities would serve no purpose;
- the Council's attitude should be how to make things happen rather than why things cannot be done.

Presentation from Representative of Groups within the Voluntary Sector

A representative of the voluntary sector who had worked with many organisations within Harrow addressed the Forum. He recounted his experiences of working with the Council whilst participating with various organisations in Harrow, and agreed with many of the observations made by the founder of IJAPA.

He gave an historical account of partnership working between the Council and organisations including Community Link Up, Harrow Carers' Support and Harrow Healthy Living Centre. The meeting was informed that the Healthy Living Centre had been established in partnership with the Council, although there had been many challenges in the partnership work. He described problems encountered, as outlined below:

- **Changes to Personnel** – frequent changes to Council staff created problems in continuity; due to these changes, work founded on the principles of partnership had disintegrated.
- **Providing services to the Council** – it was felt that the Council expected too much from organisations providing Service Level Agreements, without providing sufficient financial resources.
- **Unable to participate in meetings** – the representative told of his frustration at not being able to contribute to discussion at Member-level meetings. He added that this would deter people from making the effort to attend.
- **First Contact** – he informed the meeting that his attempts to contact the Council to offer his services had not been acknowledged. In addition, it was felt that lack of communication between departments made approaching the Council more difficult, especially for people with learning difficulties.
- **Reluctance to speak out** – it was felt that voluntary organisations were reluctant to speak out against the Council for fear that it would be detrimental to their organisation.

He concluded that he hoped the problems identified could be addressed through debate at Forum's like the Community Consultative Forum. The Open Budget Process was welcomed, and he commended the voluntary work of some officers and Members of the Council.

Discussion and Debate

In the discussion that followed, Members and community representatives raised the following issues:

1. **Changing the culture within the Council** – it was emphasised that the Council needed to address any reluctance on the part of officers of the Council when assisting members of the public.
2. **Councillor assistance** – Members encouraged representatives to approach them with any Council issues, particularly issues that they wished to be raised at committee meetings.
3. **Open Budget process** – this was generally commended, although a representative emphasised that sensible boundaries ought to be applied to avoid irresponsible spending.
4. **First Contact and complaints procedure** – Members informed the Forum that they had also had problems receiving information from Council officers, and recommended forwarding the request to more senior management. It was also felt that the complaints procedure was inefficient.
5. **Community Engagement Strategy** – when engaging, it was suggested that the focus ought to be on the more vulnerable, hard-to-reach sections of society.

In response to a query about pre-meetings at the Community Consultative Forum, the Chair advised that these had been re-instated at the request of community representatives, but then had been cancelled due to poor attendance.

The Chair highlighted the issue of participation in Member-level meetings by members of the public. She emphasised that the agenda provided opportunity for public representations within the standard agenda items 'Petitions', 'Public Questions' and 'Deputations', and noted that these were rarely utilised. It was suggested that members of the public should be better informed on how the democratic process worked.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 7.30 pm, closed at 9.15 pm)

(Signed) COUNCILLOR NANA ASANTE
Chair

APPENDIX 1

COMMUNITY CONSULTATIVE FORUM – 28 SEPTEMBER 2005**(1) Representatives of Community Organisations who Attended**

Farrukh Mahmood	Pakistan Women's Association Harrow
K Mahmood	Euro Pakistan Society
Kahlid Mahmood	Harrow Muslim Education Society
Moji Sorunke	IJAPA: Tales by Moonlight
Lt. Col Dawn Sewell	The Salvation Army UK
Punitha Perinparaja	Kala Anjali Arts Circle
	Harrow Interfaith Council
Mushtaq Kassam	K.S.I.M.C. Islamic Centre, Stanmore
Paul Tobiko	Harrow Mencap
Jesse Mashate	SAHARA
Varsha Bavishi	Harrow Mencap
Mike Coker	Community Link Up
Fahad Mohamed	HAVS
Deven Pillay	Harrow Mencap
Kanti Nagda	Sangat Centre
Alex da Costa	Harrow Regugee Forum

(2) Officers who Attended

Desiree Mahoney	Community Engagement Policy Officer
Ponnam Jaim	Community Premises Review Support Officer
Laura Kell	Democratic Services Officer

(3) Apologies Received

Pravina Patel	Victim Support Harrow
Trevor Chisolm	HACAS
Mike Hey	Shooting Star
Vernon Watts	Shooting Star
Adrian Bebbington	Tenant Participation Team Leader (Harrow Council)
Roger Smith	Traffic Case Study – Hearsay Review
Syed Alam	Harrow Bengalee Association
Baldev Sharma	Harrow Anti Racist Alliance
Neru Desai	Harrow Women's Association
Prem Pawar	Harrow Council for Racial Equality
Ajay Aggarwal	Harrow Council for Racial Equality

